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

FOURTH SESSION—FIFTH PARLIAMENT.

49^o VICTORIÆ, 1886.

VOL. XXI.

COMPRISING THE PERIOD FROM THE TWENTY-FIFTH DAY OF FEBRUARY TO
THE NINETEENTH DAY OF APRIL, 1886.



OTTAWA:
PRINTED BY MACLEAN, ROGER & CO., WELLINGTON STREET.
1886.

MEMBERS OF THE GOVERNMENT

OF THE

RT. HON. SIR JOHN A. MACDONALD, G.C.B.

AT THE OPENING OF THE 4th SESSION OF THE FIFTH PARLIAMENT.

1886.

President of the Council (Premier)	Right Hon. Sir JOHN A. MACDONALD, G.C.B., &c.
Minister of Finance	HON. ARCHIBALD WOODBURY McLELAN.
Minister of Justice	HON. JOHN SPARROW DAVID THOMPSON.
Minister of Public Works	SIR HECTOR LOUIS LANGEVIN, K.C.M.G., C.B.
Minister of Railways and Canals	HON. JOHN HENRY POPE.
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Minister of Customs	HON. MACKENZIE BOWELL.
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Minister of Marine and Fisheries	HON. GEORGE EULAS FOSTER.
Postmaster-General	SIR ALEXANDER CAMPBELL, K.C.M.G.
Minister of Inland Revenue	HON. JOHN COSTIGAN.
Without Portfolio	HON. FRANK SMITH.
Secretary of State	HON. JOSEPH A. CHAPLEAU.

Clerk of the Privy Council JOHN J. MCGEE, Esq.

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

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ALPHABETICAL LIST

OF THE

CONSTITUENCIES AND MEMBERS

OF THE

HOUSE OF COMMONS

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

1886.

ADDINGTON —John W. Bell.	CORNWALL and STORMONT —Darby Bergin.
ALBERT —John Wallace.	CUMBERLAND —Charles James Townshend.
ALGOMA —Simon J. Dawson.	DIGBY —Hon. William B. Vail.
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BEAUHARNOIS —Joseph Gédéon Horace Bergeron.	ELGIN, E. Riding —John H. Wilson.
BELLECHASSE —Guillaume Amyot.	ELGIN, W. Riding —George Elliott Casey.
BERTHIER —E. Octavian Cuthbert.	ESSEX, N. Riding —James Colebrooke Patterson.
BONAVENTURE —L. J. Riopel.	ESSEX, S. Riding —Lewis Wigle.
BOTHWELL —Hon. David Mills.	FRONTENAC —Hon. George Airey Kirkpatrick.
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BRANT, S. Riding —William Paterson.	GLENGARRY —Donald Macmaster.
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BROME —Sydney Arthur Fisher.	GRENVILLE, S. Riding —Walter Shanly.
BRUCE, E. Riding —Rupert Mearse Wells.	GREY, E. Riding —Thomas S. Sproule.
BRUCE, N. Riding —Alexander McNeill.	GREY, N. Riding —Benjamin Allen.
BRUCE, West Riding —James Somerville.	GREY, S. Riding —George Landerkin.
CAPE BRETON — { Murray Dodd. Hector F. McDougall.	GUYSBOROUGH —John A. Kirk.
CARDWELL —Hon. Thomas White.	HALDIMAND —David Thompson.
CARLETON (N.B.) —David Irvine.	HALIFAX — { Malachy Bowes Daly. John F. Stairs.
CARLETON (O.) —Rt. Hon. Sir John A. Macdonald, G.C.B.	HALTON —William McCraney.
CARIBOO —James Reid.	HAMILTON — { Francis Edwin Kilvert. Thomas Robertson.
CHAMBLY —Pierre Basile Benoit.	HANTS —W. Henry Allison.
CHAMPLAIN —Hippolyte Montplaisir.	HASTINGS, E. Riding —John White.
CHARLEVOIX —Simon Xavier Cimon.	HASTINGS, N. Riding —Hon. Mackenzie Bowell.
CHARLOTTE —Arthur Hill Gillmor.	HASTINGS, W. Riding —Alexander Robertson.
CHATEAUGUAY —Edward Holton.	HOCHELAGA —Alphonse Desjardins.
CHICOUTIMI and SAGUENAY —Jean Alfred Gagné.	HUNTINGDON —Julius Scriver.
COLCHESTER —Hon. Archibald Woodbury McLellan.	
COMPTON —Hon. John Henry Pope.	

ST JOHN (Q.)—François Bourassa.	VICTORIA (B.C.)— } Edgar Crow Baker.
ST. MAURICE—Louis Léon L. Desaulniers.	} Noah Shakespeare.
SELKIRK—Hugh Sutherland.	VICTORIA (N.B.)—Hon. John Costigan.
SHEFFORD—Michel Anger.	VICTORIA (N.S.)—Chas. Jas. Campbell.
SHELburnE—Thomas Robertson.	VICTORIA (O.) N. Riding—Hector Cameron.
SHERBROOKE—Robert Newton Hall.	VICTORIA (O.) S. Riding—Joseph R. Dundas.
SIMCOE, E. Riding—Herman Henry Cook.	WATERLOO, N. Riding—Hugo Kranz.
SIMCOE, N. Riding—Dalton McCarthy.	WATERLOO, S. Riding—James Livingston.
SIMCOE, S. Riding—Richard Tyrwhitt.	WELLAND—John Ferguson.
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SUNBURY—Charles Burpee.	WELLINGTON, S. Riding—James Innes.
	WENTWORTH, N. Riding—Thomas Bain.
TÉMISCOUATA—Paul Etienne Grandbois.	WENTWORTH, S. Riding—Lewis Springer.
TERREBONNE—Hon. J. A. Chapleau.	WESTMORELAND—Josiah Wood.
THREE RIVERS—Hon. Sir Hector Louis Langevin, K.C.M.G.	WINNIPEG—Thomas Scott.
TORONTO, Centre—Robert Hay.	YALE—Francis Jones Barnard.
TORONTO, East—John Small.	YAMASKA—Fabien Vanasse.
TORONTO, West—James Beaty, Jr.	YARMOUTH—Joseph Robbins Kinney.
TWO MOUNTAINS—Jean Baptiste Daoust.	YORK (N.B.)—Thomas Temple.
	YORK (O.) E. Riding—Hon. Alexander Mackenzie.
VANCOUVER ISLAND—David William Gordon.	YORK (O.) N. Riding—William Mulook.
VAUDREUIL—Hugh McMillan.	YORK (O.) W. Riding—Nathaniel C. Wallace.
VECHÈRES—Hon. Felix Geoffrion.	

**SELECT COMMITTEE APPOINTED TO SUPERVISE THE PUBLICATION OF THE OFFICIAL REPORTS
OF THE DEBATES OF THE HOUSE.**

BÉCHARD, Mr. François (<i>Iberville</i>).	ROYAL, Mr. Joseph (<i>Provencher</i>).
BERGIN, Mr. Darby (<i>Cornwall and Stormont</i>).	SCRIVER, Mr. Julius (<i>Huntingdon</i>).
CHARLTON, Mr. John (<i>North Norfolk</i>).	SOMERVILLE, Mr. James (<i>West Bruce</i>).
COLBY, Mr. Charles C. (<i>Stanstead</i>).	TAYLOR, Mr. George (<i>Leeds</i>).
DESJARDINS, Mr. Alphonse (<i>Hochelaga</i>).	WOOD, Mr. Josiah (<i>Westmoreland</i>).
INNES, Mr. James (<i>South Wellington</i>).	WOODWORTH, Mr. Douglas B. (<i>King's, N.S.</i>)
<i>Chairman</i> :—MR. ALPHONSE DESJARDINS (<i>Hochelaga</i>).	

LIST OF PAIRS DURING THE SESSION.

- On amendment of Sir Hector Langevin to resolution of Mr. Landry (Montmagny), censuring Government for executing Riel, 15th March, 1886 :—
- | <i>For.</i> | <i>Against.</i> |
|-------------|-----------------|
| MR. PLATT. | MR. McCARTHY. |
-
- On Mr. Cameron's (Inverness) amendment to Mr. Kirk's motion respecting subsidy to Nova Scotia, 1st April :
- | | |
|---------------|------------------|
| MR. DODD. | MR. FISHER. |
| MR. KAULBAOK. | MR. SHAKESPEARE. |
| MR. KINNEY. | MR. CUTHBERT. |
-
- On Mr. Laurier's amendment (extinguishment of Indian Title of the Half-Breeds in the North-West Territories) to motion to go into Committee of Supply, 20th April :—
- | | |
|---------------|-----------------------|
| MR. COOK. | MR. BURNS. |
| MR. FORBES. | MR. KAULBAOK. |
| MR. McINTYRE. | MR. WALLACE (Albert). |
| MR. WELLS. | MR. BOSSÉ. |
-
- On Mr. Mitchell's amendment to motion for House into Committee on Bill respecting the North-West Central Railway Company, 3rd May :
- | | |
|----------------|------------|
| MR. LANGELIER. | MR. BOSSÉ. |
|----------------|------------|
-
- On Mr. Charlton's amendment (timber limits and coal lands) to motion to go into Committee of Supply, 4th May :
- | | |
|----------------|---------------|
| MR. BLAKE. | MR. POPE. |
| MR. BURPEE. | MR. McNEILL. |
| MR. GEOFFRION. | MR. MASSUE. |
| MR. GUNN. | MR. HALL. |
| MR. KIRK. | MR. FERGUSON. |
| MR. LANGELIER. | MR. BOSSÉ. |
| MR. RAY. | MR. MOFFATT. |
| MR. VAIL. | MR. CARLING. |
-
- On Mr. Mulock's amendment to motion for House into Committee on Bill respecting the North-West Central Railway Co., 3rd May :
- | | |
|-----------|---------------|
| MR. GUNN. | MR. McCALLUM. |
|-----------|---------------|
-
- On Mr. Blake's resolution respecting Home Rule for Ireland, 6th May :
- | <i>For.</i> | <i>Against.</i> |
|-------------|-----------------|
| MR. EDGAR. | MR. BERGIN. |
| MR. LISTER. | MR. BOSSE. |
-
- On Mr. Blake's amendment to place Canada Temperance Act on Government Orders, 12th May :
- | | |
|-------------|--------------|
| MR. KINNEY. | MR. BERNIER. |
|-------------|--------------|
-
- On Mr. Mills' amendment (constitution of the Senate) to motion to go into Committee of Supply, 14th May :—
- | | |
|-----------|--------------------------|
| MR. COOK. | MR. ROBERTSON (Hamilton) |
|-----------|--------------------------|
-
- On Mr. Mitchell's amendment (abolition of flour and coal duties) to motion to go into Committee of Supply 20th May :—
- | | |
|-------------|-----------|
| MR. FISHER. | MR. WARD? |
|-------------|-----------|
-
- On Sir Richard Cartwright's amendment (public expenditure) to motion to go into Committee of Supply, 29th May :
- | | |
|---------------|------------------|
| MR. AUGER. | MR. BAKER. |
| MR. BERNIER. | MR. CURRAN. |
| MR. BURPEE. | MR. MOFFATT. |
| MR. COCKBURN. | MR. HAY. |
| MR. FISHER. | MR. WARD. |
| MR. FLEMING. | MR. MASSUE. |
| MR. IRVINE. | MR. SHAKESPEARE. |
| MR. KING. | MR. BURNS. |
| MR. RAY. | MR. DODD. |
| MR. TUPPER. | MR. JACKSON. |
-
- On Mr. Mills' amendment to refer back to Committee the Franchise Bill, 31st May :
- Same as 29th May with the addition of
- | | |
|------------|-------------|
| MR. WELLS. | MR. WRIGHT. |
|------------|-------------|
-
- On Mr. Mulock's amendment to refer Bill respecting the North-West Central Railway Company to Select Standing Committee on Railways, &c., 31st May :—
- Same as the last.

House of Commons Debates

FOURTH SESSION, FIFTH PARLIAMENT.--49 VIC.

HOUSE OF COMMONS.

THURSDAY, 25th February, 1886.

THE PARLIAMENT, which had been prorogued from time to time, was now commanded to assemble on the 25th day of February, 1886, for the despatch of business.

THE SPEAKER took the Chair at fifteen minutes before Three o'clock.

PRAYERS.

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

"Mr. SPEAKER,—

"His Excellency the GOVERNOR GENERAL desires the immediate attendance of this honorable House in the Senate Chamber."

Accordingly the House went up to the Senate Chamber.

And the House being returned,

VACANCIES.

Mr. SPEAKER informed the House that he had received the following notifications of vacancies which had occurred in the representation:—

Of ARTHUR T. B. WILLIAMS, Esq., Member for the Electoral District of the East Riding of the County of Durham, by decease;

Of THOMAS WHITE, Esq., Member for the Electoral District of the County of Cardwell, by the acceptance of an office of emolument under the Crown;

Of ANGUS McISAAC, Esq., Member for the Electoral District of Antigonish, by the acceptance of an office of emolument under the Crown;

Of the Hon. Sir S. LEONARD TILLEY, K.C.M.G., Member for the Electoral District of the City of St. John, New Brunswick, by the acceptance of an office of emolument under the Crown; and

Of GEORGE E. FOSTER, Esq., Member for the Electoral District of King's, New Brunswick, by the acceptance of an office of emolument under the Crown.

NEW MEMBERS.

Mr. SPEAKER also informed the House that, during the Recess, the Clerk of The House had received from the Clerk of the Crown in Chancery, certificates of election and return of the following Members, viz.:—

Of HENRY ALFRED WARD, Esq., for the Electoral District of the East Riding of the County of Durham;

Of the Hon. THOMAS WHITE, for the Electoral District of the County of Cardwell;

Of the Hon. JOHN S. D. THOMPSON, for the Electoral District of Antigonish;

Of CHARLES A. EVERETT, Esq., for the Electoral District of the City and County of St. John, New Brunswick;

Of FREDERICK E. BARKER, Esq., for the Electoral District of the City of St. John, New Brunswick; and

Of the Hon. GEORGE E. FOSTER, for the Electoral District of King's, New Brunswick.

MEMBERS INTRODUCED.

The following Members, having previously taken the Oath according to law, and subscribed the roll containing the same, took their seats in the House:—

Hon. THOMAS WHITE, Member for the Electoral District of Cardwell, introduced by Sir John A. Macdonald and Sir Hector Langevin;

Hon. JOHN S. D. THOMPSON, Member for the Electoral District of Antigonish, introduced by Sir John A. Macdonald and Hon. A. W. McLeisan.

Hon. GEORGE E. FOSTER, Member for the Electoral District of King's, N.B., introduced by Sir John A. Macdonald and Hon. John Costigan.

CHARLES EVERETT, Esq., Member for the Electoral District of the City and County of St. John, N.B., introduced by Sir John A. Macdonald and Hon. John Costigan.

FREDERICK E. BARKER, Esq., Member for the Electoral District of the City of St. John, N.B., introduced by Hon. Mr. Bowell and Mr. Wood (Westmoreland).

HENRY ALFRED WARD, Esq., Member for the Electoral District of the East Riding of Durham, introduced by Sir John A. Macdonald and Mr. Mackintosh.

ADMINISTRATION OF OATHS OF OFFICE.

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

Bill read the first time.

SPEECH FROM THE THRONE.

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

Honorable Gentlemen of the Senate:

Gentlemen of the House of Commons:

On meeting you again I have the pleasing duty to perform of congratulating you on the sufficient harvest of last year and on the prosperity and substantial progress of the country.

Since the suppression of the insurrection in the North-West Territories peace and order have been restored and now prevail. After so serious an outbreak some disquiet and apprehension of the recurrence of those disorders may naturally be expected to linger, and it will be the duty of my Government to make such precautionary arrangements as will assure the present inhabitants, as well as intending settlers of efficient protection against all disturbance.

I warmly congratulate you on the practical completion of the Canadian Pacific Railway, and on the announcement that it will be open for the daily carriage of passengers and freight from Ocean to Ocean, in the month of June next. This great work, so important alike to the Empire and the Dominion, cannot fail to increase the trade between British Columbia and the other Provinces, to ensure the early development and settlement of Manitoba and the North-West, and greatly to add to the commercial prosperity of the whole country.

Should the negotiations between Her Majesty's Government and that of the United States for the appointment of a Joint Commission to adjust what is known as "The Fishery Question" and to consider the best means of developing our International Commerce, fail to secure any satisfactory result, you will be asked to make provision for the

protection of our Inshore Fisheries by the extension of our present system of Marine Police.

The measure submitted to you last Session for the consolidation of the Statutes and for the introduction into the North-West Territories of a more simple and economical system for the transfer of land will be again laid before you for consideration and legislative action. The Acts of last Session will be found to be included in the first of those measures.

You will also be asked to consider the expediency of improving the judiciary system which obtains in those Territories.

Your attention will be invited to the propriety of amending the law relating to the business of the office of Queen's Printer and of providing for the more satisfactory working of the present system of Government and Parliamentary printing.

A numerical census of the North-West Territories has been taken and a measure based thereon for the representation of the people in Parliament will be laid before you.

Other measures will be laid before you, and among them will be found Bills for providing for better mode of trial of claims against the Crown, for regulating Post Office Savings Banks in British Columbia and the North-West Territories, for expediting the issue of patents for Indian Lands, for the administration of the rights of the Crown in the foreshores of the Dominion, for the establishment of an Experimental Farm, and for the amendment of the Chinese Immigration Act.

Gentlemen of the House of Commons :

The accounts for the past year will be laid before you. You will find that the estimate of receipts has been fully realized ; but I regret to say that the outbreak in the North-West has added largely to the expenditure of the country.

The Estimates for the ensuing year will be submitted to you. They have been prepared with due regard to economy and the requirements of the public service.

Honorable Gentlemen of the Senate,

Gentlemen of the House of Commons :

I commend these several subjects and the others which may engage your attention to your best consideration, and I earnestly trust that the result of your deliberations may, under the Divine Blessing, conduce to the advancement and prosperity of Canada.

On motion of Sir JOHN A. MACDONALD, His Excellency's Speech was ordered to be taken into consideration to-morrow.

SELECT STANDING COMMITTEES.

Sir JOHN A. MACDONALD moved :

That Select Standing Committees of this House, for the present Session, be appointed for the following purposes:—1. On Privileges and Elections. 2. On Expiring Laws. 3. On Railways, Canals and Telegraph Lines. 4. On Miscellaneous Private Bills. 5. On Standing Orders. 6. On Printing. 7. On Public Accounts. 8. On Banking and Commerce. 9. On Immigration and Colonization; which said Committees shall severally be empowered to examine and inquire into all such matters and things as may be referred to them by the House; and to report from time to time their observations and opinions thereon; with power to send for persons, papers and records.

Motion agreed to.

REPORT PRESENTED.

Mr. SPEAKER laid on the Table of the House the Report of the Joint Librarians of Parliament.

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

Motion agreed to; and House adjourned at 4.45 p.m.

HOUSE OF COMMONS.

FRIDAY, 26th February, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

ADDRESS IN ANSWER TO HIS EXCELLENCY'S SPEECH.

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

Mr. EVERETT. Mr. Speaker: I have had the honor of being selected from among the new members of this House, to move the Address in reply to the Speech from the Throne. Before entering upon such remarks as I may be enabled to make briefly upon some of the points referred to in the Speech, I desire to crave from Your House the indulgence which has usually been granted to those gentlemen who, in years past, have occupied the position which I am called upon to occupy to-day. The first paragraph of His Excellency's Speech, refers to the excellent harvest of last year, and to the substantial progress and prosperity of the country. While I heartily agree with the language expressed by His Excellency, I do not for a moment deny that all over the country, all over the civilised world to-day, all over the civilised world for a number of years past, commercial depression has to a greater or less extent existed. In the Mother Country, Great Britain, with its vast resources, with its great wealth, with the large amount of capital it has invested in various manufactories, we find, to-day, Sir, that there is great distress existing among its people and among the laboring class particularly. That is the condition of things which exists and has continued to exist in that great country, although it has to-day the same trade policy which it has had for years past, that which is known as a free trade policy. In the United States of America, which borders on the Dominion—in that great republic, with a policy somewhat similar to our own, the same state of affairs has existed and continues to exist to-day, to a greater or less extent, in the same way as it has existed in other civilised countries of the world. It would be strange indeed, Sir, if we in this new country should be free from all these great commercial depressions. They have existed among us to some extent; and yet, Sir, I feel that it is true, as stated in the first paragraph of the Speech, that we are to-day having prosperity and substantial progress in this country. I know, Sir, that those who take exception to the National Policy, which is the policy of the Dominion to-day, point with their fingers to the closed factories which are to be found in various portions of the Dominion, and claim that those factories are closed in consequence of the trade policy which prevails in this country. I contend, Sir, that while the general commercial depression may, to a certain extent, account for the closing of those factories, yet that, as a rule, they have been closed because those who entered into those various enterprises entered into them without sufficient capital to carry on their work successfully. In the city of St. John, a portion of the constituency which has sent me to represent them in this Parliament, we have a large establishment for the manufacture of cotton goods. It was built some two, three or four years ago, and we looked for great things from its erection. It, Sir, has been closed, and the silence within its walls and the absence of the men who were employed in it are pointed to as evidences that the policy which has been adopted by the Dominion has failed entirely. The truth, Sir, is that the proprietors of that factory commenced business on entirely too small capital. All the money which was raised for the purpose of constructing that building and carrying on

operations was insufficient for the purpose, and a large amount of debt was contracted to enable them to pay for the machinery, and for the building itself, leaving them nothing with which to carry on their operations. That is the cause of the failure of that institution; and whenever the time comes when that mill will fall into the hands of other people—when the time comes, as I trust it may before long, when men of capital will take hold of it, then we shall find a different state of affairs, a state of affairs I trust similiar to that which existed in the town of St. Mary's, opposite to Fredericton, another portion of New Brunswick, where a gentleman who has been well-known as a manufacturer, and who has accumulated a large amount of means, has invested a portion of his means in the manufacture of cotton goods, has erected a splendid establishment in that quarter, and is carrying on his operations successfully. I believe the goods manufactured in St. Mary's are being distributed over the length and breadth of the Dominion, and that in New Brunswick, Nova Scotia, and in the Provinces of Quebec and Ontario as well, this gentleman finds a remunerative market for the goods he is turning out in that manufactory. The same thing may be said with reference to all the establishments going on in New Brunswick; and I take it that what is true with reference to that province, is true with reference to the other provinces in the Dominion. In the city of Moncton, in the county of Westmoreland, a number of establishments have been placed in operation, and among them some few have failed to carry on their business successfully. It has been my fortune, or my misfortune, if you choose to call it so, to assist in the winding-up of some of those establishments, and I found invariably that it was the want of capital which caused their lack of success. There was not a single instance in which they could not have carried on their business successfully had they been provided with sufficient capital to do their work. Hon. gentlemen may laugh, but I ask them to point to any manufactory in the Dominion of Canada, in which the capital invested has been sufficient to enable it to carry on its operations, which has not been successful. It is true, circumstances have arisen, as they will arise at all times, in which the products of certain establishments have not realised a profit; this has been the case in reference to sugar, I believe, and in reference to some other articles; but wherever capital has been properly invested in the Dominion of Canada, as in other countries, it has produced results beneficial to those who have invested in these enterprises. In former years, Sir, before the introduction of the National Policy into the Dominion of Canada, very many of our workmen left their homes and sought labor in the United States, which they failed to obtain in their own country; but under the operation of the National Policy, workshops of all descriptions have been erected throughout the country; and what is true of the Lower Provinces is equally true, I suppose, of the Upper Provinces, that those factories have given employment to thousands of our workmen, who, instead of leaving the country, have been retained to engage in various works of production. If it had not been for the establishment of these very manufactories and the employment they have given to our workmen, Canada would to-day be in the same position as the Mother Country, where the workmen, in the city of London, are clamoring for work or for food. It is only to a very limited extent the fact, that severe suffering has taken place in the Dominion of Canada, in consequence of depression in trade. It is true, in one section of the Province of New Brunswick, last year, owing to the failure of a certain kind of labor on which the population of that section depended, there were a few people who asked to be supplied with the necessaries of life; it is true, also, that in the Province of Quebec, owing to the failure of some fishery firms, some little difficulties have

occurred; but taking the whole length and breadth of this country, the fact remains that our people have been fairly employed and have received fair remuneration for their labor, and have been able to save something out of their earnings. Those who choose to examine the books of the savings banks of the Dominion, will find that on the 1st of January, 1886, there was deposited in those banks a sum of money exceeding by \$2,000,000 the amount that was deposited in them on the 1st of January, 1885. These deposits I claim to be the savings of the people. I know that in the city in which I live, the depositors in the Post Office Savings Bank are the people who are engaged in daily labor. I have watched from month to month and from year to year the operation of those banks, and I know that the money deposited in them is not the money of the rich man or the capitalist, but the money of the poor laborer who lays aside from his earnings something for a rainy day, for a day of sickness or distress, or for his old age, and who has placed it in the savings banks under the protection of the Government that he may be sure to find it when the day comes when he shall require it for the use of himself or his family. There are some classes of business in our country, as there are in other countries, which have met with some depression. In the Maritime Provinces our people are largely engaged in shipping. The oceans to-day are covered with the ships of the world, and among them are to be found in great abundance the property of residents of the Maritime Provinces. I regret to say that the carrying business of the world during the last year or two has not been remunerative; but our people are in the same boat as all others engaged in the same business, no matter under what nationality or government they live. A large amount of the capital of the people of Great Britain has been invested in shipping—too great an amount—and the result is that it is not returning to the owners the profits which they might naturally expect. But there is this fact, that to-day we are rapidly moving away from these bad times. If you step into the workshops in any part of the country you will find renewed activity; if you enquire of the men engaged in trade and commerce, they will tell you that last year's operations have been more profitable than the previous year's; therefore I believe that we have passed the line, that we are on the up-grade, and that the time is not far distant when our people will experience another wave of prosperity. The next subject to which His Excellency has referred in the Speech, has reference to the North-West and to the insurrection which unfortunately broke out in that section of the country during the last Session of this Parliament. It was much to be regretted; it fell like a clap of thunder upon all our people. Knowing the condition of that country, knowing what a small number of people were scattered over a large area, and that the number of troops in the Mounted Police was not very large, we felt a great deal of apprehension as to the results of that insurrection. We knew that the Indians who occupied that territory were not so civilised as the Indians to be found in the eastern section of the Dominion; and we knew that the white subjects of the Queen throughout that territory were very much scattered and in very limited numbers, and therefore, we feared that circumstances might arise which would endanger their lives and perhaps sweep them out of existence. But if there was ever a time when I felt proud of the Government of the country, it was then. When I found them putting forward their utmost energy and moving straight to the front, when I found them declaring that such a state of affairs should exist no longer than was possible, when I found them placing in the hands of the Minister of Militia and those under him the power to move with speed, I felt that we had a Government which was able to put down the insurrection at the shortest possible moment; and, Sir, the result proved that I was correct. I feel that, if I had the

right to do so, I should thank the Minister of Militia and those engaged under him in various capacities for the manner in which they conducted that campaign. I feel that the shortness of time which intervened between the breaking out of the insurrection and its being quelled, I feel that the readiness and swiftness with which the emergency was met and mastered, entitle those men to a vote of thanks for the course they pursued and their conduct in bringing this war so readily and successfully to a close. There is something else I feel proud of in this connection. A few years ago the Provinces which form this great Dominion were isolated politically from each other; each had its own Provincial Legislature, each Province adopted its own tariff and carried on its own business, without consideration for the other Provinces. Indeed, I think I am nearly correct when I say that the people of the different Provinces had very slight intercourse with each other, and consequently knew very little of each other. But the Act of Confederation changed all that; it brought together in one Parliament men whose energies had been hitherto confined to their separate Provinces, and enabled them by their united wisdom to adopt measures for the benefit of the whole Dominion. They swept away the hostile tariffs which prevented our people trading one with the other, and enabled them, in whatever grade or occupation they were engaged, to transact business freely with each other; and, instead of being a separate people with but one tie in common, that which bound us to the Crown, we became one people united by innumerable ties. We felt that we had one common country, and that instead of belonging to some almost unknown Provinces, we composed a nationality of which we are proud. I may say that, unknown as we were before Confederation, there is scarcely a civilised nation in the world to-day which does not know that to be a Canadian is to belong to a nation of which any one may be proud. When this war broke out in the North-West, we had but a limited number of soldiers; we were not in the position of a country which keeps up a standing army; we were dependent upon the citizen soldiery of the various portions of the Dominion. Our volunteers down by the sea were as prepared to enter into the field as were those who lived in Ontario and along the borders of Manitoba; our volunteers down by the sea felt this was their country; they felt that they were united with the people in the North-West and that it was necessary for them to join hands with their fellow-citizens to protect us against a common foe. They sprang to arms at once and proffered their services. It is true that our soldiers from the city of St. John had no opportunity to go to the front; that New Brunswickers were not required in the field, because the Government had all the men they wanted, but they felt that they would like to be in the field so that they might earn some of the honors won by their fellow-citizens; and I trust, if the time ever comes—and I hope it will never come—when we will be called upon again to defend any portion of this Dominion against the attack of an enemy, either from without or within, the soldiers of New Brunswick will be called early to the front and given an opportunity to show their patriotism. I said, a few moments ago, that the Minister of Militia and the officials under him deserve our thanks for the rapidity with which they succeeded in transporting ammunition and supplies to the front, and for the activity they displayed in bringing about the suppression of the rebellion. But I have a word more to say. I think we should thank the gentlemen who held positions of trust in the Government, and those who brought into existence the Canadian Pacific Railway, because it was mainly through this agency that we were enabled to forward our troops and supplies so rapidly to the seat of war. I think, if there be anything which particularly justifies the building of that road more than another, it is the fact that over it we were enabled to convey our troops and facilitate all the measures necessary to suppress the

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rebellion. I agree, therefore, with His Excellency that it will be the duty of His Excellency's Government to make such precautionary arrangements as will assure the present inhabitants, as well as intending settlers, of efficient protection against all disturbance. It is necessary, if we are going to have a large population in the North-West, that we should assure them of the fullest protection the law of the country can provide. We have there an enormous quantity of land fit for cultivation, on which we desire to see settled a large portion of our own people—people from our fatherland; we hope to see those people grow up in wealth and prosperity; we expect from them valuable assistance in paying the taxation of the country; we look forward to receiving great benefits from the opening up of the North-West, and we must, in order to reap these hopes, show the people who are going to reside there that we are prepared to protect them against any evil that might arise either in consequence of rebellion or any other discord. The next paragraph in His Excellency's Speech refers to the Canadian Pacific Railway, and congratulates Parliament on its successful completion. When I was a boy going to school I was in the habit of attending lectures, and amongst those to which I listened with a great deal of pleasure were lectures on the subject of building a railway from Halifax to the Pacific Ocean. That was one of the dreams of enthusiasts thirty or forty years ago, and it then seemed nothing more than a dream. Still all over the country there were far-seeing, intelligent men who believed the time would come when the railway connecting the east with the west would be fully built. For myself I did not expect to live long enough to see that day. I was desirous to see the work done, but could not see clearly how it was to be accomplished. The first step taken in the construction of this great Canadian Pacific Railway was the formation of the Confederacy under which we live. Under the separate provincial system there did not seem to be any possibility that the project would be carried out. But the united people in their wisdom, and by the advice and with the assistance of the Imperial Government, formed a Confederation. That, Sir, was the first step towards the building of this great Canadian Pacific Railway. There are men in this country who, within a few years, have felt that the building of this railway could not be accomplished, not merely because of the financial difficulties, but also of the physical difficulties which lay in the way. It was thought to be impossible to cross the Rocky Mountains—impossible to build a railway which would connect the eastern with the western coast of America. We are pleased to read in the Speech of His Excellency that the time has come when the railway is accomplished; we feel glad to know that it has been accomplished in a much less time than was set down in the contract which was entered into with the company who have done this work. Five years of time have been spared to us. We are now enabled to enjoy all the privileges of that railway. In June next we may be able to take the cars at Halifax, pass over the Intercolonial Railway, take the Canadian Pacific Railway at Quebec, and pass along that whole line to the western country five years before it was thought possible for any one to do so. We have to thank the company for the enterprise they have shown and for the manner in which they have done their work. I believe there is no railway on this continent of America that has been more thoroughly built than the Canadian Pacific Railway. It is creditable to the men who have built it, and all honor is due to those who have not only built it, but have built it so much in advance of the time set down in the terms of the contract. Perhaps nothing has occurred in this Dominion of Canada, which has called the attention of the world more directly to it than the building of this Canadian Pacific Railway. The people of the Mother

Country have watched the operation with a great deal of interest, and, as from time to time facilities have been afforded, we have had delegations from the other side of the water coming across the Atlantic, passing over our lines of railway—though the Canadian Pacific Railway was not quite finished—going up to Winnipeg, and so west, in order to see what our prairies were like, and what the prospects were for the people of Great Britain who might seek homes in that distant country. We have had their reports spread abroad through the world, published in the newspapers of England and on the platform, and in a thousand ways, showing that by the building of the Canadian Pacific Railway the prairies of the west have become known to those people, and from that we have already received a large increase of population, as in the future we shall receive a much larger one when it is fully established that that country is under the protection of a Government which is able to save the people from danger should trouble or warfare arise. This railway has made it possible for the prairies to be occupied by our people; it has made it possible for them to raise their grain, to raise that which the soil will produce, and to find an easy mode of conveying it to the markets of the world. Large quantities of grain have already, I believe, been brought to this section of Canada from the North-West. I am not quite sure, but I think that cargoes of grain have been shipped to the other side of the Atlantic—grain which has been grown upon the soil of our country. The construction of this railway and the peopling of this country will enable immense quantities of grain to be raised there, and the time is not far distant when we will be known on the other side of the Atlantic as the granary, or at least as one of the granaries of the world. That which is true in reference to Confederation having accomplished a union of the people of the different old Provinces, will be equally true in reference to the western country. The manufacturers of the upper Provinces have been enabled to find customers for their products in the lower Provinces, and the people in the lower Provinces have been enabled to find customers for the product of their mines, their fisheries and their other establishments in the western country. There has been an interchange of commodities between the two sections of the country, and I believe, that when we have this line fully established, when we have the people out there increasing in numbers and in wealth, we shall have a country where the products of our eastern districts may find a market, and thus give employment and add to the wealth of those who are engaged in industries in the eastern section of our country. This line of railway which has been constructed in the interests of the people of this Dominion seems to be more important than merely a local railway, that is, local as far as the Dominion itself is concerned. I believe I am correct when I say that the late Government of Great Britain recognised its importance by making a public declaration of its determination to make this railway an Imperial route to the East. This, Sir, is more important than may appear upon the reading of a paragraph of that kind. It is important because, if the Imperial authorities are going to use that route, the people in Great Britain will learn to use it also, and I believe that the time is not distant when we will find the products of Asia moving across the Pacific Ocean to British Columbia, thence over our great Canadian railway, finding vessels on the Atlantic coast to carry the products of the far East to its final destination in the Mother Country. The Queen herself has seen the importance of this railway. She has sent us her congratulations on its completion. Her Majesty has seen the importance of the railway, and to such an extent that she has done honor to the president of the railway company by conferring upon him an honor which is only conferred upon gentlemen for great services. The original charter for the building of the great Canadian Pacific Railway, if I am correctly informed,

contemplated that the road should be built from Callander to British Columbia—that was the whole extent of it. It has, however, been constructed much further, and to-day, on the same line of railway, controlled by the same people, freight may be carried from British Columbia down to the ports of Montreal and Quebec, where it can find shipment for distant countries. This is something beyond what was originally intended; but this Parliament has even gone farther than that; this Parliament, by vote in the last two Sessions, has made a grant which will enable a short line of railway to be constructed to take up the freight where it is left at Montreal and carry it down to the ports of St. Andrews, St. John, and Halifax, from which, in the winter time, these articles of produce of the west can be shipped to their destination. I feel particularly interested in this movement, Sir. The city of St. John is a portion of the constituency that I represent, and I am desirous that the time shall not be long postponed when we shall be able, in that city, so distant from the west, to have erected the wharves and the elevators which will enable us to take at that port the produce of the west and ship it in the winter time to the Mother Country and to other lands. I trust, Sir, that this will be accomplished before many years go over our heads. There is one other subject to which I wish to direct attention for a moment, and that is the paragraph with reference to the fisheries. Those of us who live down by the sea, feel, perhaps, more interested in the question of the fisheries than those gentlemen who live in the western portion of this Dominion. It is one of the great means of livelihood of our people. The wealth of the fisheries is not so well understood in the west as it is in the east, and we from the east hope that this matter will receive the utmost consideration of this Parliament. Under a treaty effected with the people of the United States, our fishermen have been able to carry on their business by trading with ports in the United States, and without taking the fish from their vessels, in many cases they would find sale for it in some of the ports in Massachusetts or Maine, where they could dispose of it to their advantage. They were satisfied with that mode of doing business. The treaty, however, which was abrogated last July by the United States Government, has placed us in a very difficult and very awkward position. It is the desire of our fishermen and the desire of our people that a new Fishery Treaty should be made which will enable them to find a free and easy market for their fish in the United States. We are willing to enter into some reasonable and proper arrangement which will enable the fishermen of the United States to fish on our coast alongside our fishermen, and we are willing to do it for several reasons. We are willing to do this because we want to sell our fish to them, and because we want to avoid the difficulty which must arise if American fishermen come unauthorized along our coast and attempt to catch our fish without the right which we think they ought to have. But, Sir, since the closing of their ports against us, our fishermen have commenced to learn that they have a market in the west; they have commenced to learn that the people of Ontario and Manitoba, and other western portions of the Dominion, are a fish-eating people, and as the people of the United States have shut their doors against us, by that same act they have shut the doors of this Dominion against the importation of fish from the United States, and the people of western Canada can now buy fish caught in the Bay of Fundy and along the shore of New Brunswick and Nova Scotia. We have an open market for our fish in the Dominion, and our people are taking advantage of it. Along the line of the Intercolonial Railway there are to be found, every day in the week, from one to half a dozen car loads of fish leaving the ports of Halifax, St. John and others, for the markets of Toronto and other cities west. Our people are beginning to learn that there is somebody in their own country

to use their fish, while the people of the west are beginning to learn that it is to their advantage to buy their fish from the people who live by the sea. Should the United States refuse to make a treaty under which their people could fish on our shores and ours have free access to their markets, I believe that the time is not far distant when our fishermen, having found a home market for their products, will be unwilling to return to the state of affairs which had previously existed. The same principle of national policy which governs other matters would then come in play. We should then have a protection for our fishermen, whose fish will be consumed in large quantities by our people, while foreign markets of equal value to those of the United States might be found in other portions of the world. Mr. Speaker, I trust that every effort will be made to settle this matter in the way indicated in the Speech from the Throne, and if the people of the United States are not willing to make a treaty with us, that every effort will be made to protect our fisheries, so that we may have the advantages which nature has given us, and which the laws of the country should entitle us to enjoy. I wish it were in my power to take up some of the facts and figures which I have had in my possession in connection with the fishery matter, but I have not got them with me, as I did not expect to be called upon to use them. But when this fishery question comes up I have no doubt that some gentlemen who may be entrusted with the matter will be able to show to this House some facts and figures that will astonish it. I tell you, Mr. Speaker, that the fishing industry of this country is an important industry, more important, perhaps, than some hon. members may think. If the people of the United States are debarred from fishing along our coast, they will have to pay the duty which will be imposed on that fish, because I do not believe that they have got fish enough in their own waters to supply their own demands. In another paragraph His Excellency has promised that some measure will be submitted this Session for simplifying transfers of land in the North-West, and some other Acts are promised in relation to matters with which I am not very well acquainted, and, therefore, I will not attempt to discuss them. I would, however, refer to the proposal to give the North-West a representation in this Parliament. I am pleased to find that a census has been taken in those territories, and that it is the intention of the Government to introduce a measure to enable the people of the North-West to be represented on the floors of Parliament. I am glad of that, because I think it highly proper that our fellow-citizens, no matter where they are living, should be able to select some one to speak for them in this House, and to deal with the various measures in which they are interested, so that they may stand on common ground with the other Provinces of the Dominion. I regret, Sir, that although the estimates of last year have been fully met by the receipts, the expenditures of last year have been so much greater than was anticipated. I have no doubt this extra expense has been largely incurred by the war in the North-West, and although I do not profess to know very much upon the subject, I can see no reason why this war debt should not be met in some other manner than by taking it out of the Consolidated Fund. It seems to me that it might properly form a portion of the debt of the country instead of being taken from that fund. Now, Sir, I fear that I have, perhaps, unduly trespassed upon the time of the House by speaking so long. I thank you, Mr. Speaker, most heartily for the privilege you have accorded me; I thank the House for the attention which hon. members have given me, and I now move the adoption of the following Address in answer to the Speech from the Throne:—

That a humble Address be presented to His Excellency the Governor General to thank His Excellency for his gracious Speech at the opening of the present Session, and further to assure His Excellency:—

Mr. EVERETT.

That we receive with much pleasure His Excellency's congratulations on the sufficient harvest of last year and on the prosperity and substantial progress of the country.

That we feel great satisfaction in knowing that since the suppression of the insurrection in the North-West Territories peace and order have been restored and now prevail; and that we are aware that after so serious an outbreak some disquiet and apprehension of the recurrence of those disorders may naturally be expected to linger, and that it will be the duty of His Excellency's Government to make such precautionary arrangements as will assure the present inhabitants, as well as intending settlers of efficient protection against all disturbance.

That we are glad that His Excellency has occasion to warmly congratulate us on the practical completion of the Canadian Pacific Railway, and on the announcement that it will be open for the daily carriage of passengers and freight from Ocean to Ocean, in the month of June next. That we feel with His Excellency that this great work, so important alike to the Empire and the Dominion, cannot fail to increase the trade between British Columbia and the other Provinces, to ensure the early development and settlement of Manitoba and the North-West, and greatly to add to the commercial prosperity of the whole country.

That should the negotiations between Her Majesty's Government and that of the United States for the appointment of a Joint Commission to adjust what is known as "The Fishery Question" and to consider the best means of developing our International Commerce, fail to secure any satisfactory result, we shall be ready to make such provision for the protection of our Inshore Fisheries by the extension of our present system of Marine Police as may be necessary for that purpose.

That the measures submitted to us last Session for the consolidation of the Statutes and for the introduction into the North-West Territories of a more simple and economical system for the transfer of land, which His Excellency informs us will be again laid before us for consideration and legislative action, will receive our best attention; and that we learn with satisfaction that the Acts of last Session will be found to be included in the first of those measures.

That we shall willingly consider the expediency of improving the judiciary system which obtains in the North-West Territories.

That we shall carefully consider the propriety of amending the law relating to the business of the Queen's Printer and of providing for the more satisfactory working of the present system of Government and Parliamentary printing.

That we are pleased to learn that a numerical census of the North-West Territories has been taken and that a measure based thereon for the representation of the people in Parliament will be laid before us.

That any other measures which may be laid before us, for providing for a better mode of trial of claims against the Crown, for regulating Post Office Savings Banks in British Columbia and the North-West Territories, for expediting the issue of patents for Indian Lands, for the administration of the rights of the Crown in the foreshores of the Dominion, for the establishment of an Experimental Farm, and for the amendment of the Chinese Immigration Act, shall receive our earnest attention and consideration.

That we thank His Excellency for informing us that the accounts for the past year will be laid before us. That we learn with pleasure that the estimate of receipts has been fully realised, though we regret that the outbreak in the North-West has added largely to the expenditure of the country.

That we shall respectfully consider the Estimates for the ensuing year to be submitted to us, and that we thank His Excellency for assuring us they have been prepared with due regard to economy and the requirements of the Public Service.

That His Excellency may rest assured that the several subjects he has mentioned, and any others which may engage our attention, shall receive our best consideration, and that we earnestly trust, with His Excellency, that the result of our deliberations may, under the Divine Blessing, conduce to the advancement and prosperity of Canada.

Mr. WARD. Mr. Speaker: I have listened attentively and with much pleasure to the remarks that have fallen from the hon. member representing the city and county of St. John (Mr. Everett). The hon. gentleman has dealt in a very exhaustive manner with the matters referred to in the Speech from the Throne, and I feel I need not detain the House at any great length in further discussing them; but I would ask hon. gentlemen to extend to me that courteous forbearance which is usually extended to those who occupy my position. The first, and I think the most important thing to notice in the Speech from the Throne, is its reference to the agricultural prosperity of the Dominion. Agriculture is altogether the most useful of all the arts, and upon the culture of the soil the well-being of the country, to a larger extent than upon any other single industry, depends. Although the price of agricultural products which are, in the main, governed by the English markets, has not lately, either in the United States or in Canada, been very high, yet the purchasing power of the produce of the farm is as great now as at any other period in our history. The farmer, by taking his cereals into the market, can procure in exchange therefor as many of the

necessaries of life as at any other time owing to the corresponding lowness of the price of those necessaries. These considerations are the more important to Canada because she is destined to become one of the great grain-producing areas of the world. It is desirable to note these facts, that it may be seen that the relation between the products of the farm and the necessaries which must be obtained in exchange for them is now and is likely to continue to be very favorable to the agricultural interest. In referring, as we may, with great satisfaction to the restoration of peace and order in the North-West Territories, I am sure the House will pardon me if I make a passing allusion to the mournful event through which I have been called upon to occupy a seat in this Chamber. The town in which I live, the riding I have the honor to represent, and the Dominion at large, have not ceased to mourn many noble lives which have been offered up on the altar of patriotism; but that loss has fallen with peculiar severity upon East Durham, and it would perhaps be improper for me, as the successor of the lamented Colonel Williams, to speak further of one who held, and very deservedly held, the respect, esteem and affection of hon. members on both sides of this House. The Government, by prompt and effectual measures succeeded in suppressing a rebellion which might have resulted in most disastrous consequences to that part of the country in which the Indians live, and they should receive, and doubtless will receive, the practical endorsement of all those who desire to see the settler protected and our country prosperous and respected. We have, I think, every reason to feel proud of the achievements of our militia force—the volunteers—in the suppression of that rebellion, and I am sure the manner in which they encountered the hardships they were called upon to endure and the bravery they displayed in the field will meet with the hearty gratitude of the country. The prompt and energetic measures foreshadowed in the Speech, which are designed to maintain the supremacy of law in those distant regions, the settlers in which have a special claim upon the Parliament of Canada, will, I am sure, meet with the approval of the House. In this, as in all similar cases, the Government is called upon to assume certain responsibilities, and I am confident the people will sanction any steps that are taken to vindicate the majesty of the law and preserve the integrity of the Dominion. The energy now manifested by the Government is quite in keeping with the line adopted by them in suppressing the disturbance of last year, and this course, I may say, was urged and insisted upon by hon. members on both sides of the House and fully supported by them. By that action the Government showed the country, and proved to the world at large, that the resources of Canada, without being seriously strained, were quite adequate to meet the necessities of the occasion, and we may safely infer that neither men nor money would be wanting if new exigencies in the future should arise, and it should become necessary to call upon Parliament and the people for their assistance. The Government may point with great pride and satisfaction to the completion of our great national highway, the Canadian Pacific Railway. It is essential to the preservation of Confederation of the Provinces as a Dominion, and is also necessary for the development of the great resources of the North-West. Its position in relation to the other trans-continental lines gives it pre-eminence and an amount of power which it is impossible to overestimate. It must be borne in mind, that it is the only railway that connects absolutely by one line under one management and control the two great oceans that form the eastern and western boundaries of North America. This position, I think, fully justifies the remark made by the right hon. the Premier, that Liverpool and Hong Kong were really the termini of this road. Although not yet open for through traffic, the business which the railway has so far developed has

exceeded the most sanguine expectations, and it is a vindication of the far-seeing policy of the Government in supporting this road and in sustaining those engaged in its construction against very heavy obstacles, the magnitude of which it would be impossible to overstate. It is now demonstrated beyond doubt that the assistance given by the Government to the road at a critical moment of its history, prevented a great national disaster; and I think we may safely assume that the repayment of every dollar advanced by the Government to that railway, is now secured beyond peradventure. From a colonisation point of view it must not be forgotten that it will be necessary for the Canadian Pacific Railway Company to adopt an extensive system of branch lines, to connect with roads already projected and in course of construction; and that the road will thus become a most important factor in the development and settlement of the North-West. It will be remembered that in former debates in this House, some hon. gentlemen have expressed opinions—which, no doubt, arose from honest conviction—that the railway was being proceeded with too rapidly, that the bargain was an improvident one on the part of the Government, and, as they said, likely to be all on one side, so far as the advantages to be derived therefrom were concerned. I think we may safely assume that the early completion of the road is desirable in every way. It enables us to keep faith—nay, I think more than keep faith—with the Province of British Columbia, and the consequent development of the vast mineral resources of that Province must be of the greatest possible importance to the Dominion at large. Further, I think we will also have cause for congratulation if the contract should turn out a lucrative one for the gentlemen engaged in the work, for their success must mean a consequent advantage to the country; and every true Canadian will be rejoiced to know that the bargain is a satisfactory one to them, and that it will have the effect of quieting the forebodings of those who predicted that the country would have to assume the possession of the road and work it at a loss. It is also satisfactory to know that the burden which the country is called upon to assume for the completion of that work, is not likely to be a very heavy one. I notice by the Budget Speech of Sir Leonard Tilley, delivered in this House last Session, that he did not calculate that more than an addition of one and three quarters cents per head of taxation, for interest on the public debt, would be caused by the completion of that railway, and I think, under the circumstances, the people of the country need not have any cause to feel uneasy. Altogether, I think we may congratulate ourselves upon an enterprise which has been grandly conceived, fearlessly and courageously undertaken and gloriously accomplished. The House will be glad to notice that the Government have taken a firm attitude on the fisheries question, and it is well known also that they are quite ready to adopt conciliatory measures in dealing with that question, as is evidenced by the standing resolution of the House, passed at the time the present tariff was brought in, empowering the Governor in Council to modify the tariff relating to important items of international commerce so as to adjust our trade relations in conformity with the action of Congress. The time having arrived when the Government evidently feels justified in considering the representation of the North-West Territories in Parliament, it will be learned with great satisfaction that a census having been completed, measures will be adopted to provide for such representation. It will be conceded that the condition of that country, its sparse and scattered settlements, the lack of perfect municipal organisation, and the impossibility, under such circumstances, of providing adequate machinery for ascertaining the wishes of the people, have prevented an earlier movement in this direction, and that the Government are in no way to blame

for a delay which could not well be avoided. Another matter which I notice in the Speech, with reference to the North-West, is the establishment of an experimental farm. In a country where so many go without the necessary skill in husbandry, this must be a most important means of enabling them to perfect themselves in that industry. While the system for issuing the patents for lands in the North-West has been sufficiently thorough for the ordinary demands upon the department, up to the present time, the expected immigration and settlement in that country renders it necessary that increased facilities should be granted. We are not probably in as bad a position as the United States, so far as that matter is concerned, for I saw by a late report of the commissioner of public lands of that country, that notwithstanding the large staff of his department, and notwithstanding his efforts to keep pace with his work, he is now seven years in arrear, and has been compelled to come down to Congress and ask for authority to employ 100 additional clerks in order to wipe off those arrears. No doubt the proposed measure will obviate any further ground for complaint concerning the management of our land department. The other important measures referred to in the Address, namely, those for a better mode of trial for complaints against the Crown, for the regulating of Post Office Savings Banks in British Columbia and the North-West Territories, and for amending the Act respecting Chinese Immigration, show that the Government are not unmindful of the requirements of a progressing and progressive country, and are abreast of the times in maturing these important acts of legislation. The trade policy of the Government is one closely identified with the well-being of all classes of people. I venture, however, to express the hope that the efforts of Ministers will be directed towards expanding the commercial relations of Canada with foreign countries and with British colonies. One thing must be apparent to every unbiassed mind, and that is, that the Government in encouraging home industries has averted a great financial crisis. The truth of this statement, I submit, is established by the virtual absence of the industrial prostration which exists in the old country, and the consequent troubles which we know have taken place there quite recently. I would point to the results of the bye-elections as a sure indication that the policy of the Government on the general questions affecting the welfare of the country is satisfactory to the people at large; and I feel confident that when it becomes necessary for the electors to pronounce a verdict, their decision will be in favor of the Administration. Sir, I believe firmly in the future of the Dominion, and that if we are true to ourselves and to our national instincts the continued progress of the country is quite assured. A brilliant French writer has said: "Would you realise what is progress? Call it to-morrow. To-morrow performs its work irresistibly and performs it from to-day."

Some hon. MEMBERS. Hear, hear.

Mr. WARD. I do not know whether hon. gentlemen on the opposite side of the House had been reading Victor Hugo when they applied a certain name to the right hon. the leader of the Government, but I think the inference is natural, as he has been intimately associated with the progress of the country for the past 40 years. So too with Canada. Her progress towards a glorious future is, I believe, irresistible. No matter what difference of opinion may exist between the two great political parties as to the manner in which that future is to be worked out, no matter which party may, for the time being, control her destiny, that progress, subject, it is true, to temporary checks, will go on until Canada rises to a proud position among the countries of the earth. The great Liberal party will, no doubt, at some time, though perhaps not in the immediate future, be called on to assume the reins of power; but that

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day would not be more distant if they would give a fair and liberal support to the Government in working out the great problem of the management of our North-West Territories. At this period of our history, I think a few words uttered by Mr. Gladstone at the recent opening of the Imperial Parliament are very apt indeed. He said:

"Let us not deviate from the path of good temper and self command, but, forgetful of every prejudice, let us strive to do justice to the great, the gigantic interests committed to our charge."

Canada has great and gigantic interests, and the people have committed them to our charge as their representatives—a sacred trust. May that trust be faithfully performed. Mr. Speaker, I desire to express to you, and through you to the House, the gratitude I feel for the kind and courteous attention with which you have listened to my few and imperfect remarks. I beg to second the resolution now before us.

On paragraph 1,

Mr. BLAKE. I beg, Sir, on behalf of those with whom I have the honor to act, to extend the customary congratulations to the gentlemen who have just discharged, in so able a manner, the duty of proposing and seconding the Address, and to assure them that, however much we may differ from them in their political opinions, and however deeply we may regret the loss of those whom they are called on to replace, we heartily wish for them a long and honorable career in the councils of the country. The first observation I have to make is one I made a Session or two ago, on the same occasion; that is, to express a regret at the late period of the year at which we are discharging this, our initial duty. I express that regret with the stronger feeling, because it was announced to us by the First Minister, last Session, or the Session before, that we were to meet earlier in the future, because we have for some years been meeting much earlier than we are now met, and because there was a general understanding and pledge to a January meeting; I do not mean to say a pledge that was not to be broken if a great public emergency should call for delay, but certainly a pledge that ought rigidly to be observed, unless there was some great emergency of which we have not heard as yet. It is to the public interest that we should meet earlier, because this is the period of the year which will best enable the legislators of the country to discharge their duty, and best enable the people of the country to discharge their not unimportant part in connection with the business of legislation. As soon as the spring opens, both we and they are distracted with other things, and therefore it is a material thing for us, circumstanced as this business country is, that we should have a more distinct understanding, if such be possible, that our Session should not commence at what I regard as an unreasonable time. The question to which the hon. gentlemen have alluded, but particularly the hon. member for St. John (Mr. Everett), of the fishery and trade negotiations, is one with regard to which we certainly receive the expression of the Speech with feelings different from those which hon. gentlemen who confide in the First Minister may be apt to entertain on this occasion. We remember the dramatic air with which the hon. First Minister, towards the close of last Session, stated, that whatever opposition he might have expected from us on this side, there was one thing he did expect—that was, great praise for the consummate diplomatic tact and power which he had displayed in the management of the fishery question. He said that, whatever other fault we might find with him, his armor was impregnable there, and that in that aspect he should be received with pæans of applause from his opponents. The hon. gentleman who seconded the Address is apparently not aware that it was the Indians of the North-West who gave the title of "Old To-morrow" to their chief superintendent, their

guardian, their protector, their angelic visitant. We thought he had acted in this respect so as to deserve that title, and felt justified in applying to him the title which they had given him. We believed there was good result to be achieved by pursuing the plain, practical, business-like course which was, as soon as the United States had given notice of the discontinuance of the treaty upon the avowed ground that its continuance after the expiration of the time might be considered a practical recognition of the justice of the whole terms, including the compensation, to approach the Government of that country with reference to the question whether an understanding could be reached; by which means results would have been achieved one way or the other, and we would have been a year ago where we are to-day, unless some more favorable results would have been realised; and if it be the case, as the hon. member for St. John (Mr. Everett) says, that in a very little while grand markets for the fish products of the country are going to be found elsewhere, and after a little while the people of the country will refuse to return to freer intercourse with the United States, being in a much better condition under the arrangements which are going to follow from the failure of the hon. gentleman's negotiations, — I say we have postponed for a year that happy result. I regard, I confess, with some degree of apprehension, the situation. I agree that some steps have to be taken, and I do not condemn what is announced rather guardedly in the Speech; but what our relations with our neighbors are to be in the new situation in which we are placed, what is to be the solution of the headland question, which was unhappily left unadjusted in the former negotiations, and what complications may occur from the projected policy, are questions which must press themselves on our minds, but which I do not now refer to further, not knowing the precise state of the case, and in the absence of papers, which I hope are to be brought down, showing more fully what is the position of the Imperial authorities and what is that of the United States. The Speech says that the country is prosperous, and His Excellency has been advised to extend to us his congratulations upon that prosperity. The hon. member for St. John (Mr. Everett) a little mitigated the rigor of this prosperous phrase, when, in his account of the condition of the country as one of the countries of the civilised world, and also in the particulars with which he was good enough to favor us as evidencing what the condition of things was in his own Province, he told us, it is true, there is commercial depression all over the world. I read in the newspapers, which are sometimes accurate, a statement made by the hon. gentleman a little time ago, amongst his own people when soliciting their suffrages, to this effect: "We are now passing through some of the worst times we have had for years." I do not know whether he was having a bad time just then himself, or whether he thought that was the sort of thing most suited for the atmosphere of St. John, and that the reverse was the sort of thing most suited to Ottawa; but such is the important statement of the hon. gentleman when speaking to his own people. The hon. gentleman gave us a very lucid explanation of the cause of the difficulties among the manufacturers. They had not, he said, enough money; they had used up their funds, they had got to the bottom of the stocking and they failed; but if they had had only more money they would have lasted longer. Why did the man starve? Because he had not enough to eat. He told us indeed of the St. John cotton factory. I wonder has he ever heard of Parks & Son's factory of St. John, with a capital of over \$300,000, and which was sold within a few months for the mortgage on it of \$55,000, the second mortgagee being the Bank of Nova Scotia on \$66,000, which wealthy corporation would bid no more. I do not want to enter into these details, but as the hon. gentleman talked of one factory which failed for

want of capital, I give him another, and I could give him the Halifax sugar refinery and others which had to shut down because they had spent their capital unprofitably, and no more was to be found. The hon. gentleman had better apply to hon. gentlemen opposite who have control of the purse, for succor. They might provide a little out of the deficit or add to the war debt to supply a larger capital to the factories. The hon. gentleman says he has had personal experience in the matter. Yes; he assisted in the winding up of some of the institutions, and in every case, singular to say, his experience was the same; they all broke down because their money came to an end. The hon. gentleman says there is one thing that is very satisfactory, and that is, if the people of the United States will not make arrangements with us they cannot do without our fish; they will have to get the fish from us, and they will pay the duty. I am glad to hear this announcement, rarely made, but which sometimes appears, about the consumer sometimes paying the duty. Of course, the hon. gentleman says, if the consumer is going to pay the duty on this occasion, we will be nearly as well off as if there was free admission. I am not going to enter into the subtleties of the question, but when I heard the hon. gentleman who moved the resolution, announcing that the consumer paid the duties, and the hon. gentleman who seconded the resolution, telling us the value of farm products was settled in England, I was gratified to hear statements which I have heard contradicted frequently in form and substance by hon. gentlemen opposite. The fact of the matter is, that instead of this condition of prosperity which the Speech congratulates us on, we are still laboring under very considerable depression. I recollect that in yesterday's issue, or that of the day before, of the chief organ of hon. gentlemen in Ontario, it was announced that the depression which had existed for three years continues unabated. I do not know whether that was the official foreshadowing of the Speech which we have just heard, but that was the statement made. I say the depression still lasts; there are in some respects, I am glad to say, signs of amendment, but it is not correct to say that the country is in a prosperous condition. We must apply ourselves to the consideration of the cause of that severe and continued depression and ascertain whether it is to be accounted for, as the hon. member for St. John says it is, altogether by circumstances beyond our power, or whether it be not the case that the enormously heavy and rising taxation, the restricted trade, the increase of our debt and of our expenses, and the course which has been pursued by many manufacturers under the hot-bed policy of the Government, are not the immediate and direct factors which have tended very largely to produce that heavy depression under which for three years we have been laboring, and from which there is so little prospect of the complete recovery we all desire, unless a change be made in the policy of the Government, unless the people be no longer oppressed with the burdens they have to bear, unless the expenses of the government of the country be reduced instead of being increased in the way in which they have been increased, unless some return be made to more economical principles of government. On this occasion hon. gentlemen have said a good deal in reference to one of the great railways which the country has constructed, but we hear little of the other one. I do not know whether it be a sign of prosperity in the east that the Intercolonial Railway, notwithstanding the enormous expenses on capital account which we have been asked to make for several years past, notwithstanding the additions made to capital account and the rolling stock to such a great degree; notwithstanding the numerous and valuable feeders which hon. gentlemen opposite have been acquiring and subsidizing for that road; notwithstanding the large trade which

has been developed on the Dalhousie Branch, for example, and by the Inch Arran Hotel; notwithstanding the large and valuable trade from the Nova Scotia refineries—I do not know whether it be a sign of prosperity, that notwithstanding all these, the returns all along the line are such as to exhibit the condition, not merely of not making any profits, but of not paying running expenses. The hon. gentleman denies that, but if that be not shown, it will be because the hocus-pocus system of accounts still holds out. The hon. gentleman will see that he is face to face with this fact: that his railway is certainly not doing very much in the way of paying dividends, and he is turning out the employees by way of retrenchment. I heard, the other day, of one being turned away who had spent twenty-nine years in the service, because the road could not afford to keep him longer. Yet the people of the country are complaining of the rates charged by the railway. The hon. members for Halifax were here, the other day, on a delegation complaining that the tolls were too high, and that, in consequence, the trade of the country is being interfered with, and there has been a large meeting held in Montreal on that subject—but we do not hear much on that question now. Nor have we heard anything as to the arrangements which have been made already, or are to be made in consequence of some other points, which, just at this period of our financial history, are rather serious financial ones for us. The Speech to which the hon. gentlemen have asked us to direct our attention, is not, indeed, a very lengthy document, or a document pregnant with very much information or very important announcements. I must say I think the deficit has rather extended to the Speech. As the hon. Minister of Railways would say, “There ain’t nothin’ to it”——

Mr. POPE. Which speech is that in?

Mr. BLAKE. I refer to the speech which the hon. gentleman is responsible for putting in His Excellency’s mouth, but I do not observe that phrase in it. You find under these circumstances an omission at which I am somewhat surprised. We found, a year or two ago, that the hon. gentleman thought it fit to tell us about a decision of the Privy Council which had, as he conceived, made it necessary for us to legislate. I am not going through the recital just now, of the grievous history of the consequences of the hon. gentleman’s notice in the Speech from the Throne, and the different steps which he took to achieve a success over the Provincial Governments. But we have seen it stated in the papers that there has been a decision of the Privy Council upon that very matter, in consequence of a reference which it was understood, last Session, should be made to that tribunal, and yet to that subject the Speech, certainly not because there was so much to say that there was no room for it, has in the most extraordinary fashion omitted all reference. If it was important enough to be referred to before, why not now? We are to hear of it; we are to hear of it very soon, as my hon. friend from East York, says, “to-morrow.” At all events, we are to hear of it very soon, when the hon. gentleman brings down the bill—not all the bill, because all the bill will never come before us, but when he brings us down the bill for what his steps have cost the country, the account of what is required for reimbursement. I wonder whether my hon. friend from St. John (Mr. Everett) would suggest that that should be added to the war debt which he proposes to fund. There is not any more to show for it than there is for the war debt, and I do not see really why we should not pay it out of the Consolidated Fund any more than the debt incurred in the North-West. And so with regard to the Exchange Bank loss, which the hon. gentleman has not succeeded in foisting upon the shoulders of the general depositors in that institution. I suppose we had better fund that, or is it still to appear as an “investment,” as

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I believe it does now, or is it to be liquidated and added to the debt and put in the bill also, so that we may call it fourscore and settle it in that way. Then the hon. gentleman, being somewhat lacking in material for a Speech from the Throne, might have said something to us as to his intentions in regard to parliamentary action touching the question of the disputed boundary. That is a subject, which, as the House knows, has been pressed on its attention for a good while,—a subject on which the hon. gentleman promised action last Session, and on which the House might have expected to hear something. It is a much more important and interesting question than some of these little things which adorn one of the paragraphs at the end of the Speech. We are to have measures for the establishment, forsooth, of an experimental farm, for expediting the issue of patents—would not the best way be to change the Minister?—and for the amendment of the Chinese Immigration Act; but this grave and serious question of the boundary is not thought worth an allusion. Now, with respect to the North-West, I am very glad, indeed, to observe that some real progress has been made during the year in the building of some branch or colonisation railways. The hon. gentleman who seconded the resolution pointed out to us what we heard a good deal of some years ago, that it would be necessary for the Canadian Pacific Railway to build very largely in branch lines; but most of us who have sat in this House since that time have come to the conclusion that, although there are certain lines which the Canadian Pacific Railway has built itself in the North-West, and although there is one enterprise, at all events, which, with very large aids from us and from the Manitoba Government, it is progressing with, one very important enterprise which it acquired, yet that the general establishment of branch or colonisation lines in that country must depend upon the application of other capital and upon other arrangements. It is, no doubt, deeply the interest of the Canadian Pacific Railway, as it is the interest of the country at large, that this development should take place, but upon that point I wish to make just this one observation, repeating a thing which I have said at least once before, that we should direct our serious attention to the system under which we have been acting with reference to the creation, in almost every case, of an enormous capital account far in excess of the cost of construction, and upon which we shall have to pay, the people of that country will have to pay for all time to come, so far as the railways are non-competitive, a toll. I have always endeavored to press upon your attention, Mr. Speaker, the great importance of keeping down the capital account, above all of the North-West Railways, and the painful experience through which other countries have gone by which we ought to profit. I think we ought still to consider, in reference to the roads to which we have yet to grant charters, some plan by which this may be, if not avoided, at all events minimised. I am pleased to learn that at length it is proposed to grant representation in Parliament to the people of the North-West. That is a subject which has been pressed upon the attention of this House from this side for some time past, and it is fortunate that something should be done in regard to it, although too late. I am glad also to hear a statement that proposals are to be made for providing more satisfactory arrangements in regard to the judiciary in the North-West. These two subjects are of very great consequence with reference to the primary duties, as I conceive, of a free and representative Government towards that country. With regard to the recent outbreak there, of course it is quite plain what the language in the resolution means. It means that we are to do what we have seen in the organs of general information is determined upon, to send out a considerable force to that country. Upon that proposition I shall, at this moment,

express no opinion. It is for the Government, who have the responsibility and the means of information as to the actual condition of the country, to present at the proper time such information as the public interest permits, as justifying the proposal. I quite agree in the view, that what is necessary to produce a feeling of security, and the elements of security and a lack of apprehension on the part of those who are there and of those who are to go there, must be done by us at all cost; but it is an unhappy sequel to the doubling of our permanent force there last year, by the increase of the Mounted Police, that we should be told that several hundreds of military personages are also to be placed there for some time to come. It is quite true that, if these are drawn, as we are told by the papers they are to be drawn, from the schools and batteries and so forth, there will be in one way a less expense than if the volunteers were employed; nor would it be possible, except by frequent changes, to establish a permanent garrison of our citizen soldiers in that country. I will repeat, however, this statement, that I retain the opinion that we ought to push the organisation of the militia forces of the North-West; I retain the opinion that the peace of that country ought to be very largely committed to the hands of the settlers of that country themselves, facilitated by proper and liberal arrangements such as are required in a new and sparsely settled country, arrangements even more liberal than are needed to organise an effective regiment of militia in our own country. Now, the circumstances which the Speech alludes to, the statement that the outbreak was so serious and that these are the expected results, are but another proof of the guilt of those who are responsible, as I believe, for that condition of things. I am sorry that such a statement should have to be made, but I am not surprised that that neglect, that delay, that mismanagement with which we charged the Government last year, which we believed and which we still believe to be gross and inexcusable, has produced its natural proof.

"The children born of thee"—

We may say of an hon. gentleman opposite:

"The children born of thee are sword and fire,
Red ruin and the breaking up of laws,
The craft of kindred, and the godless hosts
Of heathen swarming o'er the northern land."

We charged hon. gentlemen opposite last year with high crimes and misdemeanor in this regard. I believe we then proved our charge. I believe that their conduct in the years that followed their late accession to power, was rightly described in a spirit of prophecy by their former colleague, the Hon. Mr. Macdougall, when he truly wrote to one of them, to the Secretary of the Interior in the old Government, with reference to their conduct, prior to the outbreak of 1870, saying this:

"The authority for the Dominion has at length been established over that vast region, and can only be endangered by treason or incapacity at Ottawa. The latter, we know, reigns supreme in every department; the former is more than suspected in your own. When I use the word 'treason,' I desire that you should understand it in its widest sense treason, not to the lawful sovereign of the Dominion, alone, but treason to the people of Canada; treason to the interests, civil and religious, of the people of the North-West; treason to human progress, freedom, and civilisation in every Province of the Dominion."

Those words, I believe, are as applicable to the latter as to the former conduct of the hon. gentlemen. However, I recognise the inconvenience of dealing with this subject at any length at this time and under these circumstances. You know that I pointed out last Session, repeatedly, the absence of various important papers. Although hon. gentlemen brought down what they said was adequate material for the formation of a judgment, they acknowledged that there were many most important papers not yet brought down. I expect the production of those papers at an early date; I expect them, though, with some apprehension and with some misgiving, because I recur once again to that

record of a former colleague of those hon. gentlemen, to the letters of Mr. Macdougall, addressed to the then Secretary of the Interior, where he said:

"Before leaving Ottawa"—

He, too, was going to the North-West—

"I took the precaution to obtain copies of all the dispatches, draft agreements, and documents relating to the North-West, which I have since found was a wise precaution. I knew by experience that it would be unsafe to rely upon official promptitude or perspicacity at Ottawa, or to assume that the proper Ministers, or a quorum of Ministers, would be found at the Capital in any emergency that might arise. And I knew, what this case has conclusively established, that you and the majority of your colleagues would not hesitate to garble or suppress important State papers, even when demanded by Parliament, if their production was likely to expose or embarrass the Government."

But it seems that what happened before has, in the case of a much larger insurrection, happened again; and what happened before may, in regard to the important documents, also happen again. As to the condition of the Indians, we must, of course, all be extremely anxious. The accounts we have received from year to year in the reports of the Indian agents, and particularly of the Mounted Police, the accounts in the public papers, the recent statements of priests and missionaries, and, amongst others, the statement of Mr. Jackson, one of the members of the North-West Council, are certainly of a character to attract attention. And I will add to that the statement that I have observed made in a number of ministerial papers as to the course which had been pursued by the Department, of set purpose, with reference to those bands which had been more or less engaged in the recent outbreak, last winter, namely, of administering to them but half rations, and those two or three times a week, which strike me as a most unwise as well as a most inhuman policy. I do not think that any milder words than those can be properly applied to that course of policy—if unfortunately it was pursued—and I draw my information from editorials in the *Mail* newspaper, which declares that it was the policy which the Administration had pursued. I did not know before that torture by starvation was considered as a proper punishment for Indians. Now, Sir, there is another subject which was but remotely alluded to by one of the hon. gentlemen, and to which I desire to make a very brief allusion—to those steps which it was thought necessary to take for the restoration of authority, and in the execution of law in the North-West. I trust that in respect to the judicial proceedings and the execution of sentences which has been carried out, the Government will, at a very early day, lay before the House full information. I believe that Parliament is entitled, in the exceptional circumstances of the case, to receive that information, and to engage in a discussion of the questions which grow out of that execution and those sentences. I believe that those circumstances justify, if they do not demand that course; but I believe, also, that a fair opportunity ought to be given to the Administration to produce those papers and to give that information. And it has been rumored that some gentlemen, supporters of hon. gentlemen opposite, who differ from them on a single question arising out of that execution, propose to introduce that subject to our consideration at this time by challenging the judgment of the House upon it, by an amendment to the Address. Upon this question, as hon. gentlemen may perhaps know, I do not, even amongst my own friends, assume to speak with the authority of a party leader, and certainly, I have no right to offer advice to supporters of hon. gentlemen opposite; but as an humble member of this House, interested in the regular course of the proceedings and in the proper methods of conducting its business, I take leave to deprecate, for my own part, any such proceeding. I believe that the proper course will be, to give the Administration an opportunity of producing the papers, and then to let that subject be fully, fairly, and thoroughly discussed at

the earliest date, after the conclusion of this debate, at which those papers can be brought down. Now, Sir, the hon. gentleman who is principally responsible, I presume, for the language which has been placed in His Excellency's mouth, paid a recent visit to England, with a view of giving, no doubt, a wholly unnecessary proof of the futility of the arrangements under which he succeeded in having a High Commissioner appointed in order that the Minister might not be obliged to visit England. I say, with that view, because I cannot conceive any other purpose which the hon. gentleman could possibly have had in going to England at the time, and under the circumstances in which he did go. He went there in the middle of a general election, which was quite certain to be followed by a ministerial crisis—at a time when it was perfectly impossible to do business with Ministers, and as I apprehend, and as his courteous answers to those who have discussed the subject with him would indicate, he did not in fact do any business. He might have talked to an under-secretary a little bit, but as to doing business with Ministers it is quite clear that he did not do much. I am glad, however, that he went over, under the circumstances. But it is true that he could not do anything further; it is true that, although public business was not accomplished, although he went where he was not wanted, and left the place where he was wanted, yet fresh honors were heaped upon his blushing brow—he joined the Turners—like another statesman on this side of the continent who also joined the Turners—our well known friend, Hans Breitmann. Well, in the course of these proceedings he made some speeches. In one of those interesting speeches delivered by the Premier when he was on the other side of the water, speeches which we always read with interest, he said that, whatever other people did, he would not make the mistake of praising his country to Englishmen, and he proceeded, having thus vouched for the absolute sobriety of the phrase that he was about to indulge in, to state: first, that we were five millions now and soon would be ten millions; next, that every acre of the Dominion was in a beautiful clime, without any impediment whatever to cultivation—that every acre of this immense area, I cannot remember, I do not know that I could repeat the number of acres, is in a beautiful climate without any impediment to cultivation. That goes even up to the North Pole. He said also in communicating to us information which we are always glad to receive, that we are forming a navy—that we are forming a navy and will assist the mother country in enforcing the peace of the world. If we are forming a navy we should like to know it. We do not want to hear that announcement made in the St. George's Club or in the Turner's Hall, but to hear it in the halls of Parliament, and therefore, if we are forming a navy intended to assist the Mother Country in keeping the peace of the world, the people of Canada ought to have heard the announcement first from the First Minister in his place here. Then, speaking of Canada, he declared that we are ready to join the Mother Country in an offensive and defensive league; to sacrifice ourselves, to risk our last man and last shilling in defence of the Empire and the flag.

Some hon. MEMBERS. Hear, hear.

Mr. BLAKE. That depends on how many shillings you have got. The hon. gentleman said that Canada was prepared to join the Mother Country in an offensive and defensive league. For my part, I will say frankly, I have hitherto declared it, and I now declare it, that I decline to accept active responsibility for the execution of a policy which I had no share in moulding. I admit that, perhaps, we do not want a share in moulding that policy, and perhaps we could not get a voice if we did want it; but if we have not got a voice and

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will not take a voice in moulding the foreign policy of the Empire, I think we should not come under liabilities beyond what our own immediate and direct interests and the peace and protection of our own country demand, and that we should not be called upon to expend our blood and treasure in carrying out Jingo schemes whether of Tory or Liberal politicians on the other side of the water. Take almost the last occasion—not indeed the last one, because they come so quickly these English wars—in which we would have been called upon to take an active share—the Soudan war. We sympathised, of course, with the Mother Country in her struggle and trial, we sympathised with the brave soldiers who fought the battles, and we read with deep interest the incidents of the war; but I doubt very much that the great majority of the Canadians agreed in the Soudan policy, agreed in the Egyptian policy of the English Government, or, in fact, agreed that England ought to have interfered there. If we had had a voice in the Imperial foreign policy, that voice would, I believe, have been raised in favor of an entirely different policy; and I give you that as one instance, though a small one. Something was said about Canadian assistance, but the Ministry did not propose—and wisely, as it seems to me—did not propose to come forward and assist the Mother Country, and I presume, on the ground that so long as we had not a share in moulding that policy, we ought not to be called on actively to execute it. The defence of Canada is an entirely different matter. The hon. gentleman said in his speech that we are in no danger whatever from the United States, and, of course, it is very gratifying to learn from the hon. gentleman that such is the case, and I am glad to share his belief. But he entered into *la haute politique*. He was called upon to declare what our warlike relations with France were likely to be, and he calmed the apprehensions of certain intelligent and well-informed Englishmen who had discussed the matter with him, by telling them that there really was no danger to Canada from France. Why? Not because there was no danger of France seeking to get Canada from us; but because, if there was trouble from active spirits in France, the United States would protect us. We were safe in the hands of the United States, which would not tolerate France on this continent, through it was willing to let things go on as they are. I think myself, and this House will think, that when our First Minister and Plenipotentiary and acting High Commissioner and Chief Superintendent of Indian Affairs and of the Mounted Police and President of the Council enters into the region of *la haute politique* and gives an account of our foreign relations and of the results of his diplomacy, I really think we should have the declaration here. We should not be called on to learn it from reports in the London newspapers. Until I read the hon. gentleman's speech, I had not the remotest idea that this country was under any danger from France whatever, still less that it was a danger which could only be averted by the friendly and determined action of the United States towards us and against France, because they were determined to allow no nation but England to have any footing on the North American Continent. The hon. gentleman has engaged in England in some very great oratorical *tours de force* in those various speeches to which I have alluded; and in that respect also, although Hans Breitmann's performances were physical and not mental, he imitated his prototype, for you recollect when the poet relates the history of the great event, which also was celebrated by a banquet, he says:

"Hans Breitmann choined de Turneers,
Nofember in de fall,
And dey dif't a boost in bender,
All in de Turner hall.

"Hans Breitmann choined de Turneers,
Dey make shinnastic dricks;
He stood on de middle of de floor,
And put oop a fifty-six;

"Und den he drows it to de roof,
Und schwig off a treadful trink--
De veight coorn toomple back on his headt,
Und by shinks, he didn't vink."

Such was the performance of the hon. gentleman. He too put up a fifty-six. He took the French invasion of Canada, he threw it to the roof, back it came upon his head, but with the protecting buffer of the United States alliance. He did not wink, not he! There was another interesting element in these utterances of the hon. gentleman. The hon. gentleman, the High Commissioner, and a late member of this House—Mr. Donald A. Smith—appeared together at those social gatherings—*tres juncti in uno*. They indulged in mutual compliment and congratulation. It was a little surprising to one who remembered their last public appearance in this chamber. At that time they also were together and engaged in a conversation, through the medium of the Speaker, in somewhat slight contrast to the language of the late conversation. Happy change; wonderful recantation. I wonder how, and I wonder why and where. How great the recantation was we can only judge by contrasting the two conversations. As a great many hon. members may not have had the extreme happiness, which some of us enjoyed, of listening to the former conversation, perhaps the House will allow me to read it. On the 9th May, 1878, the hon. gentleman, the First Minister, on the proposed lease of the Pembina Branch, made this statement in the House:

"It was because of the inconvenience to the Government of the constitutional action of the Senate which put a stop to their bargain with the hon. member for Selkirk to make him a rich man, and to pay him for his servile support, that an unconstitutional course was pursued."

Mr. Smith was naturally annoyed at this statement of the hon. gentleman, and on the following day, on the 10th of May, he spoke on the subject as a matter of privilege and denied the charge. Then, referring to the attack made on him by Dr. Tupper, he read an extract, part of which was as follows, from a speech which had been delivered by Dr. Tupper at Orangeville:

"Mr. Smith gave unqualified evidence that the Canadian Pacific scandal had nothing to do with his changed attitude towards Sir John Macdonald. Mr. Smith was a representative of the Hudson Bay Company, and he had been pressing a claim on his right hon. friend for public money. Sir John had been holding back"—

So you will observe that the name of "Old To-morrow" dates from a considerable time back:

"Sir John had been holding back, and Mr Smith came to the conclusion that it would be just as well to jump the fence if there was to be a change of Government. But Mr. Smith was a canny man; he held back, and sat on the fence and watched the course, certainly not in the interest of his country, because he did not want to jump too soon and find he had jumped into a ditch; but when he came to the conclusion that the Government was going out he made the bolt, and he (Dr. Tupper) had no doubt that he had had a great deal of reason since for congratulating himself on having jumped as he did."

"That, said Mr. Smith, is the insinuation and I give it the most positive denial.

Presently says Dr. Tupper:

"Does the hon. gentleman deny that he telegraphed down here that he would be here and support the Government, after he knew everything about the Canadian Pacific Railway affair?"

"Mr. SMITH. I do deny it. I never telegraphed I would be here and support the Government. Never, never. I offered and proposed that there should be another amendment, and a very different one, that is, the Government should frankly confess their fault to the House, and then, if the country condoned it, and Parliament condoned it, it would be a very different thing.

"Mr. TUPPER. That is not what you telegraphed.

"Some hon. MEMBERS. Order.

"Mr. TUPPER. That is not what you telegraphed.

"Sir JOHN A. MACDONALD. Hear, hear.

"Mr. SMITH. The hon. gentleman is altogether in the wrong. I telegraphed simply, in courtesy, in reply to a letter, that I would be in Ottawa

by the 23rd October. I saw the right hon. gentleman himself in one of the rooms. He sent for me. Mr. Mitchell came and informed me that the hon. member for Kingston desired to see me; and let me say to Mr. Mitchell's credit, that he has got up in many an assembly where I have been and said I was perfectly justified in doing as I did, as Mr. Mitchell knew all the circumstances.

"Sir JOHN A. MACDONALD. I am sure he did not.

"Mr. TUPPER. Will the hon. gentleman name one single meeting where Mr. Mitchell ever made such a statement anywhere, and where the record of it is to be found, except out of the hon. gentleman's own mouth. . . . And that goes for a very little in this House or out of it.

"Mr. SMITH. On the occasion spoken of I did see the hon. gentleman in the room. I think it was No. 6 or 5, and the hon. gentleman then did try to persuade me to vote for him, but the hon. gentleman will not dare to state I said I could support him. . . . He said: 'If I am not supported now I will appeal to the country.' . . . He must have counted on the whole of Ontario being one great rotten borough—a veritable Old Sarum, as he said that if he appealed to it he would have Ontario to a man with him.

"Sir JOHN A. MACDONALD. There is not one single word of truth in that statement—not one single word of truth. The hon. gentleman is now stating what is a falsehood.

"Mr. SMITH. The hon. gentleman says he did not say so: certainly the spirit within him said it; for the words came out of the hon. gentleman's mouth. (Order). If he did not say so, the spirits within him did. Those words were uttered by the hon. gentleman.

"Sir JOHN A. MACDONALD. They were not uttered by me.

"Mr. SMITH. They were as assuredly and certainly as the hon. gentleman and I are here. The hon. gentleman from Cumberland the same evening told me that the right hon. gentleman was not capable of knowing what he said.

"Mr. TUPPER. Is it competent for a man to detail private conversations while falsifying them?"

"Mr. SMITH. I do not look upon these as private conversations, and give the exact truth. . . . Will he (Mr. Tupper) deny that he said to me, as soon as it was possible to make the right hon. gentleman understand right from wrong—or to that effect?"

"Mr. TUPPER. If he will allow me five minutes I will show that the very first statement he commenced with to-day, the statement that he never sought a favor from the late Government, is as false a statement as ever issued from the mouth of any man, and he has continued with a tissue of as false statements as were ever uttered by any man.

"Mr. SMITH. I never asked, prayed for, desired, or got a favor from the late Government.

"Mr. TUPPER. Will the hon. gentleman allow me to tell a favor he asked for? The hon. gentleman begged of me to implore the leader of the Government to make him a member of the Privy Council of Canada. That is what he asked for, and he was refused; and it was the want of that position, and that refusal, which, to a large extent, has placed him where he is to-day.

"Mr. SMITH. The hon. gentleman knows that he states what is wholly untrue, and, driven to his wits' end, is now going back to a journey he and I made to the North-West in 1869, and I give the most positive denial to any assertion made by him, or any other person, that I asked for or desired any favor from the Government.

"Mr. SMITH. He knows—

"Mr. TUPPER. Coward, coward! Sit down.

"Mr. SMITH. He knows—

"Mr. TUPPER. Coward! Coward! Coward!

"Mr. SMITH. You are the coward. . . . Nay, further, there were two gentlemen, members of this House, the day after that 4th November—

"Mr. TUPPER. Coward, coward.

"Mr. SMITH—who came to me with a proposition to throw over the right hon. gentleman and the present member for Charlevoix, if I would consent to give up the position I had deemed it my duty to take in the House the evening before, and would support the Government by voting against the amendment of the hon. member for Lambton.

"Mr. TUPPER. Mean, treacherous coward.

"Mr. SMITH. Who is the coward, the House will decide—it is yourself.

"Mr. TUPPER. Coward, treacherous—

"Mr. SMITH. I could not support them—

"Mr. SPEAKER. Admit the messenger.

"Sir JOHN A. MACDONALD. That fellow Smith is the biggest liar I ever met."

The messenger was admitted, the record states, and so the conversation ended, and it was resumed the other day in London. Well, Sir, the hon. gentleman remains at his post, in charge of the discontented Indians, over whom he acts as a guardian, and those police who, the newspapers tell us, are getting demoralised themselves, as I am sorry to notice. His colleagues from the Pro-

vince of Quebec remain in their places, but almost all the others of the Ministers have been changed. There is in fact a reconstruction of the Administration—an almost entire reconstruction, a much greater reconstruction than that which took place in the case of a former Administration in the year 1869, I think. That reconstruction was discussed in the debate on the Address, and I propose to have a few words to say with reference to the reconstructed Administration; but before dealing with those who are out and those who are in, I wish, in this connection, to refer to a gentleman who cannot be said to be quite in or quite out. It has been very circumstantially stated that the gentleman to whom I refer, occupies a position something of that kind; that he was offered, of course unsolicited, for I am sure he would never ask the hon. gentleman to make him a Cabinet Minister. But it is stated that the hon. gentleman offered him a seat in the Cabinet—that it was understood, and arranged, in fact, that he should receive a seat in the Cabinet, that he received assurances to that effect, that communications were made to divers persons that Mr. O'Donohoe was practically of the Cabinet, though, for prudential reasons, it was thought better not to announce it publicly. Well, we all know that he has never been gazetted, and that so far as we can learn, has never been permitted to be of the Privy Council. If it be the case that negotiations were entered into with Senator O'Donohoe, even if they did not result in so complete an arrangement as has been mentioned, it is the right of hon. members to enquire for and to obtain information as to the relations of a public man with the Administration of the day, with reference to propositions to join the Cabinet. These enquiries are legitimate, and, as an eminent statesman has said, it is important that such arrangements should be so regarded, that they should not be secret, as such explanations tend to clear the conduct and character of public men, and therefore it is that I enquire what has happened to Mr. O'Donohoe? As to the office of Minister of Railways, we know it was practically vacant from the time Sir Charles Tupper first accepted the High Commissionership. It is true he returned to Ottawa for one Session of Parliament. But for all practical purposes the office has been vacant since that time. At last it is now filled, and I congratulate the hon. member for Colchester (Mr. McLelan) on the fact. I congratulate him on that place being now occupied legally, formally, and fully, and there being no longer the same apprehension of the return of the High Commissioner to his former post which the hon. gentleman must have entertained while the place was yet vacant. I congratulate him on the distinction of becoming by succession the leader of his party in his Province. I congratulate him still more on losing his colleague. None of us can adequately appreciate the annoyance the hon. member for Colchester must have felt while he sat beside the High Commissioner, and none of us can adequately appreciate the relief he must now feel at the final severance of his connection with him by the filling of his late post; but some of us know, perhaps, more of his feelings than those who came later into the House. When we remember what the hon. gentleman, in the Legislature of his own Province, said of the High Commissioner, we can judge of the relief he must now feel at his absence. We remember that he described him then, thus:

"But the picture, dark as it is, has something blacker still. I see there, standing in the background, the Provincial Secretary of Nova Scotia privately handing over to this same engineer a contract for the whole work. I see him shroud it in darkness, and bury it for three months in the grave of secrecy. And now the Provincial Secretary comes forward and tells us it was so hidden to serve the public interest; to enable Sandford Fleming, after he had taken the contract, to make better terms with the old contractors, to grind a few more dollars out of them! Public interest indeed! Mr. Sandford Fleming's interest alone! Sir, I know not what terms apply to such conduct in a Government—I know not what to call it. I shall not venture an opinion. But in private life it is called extorting money under false pretences; and our laws

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make it indictable knavery. * * * They have heard of men riding in public conveyances with a loose mantle about them, and a pair of false hands folded in front to lull suspicion, while the real hands were finding their way into their fellow travellers' pockets; and they now think that when the hon. gentleman put on the mantle of Herbert Huntington and the old reformers, the hands he put to the plough were not real—that the real hands were hidden that they might the better get deep to the armpits in the public chest; and they wait, they long for the opportunity to sweep him from his position. Therefore, Sir, there was no necessity to bring this case here to excite public opinion. But, Mr. Speaker, if after having brought it here for investigation in the discharge of a public duty, what if the people should, on examination of it, decide that the public interests have been bartered away and betrayed—that the man whom they once believed in as the apostle of retrenchment has become the great high priest of jobbery and corruption? Who shall then restrain limits to their first indignation as they take him, loaded down though he may be with the share of the offerings which fall to the priest, and impale him upon the horns of the altar at which he ministers?"

Such was the glowing language which inadequately I have endeavored to repeat, which he addressed to his late colleague, the Minister of Railways, when sitting opposite to him in the Legislature of Nova Scotia; and those who did not know it can now, perhaps, better appreciate the sense of relief which the hon. gentleman must feel. I congratulate the Government on their having appointed, after all, a Minister of Railways. As to the Minister of Railways, however, they had some doubts, because, in 1884, they brought Sir Charles Tupper over to conduct the Parliamentary business, and last Session we had a novelty in Parliamentary proceeding—we had a twin speech. It could not be done by the one Minister, but there was a Pope-Chapleau oration which initiated the proceedings. I hope that now, fortified by the actual possession of the office, in which it is said he has been acting for some time, the hon. gentleman will be able, by himself, to attend to those minor matters which remain connected with the office. The Canadian Pacific Railway, we are told, is finished—not quite, since the ships have yet to be got to connect Hong Kong and Liverpool; but it is finished on the land, and paid for, I hope. The hon. gentleman then can, no doubt, discharge the duties which remain. He has his qualifications for the post; he has been a long time in administration. I remember when I first entered Parliament, or shortly afterwards, he was in administration. He was in administration, though in a humbler than his present place, in 1872, when Sir Hugh Allan wrote thus:

"Mr. McMullen was desirous of securing the inferior members of the Government, and entered into engagements of which I did not approve, as I thought it was only a waste of powder and shot."

I have often asked hon. gentlemen opposite who those inferior members were, but they will not tell me; but it appears there were some inferior members with whom engagements were made. No doubt the hon. gentleman is no longer an inferior Minister, and I trust, if there is a recurrence of the same circumstances, there will be no such dispute arising as to his being worthy of powder and shot. At that time his railway enterprise was just about beginning; I think the Megantic line was just about being floated, and there was some question as to how some of the early bonds should be negotiated. It has gone on since by various assistance, by the aid of the country, and, no doubt, of the Minister of Railways. My opinion, in fact, is that he has got into the office of Minister of Railways by the short line route, and is thus best qualified to judge between the Canadian Pacific Railway and the public. We were told last Session that the First Minister had undertaken the task of dealing with the Short Line routes, because of the incompatible position of the acting Minister, but all that time that Minister was dealing with the other party to the bargain—with the Canadian Pacific Railway Company—in most important concerns, and private negotiations were going on behind the scenes with those who were to be interested in the Short Line Railway. I hope, under these circumstances, the hon. gentleman has seen to it, whatever

else he has seen to, that justice has been done to the proprietary of the Short Line. We have also got a new Minister of Agriculture. My hon. friend the member for London (Mr. Carling) was well qualified for that office. His well-known interest in one of the great cereals of the country was a strong reason why he should be Minister of Agriculture. I have heard him called the King of the Barley Market, and he is also a large farmer; but I regret to see that what sometimes happens to us politicians, that just as soon as we reach a position we abandon the training, which was supposed to be our qualification, has happened in his case. The hon. gentleman has actually, in the interest of London and the Militia Department, sacrificed a large portion of his farm just as he has become Minister of Agriculture. I regret it, because I think the country has felt that the hon. gentleman should rather engage further in agricultural pursuits, instead of selling at an alarming sacrifice a large portion of his farm. If he were still engaged in cultivating it, I feel that the honest tiller of the soil would have greater confidence in him as Minister of Agriculture. That is not all. I am told the hon. gentleman, still in the interest of London and the public, is proposing to sell a large portion of his farm to the Canadian Pacific Railway, and presently the hon. gentleman—who was a large farmer, and so, I felt, had a very proper claim to be Minister of Agriculture—will be a farmer without a farm. I regret this, because I would like the hon. gentleman to retain as many titles to public confidence in his capacity of Minister of Agriculture as possible, but he seems to me to dispose of his titles in a very lavish way. In a few weeks he makes great sacrifices in the interest of his constituency and the public in these transactions, and no one can be surprised, under those circumstances, that he is so popular and strong in his constituency of London. The hon. gentleman has since dabbled in statistics, and we have had a number of statements as to the prospects and operations of the country in the various Departments administered by him. I am glad to see he is so diligent in that portion of the Department to which he belongs. I do not think his predecessor, in all the long years he was Minister, ever gave to the public such an amount of statistics as the hon. gentleman has in a few weeks. This is encouraging, because we have often wanted statistics from the hon. gentleman's predecessor on this floor, and now we are going to get them from the hon. gentleman. We have restored to us the Department of Justice, of which we were for some time deprived. That is a very important department. I always regretted the fact that it left this House, not so much with reference to its strictly ministerial and departmental work, as with reference to the legislative work. There is no doubt whatever that the Minister of Justice ought fittingly to occupy a place in that body in which circumstances seem to demand the vast mass of the legislation of the country should be initiated and receive its principal sifting, and that, as a parliamentary officer, we want him here. The Government felt that, I presume, and they decided they would no longer deprive us of the benefit of that officer, and determining to supply us with that officer, they made the choice they did, I congratulate the hon. incumbent of the office. He enters federal politics, as the French would say, by the great gate; for him there is no apprenticeship in our Parliament. There is certainly a period during which he filled a provincial office creditably, and received certain other training to which I shall presently allude; but, as far as federal politics are concerned, he comes into Parliament as the incumbent of the important office of Minister of Justice, without passing through any apprenticeship in this House. No greater compliment could be paid to a public man. The Government felt the office was important; they felt that no one was available in Parliament and that they had to look outside. We have looked upon gentlemen opposite belonging to the profession which the hon. gentleman adorns, and who,

I supposed, were fitted for the place, as men among whom the choice, if any, would be made; we have not concealed our appreciation of their qualities and abilities to fill that office, but the Ministry scrupulously determining to give us the very best available talent, felt it was necessary to look outside for the bright light which could not be found in the phalanx from Nova Scotia of patient supporters of the Government who have patiently endured many things for a long time to reap this reward. As a lawyer the hon. gentleman has come to the front with a bound over many heads; as a legislator he begins his federal career at once as Minister. It was a bold step, justified, no doubt, by that superior talent which is so soon to be exhibited by the hon. gentleman, and I have very little doubt, from all I have heard, that he will fill the office extremely creditably. But whence comes he? Whence, I say, does he come? He comes from the bench of justice. Who would have thought it? What did hon. gentleman opposite say of a then unhappy gentleman, who thought it his duty to submit the name of a judge for the office of Attorney-General for Ontario. They slanged me—not here, of course, because we do not use slang here—but outside I was slanged in the country in good set terms for many long years for that. I was told that I had degraded the bench, that I had soiled the hitherto unspotted ermine, that I had created a feeling of want of confidence on the part of the people in the judges of the land, that I had rendered it impossible for the judges to conduct impartially the trials of election cases. I had been guilty of unconstitutional and republican practice; I had degraded public morality; I had done a thing which no honest man could do otherwise than condemn. This was the language which was used toward me because I gave that advice which was followed by the elevation of Mr. Mowat to the Attorney-Generalship of Ontario, and it was used towards me by the supporters of hon. gentlemen opposite and by their organs. I remember, in this chamber, the present Chief Justice of Nova Scotia—I remember the Hon. James Macdonald, then filling the office the hon. gentleman now fills, with all the weight and dignity which is due to that position, denouncing me for this act. I remember hearing Sir Charles Tupper, very shortly after it was consummated—for I believe that is the proper word to apply to such an unhallowed deed—using this language towards me on the public hustings:

“He trusted that when a judge came to decide as to which party had a majority, it would not be under a conviction that high political honors awaited him on one side or the other to reward him for his subserviency. (Loud cheers). If ever there was a law which struck a dangerous blow at the independence and purity of the bench, it would be that which would allow the ermine to be sullied by a partisan decision. The moment a precedent was established, and the moment a great Province like Ontario sanctioned the precedent, the dangerous precedent, that a judge might forsake the bench and enter into the troubled and muddy waters of political strife, that moment a blow was struck at the character of the judiciary, and that confidence was shaken which every one ought to repose in those who were called on to perform those high duties.”

Then as to the organs. The *Mail* on 25th October, 1872, said:

“But, from a higher than a personal standpoint, thinking men in Canada will condemn the new appointment. When once a barrister succeeding to the post as his right [shall I read Thompson or Mowat] when once a barrister succeeding to a post as his right from among the law officers of the Crown, or selected for especial fitness, displayed in the conduct of non-political business, has been promoted to the bench, we in Canada have thought that he put off all political bias, that he flung away with his barrister's gown even the recollection of party struggles, and relegated political preferences to a limbo, whence only history would unearth them. We have thought it the salient feature in that bright record of unspotted ermine which has distinguished the administration of justice in Canada from that of the United States. The action of Mr. _____ will be a rude shock to this faith which has been so blindly and so universally entertained. Latent in his judicial composition under cynical garb or impartiality must have lurked all the old preferences and animosities, and all his warmest sympathies and antipathies.”

“Mr. _____ will have only himself to thank if any of the decisions he has recently given are viewed with suspicion or are actually called in question.”

Again :

"Scratch the judge and the politician will appear? is not a maxim that should gain currency among the practitioners in election cases."

Again :

"The American practice, in short, of making the bench a stepping-stone to a lucrative practice at the bar is one that will find no favor in Canada, and must, as we say, challenge the condemnation of every thinking man. We deal [the organ goes on to say] in another article with the degradation of the Act itself, as well as of the several steps by which it has been reached. It seems to be the peculiar privilege of the faction to outrage all precedent, to shock public morality in every possible way. They have added one more outrage upon decency to the black list, apart from its unbritish and most reprehensible character from a constitutional point of view."

Again :

"Our opinion upon the ruinous tendencies of Mr. So-and-so's return from the bench to the bar has found a ready echo among all classes."

Again :

"The poor defence set up against our charge that Mr. So-and-so was lending himself to the degradation of the Canadian bench when he consented to degrade himself is so weak as to call for no reply. It is republicanism pure and simple."

Again :

"Since the recent abuse of the law's silence on this point, we have no hesitation in saying that the public service requires the passing of an act disqualifying any person now or hereafter elevated to the bench from afterwards practising."

Again :

"The audacity of the move has hidden its worst deformities, the public mind is not yet awake to the enormity of the offence committed from a high moral and social point of view."

Again :

"Who can deny that Mr. _____ has sat on the bench for weeks, while in secret treaty with the representatives of a political party? Did the Governor dare to send for a judge on the bench while any uncertainty existed as to the answer he would give?"

Again :

"The tempter"—

Who was the tempter?

"The tempter may have enlarged on the brilliant prospects of the _____ at Ottawa, and the judge, with ready acumen, may have seen a chance in the possible establishment of a Supreme Court to supplant the chief, of whose pre-eminence he has been so notoriously intolerant."

Again :

"It is a case where breach of custom is breach of all, and that So-and-so had not the strength to say to the tempter 'get thee behind me' will one day come to be a bitter reflection to the opponents of republicanism in Canada."

The day is come, Sir. Again :

"Our experience of the American system has shown us the wisdom and the necessity of guarding against any political interference with a judge. A judge feels that he has entered on a career from which he may not falter while capable of discharging its onerous duties. Ambition often assumes a dangerous form, but never did it establish a more injurious precedent. Now this party is ready to carry the same principles of action into the Government of the Dominion. Happily, however, there is little probability of seeing the judiciary further degraded by the interference of these indiscreet politicians. Public opinion throughout the Dominion unmistakably condemns their introduction of the American system of political government into this country. Hitherto we have been able to point with pride to the incorruptibility and self-denial of our statesmen and the independence and dignity of our judiciary, but we are afraid, with 'so-and-so and so-and-so' in power, at Ottawa and Toronto for a few short years, the public writer would soon have a painful political record to hold up to the censure of the people."

And the *Montreal Gazette* points out:

"It is clear that, if the action is to be drawn into a precedent, the state of public confidence arising out of the supposed withdrawal of the judge from all interference in politics must be seriously shaken."

Again :

"In this way we have all our preconceived notions of the neutrality of the bench rudely dispelled."

"All the circumstances," says the *Mail*, "afford conclusive evidence that for several weeks, while still in the discharge of his judicial duties, he was in collusion with prominent politicians to degrade his position and smirch the ermine."

Mr. BLAKE.

Again :

"There is hardly a member, either of the bench or bar, who does not feel that the transaction is an outrage upon the whole profession."

Such was the language, as I have said, of prominent politicians and members of the party opposite, and of their leading organs, applied to the summoning of a judge from the bench to take an important political office; and I ask, were you sincere then? If so, defend yourselves now. Were you shamming then? If so, I will leave you to the contempt of honest men. But here the case is a little more complicated, because political patronage was practically exercised by a judge while still on the bench. The county judgeship of the district was in fact disposed of with a view to obtaining a seat for the Minister of Justice. There has been altogether too much of this of late years. Mr. McDougall got a judgeship for having vacated his seat for Three Rivers on behalf of the Minister of Public Works. Mr Killam got a seat on the bench in Manitoba, in order to provide a vacancy for the Attorney-General of Mr. Norquay, the Prime Minister of the Local Government, and it was announced publicly, in the papers, that he had arranged the business for that purpose. Mr. Baby, an old colleague of ours, was made a judge in order to provide a position for another old colleague of ours in this House, Mr. Mousseau. When Mr. Mousseau had served his day, and the new luminary was to emerge above the horizon, Mr. Mousseau was transferred—I think it was my hon. friend from Laval (Mr. Ouimet) who said he was sent down from here to Quebec as first Minister of the Province—so that there might be a vacancy created here for the Secretary of State; and, when he had served his time in that Government, and his usefulness was gone there—to use a phrase which was rendered historical by an event with which he had close connection—he went on the bench in order to provide a political office for Mr. Ross. And so the late member for Antigonish was made a judge to create a vacancy in Antigonish and to give a seat to the Minister of Justice. Mr. McIsaac is an able man, and I have no doubt he will make a good judge, but the practice is a bad one, and, I have no doubt, will, in the language of the organ, be condemned by all thinking men.

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

After Recess.

Mr BLAKE. When the House rose I was about to allude to the late Finance Minister who has left us in order to assume, for the second time, the Lieutenant-Governorship of his native Province. We all hope, I am sure, that the sinecure to which he has been appointed, will restore him to his former health and vigor. Doubtless the cares and worries of the very important office which he has for some time filled, would have been too much for him in the state of health to which we were aware he was reduced, and it was a reasonable thing that he should be relieved from the cares of office. His disappointment at the failure of his predictions, his regret for the condition to which he had reduced his country, could not but affect him. To him has succeeded an hon. gentleman, the late Minister of Marine, the member for Colchester (Mr. McLelan). Well, Sir, of him we have had experience, as a Minister, for a considerable time, and he has also occasionally filled the position of Minister of the Interior, and that of Inland Revenue. Having had, therefore, an opportunity of judging of his powers as a Minister in more than one capacity, we await explanations of his elevation to the post of Minister of Finance. He will have, however, the great good fortune in that position of being able to attempt to realise some of his former views, and that is always satisfactory to a public man. I recollect very well when I first met the hon. gentleman in this chamber, and when I heard him say some things with

reference to the hon. gentlemen who were then opposite to him, and alongside of him, and with reference to the Confederation which they had achieved, and the difficulties his Province would have to surmount in consequence of it; and as he is now in charge of an office, which is specially concerned in the removal, or alleviation of some of those difficulties, we will expect results. I recollect upon the first occasion he addressed the House, I think he pointed out to us what had been said by an hon. member with reference to Confederation. He said :

"The member for Lennox spoke of the great sacrifices which he said the public men of the Provinces made for union. Looking along the Treasury benches at the smiling faces of the occupants, one feels that it must be a pleasant sacrifice, a happy and profitable kind of martyrdom for which, I have no doubt, there was a considerable rivalry. There are two of the offices now vacant; two altars without an offering; but we must not suppose that it is because statesmen cannot be found for the sacrifice, when it is the country only that bleeds, and let us see to what extent. I take a number of the heads of the Departments coming first on the list, and we find the average cost to be \$40,000. This multiplied by 13 will show that in the sacrifice spoken of by the hon. member, the country will be bled to the extent of half a million."

I await the hon. gentleman's estimates for the current year, in order to compare his figures with those mentioned on that occasion. Then departing from these minor and departmental details of expenditure, he said :

"But the people of Nova Scotia believed that while an increased expenditure will be made in the general administration, it will bear especially hard on them under the lowest tariff of the confederated Provinces. We raised a larger revenue per head than any of the others; and we see that when our tariff is made equal to the others, we shall be taxed out of all proportion for the maintenance of the General Government."

Again :

"You have included an extent of country that cannot be moved by any one interest or influence, any more than the agitation of one pool can be made to move the waters of separate and distinct pools."

Again :

"When the proposition was made to place our commercial interests under your control for the purpose of developing them, an idea of the ridiculous presents itself, such as one feels when seeing a hen appointed to a flock of ducks, the natural instincts of the one are inland, those of the others on the waters."

But the hon. gentleman has forgot his natural instincts, and has, for some time, been able to drag himself as far inland as Ottawa. He says further :

"The people felt that the proposers of this scheme had become so excited over this idea of a new nationality, a new Dominion, that they would incur expenditures which would largely increase the burdens of the people."

Well, now, the hon. gentleman has seen what has gone on for some years. He has helped or hindered, as the case may be. He is now in a position to control the finances of the country, and we shall expect his Budget Speech garnished, of course, with cradles and orange blossoms, to contain some practical propositions of the retrenchment which he is now in a position to secure. To him, in his ministerial capacity, has succeeded the hon. member for King's, N. B. (Mr. Foster), who, as a principal organ of the Government declared, is to give the Government that peculiar strength—that cold water sort of strength—which Sir Leonard Tilley afforded to it while he was a member of the Government. Perhaps he will. He is a youthful parliamentarian, though, I believe, a veteran orator, and he has passed as a youthful parliamentarian to those benches, the longing for which the hon. member for Colchester (Mr. McLelan) so vividly described in the extract I have read. The hon. gentleman helps to preserve that mixture in the Cabinet, which is completed by the conjunction of the hon. member for London (Mr. Carling) and the Hon. Mr. Smith, and which can be so admirably appreciated by the great mixer and compounder of all. We have lost the hon. the late Minister of the Interior, and that is a very serious loss to the First Minister. He took him in as an apprentice into his office; he educated him under

his own eye for some time in the office of the Interior; he watched him in the discharge of his duties, as he learned by slow degrees to imitate the masterly inactivity and the wonderful and extreme procrastination of the right hon. gentleman; and as soon as he had thoroughly indoctrinated him in the art of how not to do it, so soon as he had thoroughly satisfied himself that he would be an admirable successor, and would perhaps even better the hon. gentleman's own performances, he appointed him formally to the office. We all remember, that as long as the First Minister himself filled it, we were told that everything was being done most diligently that ought to be done, that nothing was omitted, and that every wish, want and reasonable aspiration of the people was being responded to by that Department. We remember too, that when a change was made, and the hon. gentleman formally appointed his successor in office, it was said there was going to be an improvement on the condition of things which had been so excellent, that it was quite impossible, we supposed, that it could be improved upon. But still, there was going to be an improvement; new blood had got into the Department, new vigor had been infused into it, and there would be a more responsive action on the part of that Department. And we remember afterwards that the customary pæans of praise accompanied the Minister all through his career. We were told that everything was right, that when the lands were removed from the market, that was right; when they were offered for sale to the speculator, that was right; when they were restored again to homesteads and pre-emptions, that again was right. Whatever was done from day to day, was just exactly the right thing. Last Session, when the country turned out to be in a blaze, the hon. gentleman opposite declared that all was right still. He declared boldly that the Government had been guilty of no single act of neglect, of no single act of delay, but had in all things, acted promptly, and with admirable judgment, and upon these things he challenged enquiry, he challenged attack. Indeed, it would have been high ingratitude, if he had taken any other course, since I firmly believe that the late Minister of the Interior was but the echo of the First Minister in the administration of his Department. However, he has left office with, we are sorry to believe, his health impaired. I trust it will be restored by freedom from ministerial cares. I congratulate hon. gentlemen opposite that they still have left to them that most important and eminent proof—as the hon. gentleman declares him to be—of his capacity and judgment in the choice of men for important office—Lieutenant-Governor Dewdney. I share their regret that they have lost the services of Mr. Wilkinson, who has been appropriated by an experienced and extensive contractor whom he is now serving instead of serving the State in the office of registrar. I trust that the hon. gentleman may still be able to fulfil that pledge made in Mr. Wilkinson's behalf and give him the office which he wanted. Of course, it could not be expected that the Government could fill the vacant place of the Interior. They have, however, put in a stop-gap and used the best timber available for the purpose. I am willing to admit that the present Minister of the Interior has some, and some considerable claims upon the Tory party, and considerable qualifications for a Tory Minister. If there is one thing which should give a public man claims on the gratitude of his party it is taking pains to establish the accuracy of their views of public affairs and the correctness of their forecast of public events; and in a notable case the hon. gentleman has performed that valuable service to the party to which he belongs and of which he is so great an ornament. He has furnished proof—proof beyond contradiction and beyond cavil and controversy—of the correctness of their predictions when the Independence of Parliament Act of 1878 was going through Parliament. At that time, the House will remember, the

state of the law was such that it had been adjudged that shareholders in incorporated companies were not obnoxious to the penalties prescribed in regard to members who should become contractors with the Government. A new Bill was proposed, which declared that proposition of the law, modifying it, however, with respect to contractors or shareholders in the Canadian Pacific Railway Company, and this, not an alteration, for the only alteration was an elimination of the shareholders of the Canadian Pacific Railway from the general law as it had been adjudged: but this definite proposition was attacked in terms, I am quite free to admit, judging by the example of the hon. member for Cardwell, of deserved severity by hon. gentlemen opposite. The First Minister said, referring to the clauses of the Bill, and clause 7, as to shareholders in incorporated companies:

"Hon. members would observe how, under that clause, the whole Act might be evaded so that it would not be worth the paper upon which it was printed. Five men could form a company to construct a work, become incorporated under either the general or a Dominion Act, and might get a contract, they having previously gone to the Government, as individuals, and obtained an understanding that if they formed a company they might get a contract. Every man connected with the contract would thus be the slave of the Government, and, in spirit and in fact, dependent upon the Government as much as if they were not incorporated. There ought to be a provision in the Act in order to prevent contractors becoming the tools of any Government. That could easily be done. It could easily be provided that shareholders in specific classes of companies, such as banking and insurance, were exempted; but that shareholders in companies for purposes of construction, and for selling goods and doing work, with the exceptions indicated, should be excluded just as if the parties forming those companies were acting independently. That suggestion would commend itself to the common sense of the House."

The hon. member for North Simcoe said:

"The 7th section of the Act, he agreed with hon. gentlemen in thinking, was an attempt to destroy the object which it pretended to have in view. Now, was it right that a gentleman connected with a company incorporated for the construction of such undertakings as the Lachine Canal, the dredging of a harbor, the building of a post office or any other work, should be eligible for a seat? Such a principle was an exceedingly dangerous one, and would prove a fruitful source of mischief. It was an affirmation that every person who was connected with a company was entitled to be a member of that House unless he happened to have anything to do with the construction of the Pacific Railway. He did not think any shareholder in a public company, except a gentleman like the member from North York or the hon. the Minister of Militia, who were engaged in the diffusion of knowledge, should, as an interested party, have a seat in that House. There was no reason why advertisements requiring publicity should not be sent to the *Globe* newspaper, but it would not be right for any member to participate in profits derivable from departmental job printing. Neither was it right that shareholders in banks or insurance companies should sit in that House, though the Government dealings with such incorporated associations were very limited."

The Minister of Public Works (Sir Hector Langevin) said:

"If the hon. gentleman wished to attain the object this clause said he wished to attain, he must go the whole length. He must say 'or any other company in which a member of Parliament shall be a shareholder, and that shall be doing work for the Government, that member shall be excluded from Parliament.' * * * Take the Grand Trunk Railway, the Great Western line, the Canada Southern Railway, or the Northern Railway Company—the managers of these great undertakings might be elected to Parliament. Their officers might also be elected to Parliament, and then these companies could come every year to ask for Acts of Parliament. They were interested in Parliament, more than the Provincial Legislatures. The Local Legislatures did not come here, or very seldom. The hon. gentleman must see that these great companies had a large amount of influence in this House."

You, Mr. Speaker, being then on the floor of the House, said, with respect to the seventh clause:

"With regard to the seventh clause, relating to incorporated companies, it had been proved that this clause, if the Bill passed in its present shape, rendered the whole of the Act nugatory. Any five persons, members of Parliament, who desire to take a Government contract could form themselves into a joint stock company and take the contract without coming under the penalty of disqualification. It was reasonable that members of incorporated companies who numbered their shareholders by the hundred, such as banks, and railway and insurance companies, should not be disqualified on account of any contract entered into between such incorporated company and the Government, but the same principle should not apply to members of small companies, trading firms, limited liability companies, such as were incorporated every day;

Mr. BLAKE.

members of such companies should not be allowed to take contracts from the Government and occupy their seats in this House, while they derived just as much benefit from the contract as if they had taken it in their individual names. In England, and even in this country, a great number of trading firms and partnerships were transformed into companies. His hon. friend from Ottawa, who dealt in lumber, or his hon. friend from Montreal West, might form, with four of his clerks, a joint stock company, under the name and style of "Frothingham, Workman & Co. (Limited)," and supply all the goods this Government might want to an unlimited extent. The seventh clause would have to be entirely remodelled, and made to apply only to incorporated companies, such as railways, banks, and insurance companies, or, perhaps, for the sake of the hon. the Finance Minister, to express companies."

Then an hon. gentleman, who has since been translated to the Senate (Mr. Plumb) said:

"The seventh section was the most objectionable that could possibly be conceived. If it was designed in serious earnest to have this Act an effective measure for the purpose for which it was apparently designed, there was nothing easier than the facility with which incorporated companies could be created, and mercantile, forwarding and other associations, even associations having the smallest possible dealings could be formed into companies holding corporate powers; and it was a perfect mockery to say that a man who had been unseated in Parliament because he had carried a vessel load of iron for the Government, could not take two or three friends with him, give them a few hundred dollars' worth of stock in a propeller or steamer, make a stock company, and then take a Government contract. But this was exactly what an hon. gentleman could do under this Bill. If a new title was to be given to it, it should be: "A Bill to facilitate members of Parliament in holding contracts under the Government"; this was the real effect of it."

Those were the statements made by hon. gentlemen opposite, and I have already declared that the hon. gentleman has done his party the service of establishing the accuracy of those predictions, and in his own person proving the necessity of the amendment to the law which they failed to pass through Parliament. In another respect, Sir, he has proved his qualifications for lead in the Tory party by showing, in the most formal manner, his assent to the doctrines of hon. gentlemen opposite as to the ethics of political controversy. The proof has been given in his capacity as a journalist, and it is amongst the things most creditable to the hon. gentleman that he has always held up in deserved esteem the honorable profession to which he belonged, and to which I suppose he still considers himself to belong—a profession of as great and probably of greater consequence and influence at this time than that of a legislator; and I suppose he would be the first to spurn for it any lower view, or any meaner or laxer ethics of political controversy, than that which would attach to the politician, the legislator, or the public man. The proofs he has given of his view, are public and well known. They were stated in a public journal thus:

"We have heard a story that before Sir John Macdonald fell in 1873, Mr. D. A. Smith confided his want of confidence to the editor of the *Gazette*, among other gentlemen; that after the fall, when Mr. Smith was assailed for reuence as to his intentions, the worthy editor was appealed to by Mr. Smith and acknowledged the conversation, and stated his expectation, from what he had said, that the latter gentleman would vote for Mr. Mackenzie's motion. Later on, when the *Gazette* became virulent against him, Mr. Smith upbraided the editor, and the latter admitted the facts, but stated that party exigencies urged him to the course he was pursuing, *i. e.*, slandering Mr. Smith.

"In reply, Mr. White, in the *Gazette*, said: 'We have simply to say that there is not a word of truth in the statement—that it is manufactured out of whole cloth. The editor of the *Gazette* never had any conversation good, bad, or indifferent, with Mr. Smith in relation to his conduct in 1873. Mr. Smith never upbraided the editor of the *Gazette*, and that gentleman never made any such admissions as are referred to.'"

Upon that, a letter was written by Mr. Smith to the editor of the paper which made the charge, and that letter contains these passages:

"The facts of the case under dispute are, in the main, as stated in the *Herald*, though I can quite understand that in the multitude of his political affairs, Mr. White may have forgotten the conversations between us, and the visit of Mr. George Stephen and myself to his office, made in consequence of reflections on my political character, which appeared in the *Gazette*, and the admissions he then made. He declined to make a correction, and excused it on the ground that journalists were some-

times compelled, by political exigencies, to write in disregard of those considerations by which, under ordinary circumstances, they would be guided.

I entirely concur in the above.

DON. A. SMITH.

GEO. STEPHEN.

“ London, 16th December, 1880.”

I think, Sir, I have verified for the hon. gentleman the second claim which I freely accord to him his fitness for his trusted and elevated position in the party to which he belongs. I admit also that he has special qualifications for the particular office in the Ministry to which he has been elevated. We know that grievous complaint has been made for some time by the people of Manitoba and the North-West as to the effect of high duties upon that country, and the hon. gentleman has given us the advantage of his views as to the remedy for those grievances. We know that, in 1873, he formulated his views thus :

“ A 15 per cent. tariff means more than 15 per cent. protection to manufacturers. There is the cost of the transport of goods from the other side of the water, which amounts, on an average, to, at least, 5 per cent., so that there is now a protection equal to 20 per cent. That ought to be sufficient for any industry suited to the country; and, as to others, it would be unwise to attempt to sustain them by fiscal props.”

There is another special claim which the hon. gentleman has of fitness for his position. You know how the people of Manitoba complain, and have complained, of railway monopoly, and of the action of the Dominion Government in depriving them of freedom of railway communication; and you also remember—for it has been frequently quoted in this House—the statement the hon. gentleman made when the Canadian Pacific Railway contract was going through, as to its effect, or rather its want of effect, so far as Manitoba was concerned, as to the Province being perfectly free, and, therefore, he is just the man to vindicate the rights of Manitoba in that regard. There may be many other things as to which his views may not be so acceptable to the people of Manitoba. They think they have some hardships to complain of, while we all remember that he told us that they are rather more spoon-fed than otherwise. I am afraid I have not exhausted the list, but I hope that the hon. gentlemen I have overlooked, if I have overlooked any, will not suppose that I refuse to them the compliments I have paid their colleagues; but even as far as I have gone, I think it will be admitted that the changes in the Administration, whether by resignation or by removal, or by addition or by transfers of offices, are very large, very numerous and very important. In my opinion, the Ministry is less worthy, if possible, of confidence than it has been at any former period; but I have no doubt, Sir, that the majority will say that the Ministry as it was, was the best possible Ministry except the Ministry as it is. That, I have no doubt, is the opinion of the majority of this House. From that opinion there is but one appeal, and I hope we may soon have it.

Sir JOHN A. MACDONALD. Mr. Speaker, with every regard for the hon. gentleman and for his statements, I venture to have a doubt as to the veracity of the last statement—that he is anxious to go back to the people. I am quite satisfied that in the inmost recesses of his heart it is the last thing he would like at this moment. I am satisfied that he knows—and he has so committed himself—that he has played so fast and loose between Upper and Lower Canada, between Quebec and Ontario, that in the case of an election taking place to-morrow, he would find that in Upper Canada his attempts to coquette with Quebec would lose him the confidence of his own section of the Dominion, without gaining him the confidence of any other part. Mr. Speaker, we were summoned here by the representative of our Sovereign for the transaction of business. We have come here to perform a solemn duty. It is the duty of a Government to introduce and to press such measures as they think it is for the

benefit of the country to be introduced and to be pressed. It is the duty of those who agree with them to give them a cordial and united support, and it is equally the duty of those who are opposed to the Government conscientiously to raise such objections as they think just, to the course of any administration or legislation of the Government. But it is also the duty—the recognised duty of an Opposition, of every Opposition, to sink party and personal conflict, when they can do any good by co-operating with the Government, co-operating with the majority of the day, for the good of the country, and for that reason it is an understood principle in England, a principle which has obtained there since representative government in modern times has prevailed, that there ought to be something like good feeling between the majority and the minority, and that while conscientiously, openly and boldly, offering opposition to such measures as we disapprove of, we should endeavor to have something like gentlemanly intercourse and good feeling across the floor. I would ask you, Sir, and I would ask this House and through this House the country, if the speech of the hon. gentleman from that point of view will not carry with it its own condemnation. I suppose, Sir, he is a good Christian, an evangelical Christian, and, therefore, bound to have a Christian feeling towards all his fellow men. But, I would ask you, Sir, if the hon. gentleman has not, without purpose, without provocation, without benefit or advantage to any man or woman, without advantage to any interest, but to the great disadvantage of the progress of public business and of the public good, attempted, in a mere malignant desire, to wound people's feelings, in an unchristian, ungentlemanlike, and unparliamentary desire to set section against section, individual against individual, man against man, to rake up these old stories and these old quarrels. For what good could possibly be expected from the course the hon. gentleman has taken? Why, Sir, it is because he had not anything to say against the Speech from the Throne; he had not anything to say in answer to the very statesmanlike speeches of the mover and seconder of the Address, and so he had carefully to gather up this garbage and this record of old quarrels and old disputes long forgotten, in order to divert the attention of this House and this country from the feebleness of any attack that he could make against the Government, against its legislation or against its administration. The hon. gentleman has come back from England with renewed health and vigor; he has taken his position as leader of Her Majesty's Opposition, and he has shown that he has recovered that health which we were sorry to see, at the end of last Session, had somewhat failed; but while he has been restored to good health, the old temper and disposition have remained. The hon. gentleman went home to England; I went home to England. He finds it a great fault that I should go home to England, and that I should receive some little attention from some of my political friends in England. He brings it a charge against me that I dined with the members of a club of which I myself was a member, on which occasion I made a speech. The hon. gentleman went home to England and he made a speech—

Mr. LANDERKIN. We are proud of it.

Sir JOHN A. MACDONALD. Well, I dare say the hon. gentleman is proud of it. But the hon. gentleman thought my speech at the St. George's Club was worthy of some remark, and he spoke about my exaggeration, when I said that every acre in the Dominion of Canada was in a healthful climate; the hon. gentleman foisted in the word “ beautiful.” If the word beautiful is in my speech as reported, I never used that word. I spoke of the Dominion of Canada being a beautiful country, and so it is, notwithstanding the disparagement of the honorable gentleman. I spoke of the country as fit for the settlement of

Englishmen, Irishmen and Scotchmen, and so it is, notwithstanding the speeches of the hon. gentleman, which sent so many to Kansas and other parts of the United States. I spoke of the climate of Canada; I said up to the North Pole—aye, Sir, from the boundary line to the North Pole, be the climate frosty or genial, or be the soil fertile or unfertile, there is no portion of the Dominion of Canada that is liable to the malignant fevers which exist in other countries. We have no Texas fever in Canada; we have no Kansas complaints; our very animals seem to be protected by Providence from the diseases that ravage the herds and flocks of other countries. It is the style of the hon. gentleman, as it is of those who support him, to take every opportunity to lessen the reputation and the position of Canada in the world. Sir, I spoke the simple truth when I said that every acre of the Dominion of Canada had a healthful climate, which man, woman and child could emigrate to and could prosper in. The hon. gentleman also alluded to my over-patriotic views. He intimated, in fact, that I was kotouing to the Mother Country—seeking favor there by saying that Canada would expend her last man in the defence of the Empire. I know that hon. gentleman would not be one of those who would spend his shilling or put his musket to his shoulder for that purpose, no more than the hon. member for Centre Quebec (Mr. Laurier) would do so; I know neither of them would do so; and they laugh, I dare say, in their sleeves at my quixotry in saying that England, in case of distress, in case of danger, in case of the perils of war, would find Canadians ready to do what they could to back the sovereignty of England. But, Sir, my speech was not simply an expression that we would spend our last shilling and our last man. My speech was in favor of having such an arrangement between the central United Kingdom and all the colonies—having an arrangement made by which the auxiliary kingdom of Canada and the auxiliary kingdom of Australasia should together form one great empire, and by uniting their forces, by uniting their men and their money, should together be so strong as an empire that they would control the world in arms. That was my statement; I have made it in this House; I have made it in former Houses. Wherever I have had an opportunity of speaking on that subject, I have stated that the future of the Empire of Great Britain depended upon a close and intimate alliance between the central power and the dependencies, the auxiliary kingdoms; and, Sir, I believe if it were put to the electors at the polls in the Dominion of Canada—if they were polled, men and women—and on that point the women ought to get the franchise, because they would be the most loyal of all—the hon. gentleman would find that he would be in a miserable minority if he proposed to draw back from any well organised scheme by which the Mother Country and the children kingdoms were united in one great force to maintain the civilisation of the world—to maintain the superior civilisation of those people who are contained within the bounds of the great Empire to which we are proud to belong. The hon. gentleman also tried to get a cheer by stating that I said the French would not come here because if they did we would appeal to the United States to protect us. I said no such thing; that was a garbling of what I stated. What I stated was this: that in consequence of sensational articles that were published in England, emanating from the press of the United States, apprehensions prevailed in England—that fostered by these articles distrust was raised in the minds of the English people, the English Government and the English Parliament. I found when I got to England that they had made some impression on the minds of the people there. They said: "Is it true what the New York Herald and other papers say, that the French Canadians are going to rise in arms, that they are watching an opportunity of severing their connection with Canada and

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that no dependence can be placed on their loyalty?" I took upon myself, from a knowledge of 40 years of the French Canadians, to deny that statement. I stated then that there was no portion of Her Majesty's subjects, no matter what their origin or their language might be, more loyal to this Empire, more loyal to the Crown of England, than the French Canadians; and I stated further, in answer to the apprehension that was entertained and expressed, again and again, in some of the English press, that even if the French Canadians were loyal, even if they did not desire to sever the connection between England and Canada, yet that at this moment the French republic were seeking colonies restlessly, opening, new and extensive, a restless and an aggressive colonial policy, there was no need to fear that France would attempt to intrigue with the French Canadians, because French statesmen know too well, from the experience they found in Mexico, when Maximilian came over, with a generous but mistaken ambition, to found a State in Mexico, what the consequence was. The United States said to the French Government: "You must retire; no European monarchy can get a new footing on this continent; no European Government can come in this North America. That was the Monroe doctrine, and the knowledge of that would prevent the possibility of the French Government or Frenchmen, instigated by the French Government, trying to intrigue and raise a spirit of disloyalty which is now un-existent among the descendants of Frenchmen happily living in Canada. That was the language I used, and I must ask my French Canadian friends, those opposed to the Government as well as those supporting it, if I do not express the sentiments of the French Canadians. Certainly, I may not express the sentiments of one of them, the hon. member for Quebec.

Mr. LAURIER. Order; the hon. gentleman has no reason to impute to me such imputations as he does.

Sir JOHN A. MACDONALD. I impute no imputations.

Mr. LAURIER. Yes, you are charging me with disloyalty.

Mr. BOWELL. You said you would take up arms.

An hon. MEMBER. He stood his ground, he did not run away.

Sir JOHN A. MACDONALD. Well, he never went ahead or returned; that is all the difference. Now, I have defended, in my humble, feeble way, the remarks I made in England. I do not believe they are misapprehended by those who do not wish to misapprehend them; they are so plain they could not be misapprehended. There is one quotation the hon. gentleman (Mr. Blake) made, which is evidently a mistake, when he said I declared we were forming a navy. I said we were forming an army, but certainly not a navy. We have formed an army of citizen soldiery who have shown they are an army fit to rank and march side by side with the forces of England. But while the hon. gentleman insinuates that my speech was extra-loyal, extra-effusive, and far too patriotic, in the English sense, I cannot make the same charge with regard to his speech, near Edinburgh, when he was the guest of Lord Roseberry. No such charge can be brought against him. True, he told them that politically we were far in advance of them; that we had adopted a liberal, radical system in Canada, which they were fondly hoping to imitate bye-and-bye. But, in that long and eloquent speech, and I read it with much pleasure, because it accurately stated man instances in which Canada, in its legislation, free as it is or the trammels of an old conventionality and an old monarchy—

Mr. BLAKE. Hear, hear.

Sir JOHN A. MACDONALD—had made advances in many questions which still remain difficulties to solve in

England. But not one word did the hon. gentleman use about the advantages of this country to the overburdened classes of England; not one word did he say holding up in any way the advantages which Englishmen, our fellow-subjects, could gain by coming here and settling in our vast North-West. Oh, no; that would have been rather in contradiction to the speeches which he made so eloquently the other way, and which were considered so valuable that they were published by the land speculators of the United States with a very handsome frontispiece of the hon. gentleman. The hon. gentleman, as I have said, finding very little to remark upon in the Speech, said there was not much in it; but if you will look at the substance, you will see there is very little froth and a good deal of practical legislation in the Speech, if the hon. gentleman, or rather if the followers of the hon. gentleman can only persuade him to forget personalities and direct his great mind to legislation. He said we ought to have met earlier in the season. Well, we did put off meeting a little, there is no doubt, but then there are limits to human endurance. The persistence of hon. gentlemen opposite kept us here six months instead of three. Now, we are not all born with silver spoons in our mouths, some of us have business at home, and surely it was not too much, if we were kept six months from home, to get something like six months at home. But besides this, there was the hope of the expectation that the negotiations with the United States Government on the subject of a joint commission not only to look into the fishery matter, but to take up the larger question of reciprocal trade, might have made such progress between the 4th December and now as to enable us to enter into negotiations, to bring down early in the Session a measure based on those negotiations. Speaking of that commission, the hon. gentleman truly said I was never more surprised than last Session, when we were attacked for making that arrangement with the United States, and told there was no use in it. I think the hon. member for West Elgin (Mr. Casey) was particularly eloquent on that point.

Mr. CASEY. Hear, hear.

Sir JOHN A. MACDONALD. The hon. gentleman says now that the moment the notice was given that the treaty was to be ended in two years, negotiations should have been commenced again. Sir, there is a degradation involved in that proposition, which will meet with the indignant objection and refusal of the people of Canada. Had not the Government before 1873, and had not the Government of 1874 gone to Washington, and almost on their knees asked for a renewal of the Reciprocity Treaty? Had we not perhaps compromised our dignity as a free people in doing what we did for the sake of commercial advantage? But the more we did, the more humbly we bent our heads, the more that with subdued eye and bated breath we prayed them to open their markets to us, the more contumeliously we were treated, and at last we were almost forced to the conviction that there was no use by degrading our manhood to try to get the United States to do what they were resolved not to do. And only fancy, there was the Congress of the United States; there was the Senate, a branch of the executive as well as of the legislative power, joined with the popular branch in giving notice to England that they must end that treaty. The notice was given and they must have meant something by it; and the moment they had solemnly stated that they would not have a treaty at any price, the moment that they had authorised the President to give notice to the sovereignty of England that they would not have it, fancy that, at that moment, we should have gone, without any hope or expectation of being able to succeed, to say to them: "You have given this notice; you do not mean it; take it back; agree to a treaty, and pay us five millions more." That was the suggestion made from the other side.

Some hon. MEMBERS. No.

Sir JOHN A. MACDONALD. Well, it was the suggestion made just now by the hon. gentleman who has just spoken.

Mr. BLAKE. No.

Sir JOHN A. MACDONALD. Yes; he said we should have attempted to renew the treaty the moment the notice was given. That is what he stated this very day, an hour ago, in the presence of the House; and only fancy our going to the Government that had accepted the denunciation of the treaty. The President, if he had chosen, might have refused to give effect to the resolution, but he did not do so; the executive and the legislative power combined in ending that treaty, and the folly and the meanness of our going to ask for what we could not reasonably expect to get was too obvious for a Tory Government, at all events, to countenance. And besides, do we not know that the whole hope of Mr. Blaine, the Secretary of State for the United States, to get elected lay in getting up a war feeling against England; do we not know how his own State of Maine was opposed to a renewal of the fishery treaty; how he had pinned his faith and his hopes of success in the presidential election upon the purely American, that is the anti-British feeling, that he was trying to pump up. And I can tell the hon. gentleman—it is no secret—that Her Majesty's Government as well as the Canadian Government thought it was the most inopportune time in the world to go to the United States to try, to make the futile attempt, to renew the treaty just before the presidential election, when each party was frightened of the other, when the Democratic party dared not declare that they were in favor of free trade or in favor of reciprocity. Why, both parties were so bound up in trying to prevent any expression or any resolution that would offend any great interest during the election that we were told, and we knew, we did not require to be told, that it would be worse than folly, it would be courting defeat to attempt to make any arrangement until after the election was over, and that then we could appeal with some hope to the powers that be, the powers that would be after the election. And so, Sir, the moment the new Government was formed we opened communications with the Government of the United States, and we did so in a manner which I think was in a great degree successful, for the early and favorable consideration, by the President and his advisers, of the proposition; and that was that we stated to them we wanted to be good neighbors; that the American fishermen were aware that the treaty was to end on a particular day, that they would be fitting out their vessels for the season's fishing in March or April, and they would find on the 2nd July that their vessels would be liable to be seized and their year's catch to be lost, and that would create such an irritation as to greatly endanger the pleasant relation which had existed for many years between the United States and Canada. The offer was a neighborly one; it was felt to be a neighborly one, and was warmly reciprocated by President Cleveland and the Secretary of State, Mr. Bayard; and the Government of the United States, the President and Secretary, have faithfully carried out their pledge to lay before Congress a pressing message, asking for the appointment of a joint commission, not only to settle the question of the fisheries, but to consider the much larger question of the development and increase of the international trade between Canada and the United States. It is no fault of the President; it is no fault of ours, that Congress or the Senate has apparently made up its mind that no commission shall be issued. It is no fault of ours, and I dare say it is a matter of regret to the President that his strong and urgent representation has met with the fate that it has. But the fact that it did so, the fact that, even

under these favorable circumstances, we have been told that we shall have no joint commission to consider a reciprocal treaty of any kind, fisheries or any other subject whatever, shows how futile and foolish it would have been to have humiliated ourselves in the last three, four or five years, when under even these favorable circumstances we are told we are to have no commission. But, unless by the unwise and factious speeches of hon. gentleman opposite during the present Session, unless from something proceeding from here, we have still hopes. We have yet no right officially to declare that there will be no commission, because so far it is only a report from the Committee on Foreign Relations of the Senate. No action has been taken by the Senate itself or by the House of Representatives. We may have an opinion on the subject, and I have no hesitation in stating my opinion that that action of the committee is decisive, but, as it is a matter of international concern, we have no right to say so until it is communicated to us in some official manner by the Government of the United States. But I say that, unless by some unwise or factious language in this House, or out of this House, by a factious and unwise press, the Americans are told it is of so much consequence to us that, if these advantages are refused to us, if reciprocity is refused to us, we will eventually fall into their arms, I have very considerable hopes that the Morrison Bill, if not in its entirety, in many of the most important articles mentioned in it, will be carried by the independent legislation of the United States. I believe there is a great pressure from the central portion of the United States to have free trade, or rather to take off the duties on very many articles which Canada can supply. Now, Sir, the hon. gentleman took occasion, and it was not very courteous in the leader of a party to a new member, to sneer and to elaborate his sneers, at the speech made by the mover of the resolution. He stated what everybody knows, that a good many firms in the country, a good many industries, have failed for want of sufficient capital, and he made merry about that. The *Globe* and the Opposition press, whenever a blacksmith shop is closed, because the man has not capital enough to make a sufficient number of horse shoes, point to the fact as a proof of the failure of the National Policy. They gloat over it; they rejoice over it. Whenever an industry in any place, be it a village or be it a town, has failed to produce the result expected by its promoters, you find it flourished in the newspapers as a proof of the failure of the National Policy. Why don't the hon. gentleman come out then, and move in favor of free trade? Why don't they come out like men? Let them bring down a resolution to this House; let them have the courage of their conviction, and state that the National Policy has been a curse, that it has been a delusion and a snare, that the prosperity of Canada will never be ensured unless we return to the old ways of free trade and a simple revenue tariff. We will have some respect for the sincerity of the hon. gentlemen who take that course. But I defy them to do it; I dare them to do it. They will sneer and rejoice at the failure of the National Policy, but they will not venture to state by a solemn resolution that free trade is the panacea for all the evils from which Canada is suffering. Mr. Speaker, in the very discursive and desultory speech made by the hon. gentleman, I cannot well follow him. The most of it was irrelevant, the most of it was out of place, and much of it did not tend to promote harmony in this House, or the good feeling between parties which ought to exist. Why! the hon. gentleman has raked up everything. He has gone back to the speeches of the Hon. Wm. Macdougall. It is a new thing to see that hon. gentleman quoting him. Why! I thought he was the abandoned man, but any stick is good enough to beat a dog with, and so he must quote Mr. Macdougall, a man who has been denounced as altogether abandoned, and if abandoned altogether, as unworthy of credence—unworthy of quotation. He takes that up, and he quotes

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a pamphlet written, under feelings of great personal annoyance, by Mr. Macdougall. Then the hon. gentleman goes on to quote mere rumors—anything in a newspaper is good enough. He says that the Indians, he understands—he sees in the papers—are fed on half rations and are starving, and that he never understood before that the proper punishment was torture by starvation. Now, that kind of language will get into some of the papers, it will be read by some of the literate whites to the Indians; and the hon. gentleman can quite understand how language of that kind may be used to create a disturbance of the public peace. But I remember when, year after year, it was our duty to come down to Parliament with votes asking for money to feed the starving Indians, after the buffalo was swept away from the plains, and ceased to be the food of the Indians. How we were attacked for our extravagance; how we were told that a number of idle agents were appointed simply for the purpose of providing for political hacks, that we were wasting and plundering and throwing away the money of the country. I stated then, as I state now, that we could not, as Christians, allow these poor Indians to starve, but that we were not to pamper them, nor render them still more idle and unwilling to work than all Indians are; that when we found Indians loafing about the different stations, we could not allow them to starve. Sometimes the Indians will surround a police station, or an Indian station, or a land office, and they will deliberately say: "We will die, we wont go"; and such is the endurance of the Indians that they will hang about, and from mere humanity the officers of the Government are obliged to open their stores and feed these men to keep life in them. That, Sir, we did; and that policy we will continue until it is reversed by the order of Parliament. To the Indians who go upon their reserves we give food until they are able to support themselves, but we reduce them to half rations when they are simply wandering and demoralised Indians, who come not only to be fed themselves, but who bring their women to be a means of profit by prostitution. When these people are hanging about the Government stores and offices, we reduce them to as low a ration as is sufficient to keep life in their bodies; but we tell them: "Go to your stations and we will give you food to take you there, and you will get full rations until you are able to support yourselves." And they have the means, under their treaty obligations, if they are on the reserves, to raise roots for their sustenance, by a little exertion amongst themselves. When they are on the reserves they are fully fed, and better fed than they ever were, even when the buffalo ran across the plains. At that time it was either a feast or a famine. The buffalo food was good a portion of the year, but for another large portion of the year the Indians were starving and had to be fed by the Hudson Bay Company and traders who were competing with that company. So, Sir, this charge, this insinuation, was unjust, like most of the statements made by the hon. gentleman, gathered, as they have been, from a press sometimes unfriendly, especially known to be in the interest of white men, who are anxious for their own individual and sordid advantage to continue that state of disorder, or rather the state of unrest and disquiet that exists in the North-West. We have said in the first paragraph of the Speech, that it would be our duty to see that sufficient protection is given to the settler. We will do so, and, perhaps, to a greater extent than real necessity warrants. But, Sir, when we hear rumors started of risings, rumors of plots in the United States, rumors of arms coming across the lines, rumors started for, as I said, unworthy purposes, and promoted in order to excite the fears of the people—when we find that, we must be overcautious, for, although we may disbelieve many of these reports, we would be blood-guilty in fact if, from a mere

haughty confidence in our own opinion, we should utterly disregard the threats, and the rumors, and the warnings we have got from various sources. Mr. Speaker, the hon. gentleman went on at some length to discuss the reconstruction of the Government, and the hon. gentleman talks about Mr. O'Donohoe. Well Mr. O'Donohoe is a very good man and is now a Senator. He was very near being in the Government. But I will say this for Mr. O'Donohoe, that he did not desire to be a weakness to the Government, and at the time he might have claimed a seat in the Cabinet he found that such was the hostile feeling towards him that instead of being a strength to the Government he would be a weakness; he admitted the fact, and he took a seat in the Senate where he now is. But the hon. gentleman says he does not know whether Mr. O'Donohoe is in the Government or not, that perhaps he is in and perhaps he is out, that he may be hanging between the two. Why, we have seen the hon. gentleman himself in that position. He was a dissolving view, sometimes we did not know when he was a Minister and when he was a consulting ex-Minister. We did not know, for the hon. gentleman would retire to the back seats, look very solemn and sulky, and he would suddenly, by some magic touch of the present member for East York (Mr. Mackenzie), pop up like a jack-in-the-box as a new and freshly blown Minister. The hon. gentleman has alluded to Sir David Macpherson. He is away, sick. The hon. gentleman did not always find it so safe to abuse him when Sir David was able to reply. I dare say, thanks to the rest he has got, he will be able to publish other pamphlets. The hon. gentleman (Mr. Blake) in that kind of controversy has, not in the past, gained much by his attacks, and I can assure him that if the hon. gentleman comes back with the same strength, he will not find much advantage accruing from his last ungenerous attack. The hon. gentleman sneers at the present Minister of Agriculture because he is a brewer and a dealer in cereals and because he sold his farm. He has sold his farm, and I hope he has done well with it. There can be no doubt that any sale made has been honestly made, and I am quite sure that everyone who knows honest John Carling will not believe that he has ever been guilty of any dishonest or di-honorable practice. The hon. gentleman could not even allow the present Minister of Justice to pass unnoticed. The hon. gentleman said he is a new-comer, one who has vaulted into the citadel at once; that the bright light which surrounds him was such that he was selected beyond all other men in Nova Scotia, although he was without any previous experience or a seat in Parliament. I do not know whether the hon. gentleman was in the Government at that time or not—he was in and out so often—but when Mr. Mackenzie was head of the Government there was another bright light brought in—Mr. Vail. And that gentleman was brought in over the heads of all older Nova Scotians to take the office in which he so distinguished himself—the office of the Minister of Militia. So that really, I think, having had such a precedent set us and having such an example of the success of the precedent, I may, perhaps, be pardoned if I have taken a lesson and leaf out of my enemy's book and played the same game and brought a bright light from the Province of Nova Scotia. The hon. gentleman has read the attacks made upon the appointment of Mr. Mowat. The hon. gentleman admits that he made the appointment, and that he was greatly attacked for it. True, he was attacked for it. It was a new thing at that time; but we have seen it followed up since. We have seen, for instance, a relative of the hon. gentleman leave the bench and come down to practice and become a stump orator and get in a fair way for coming to Parliament and, by the same token, use rather unparliamentary language with respect to myself. But then he is an evangelical Christian; his heart

is full of everyting like Christian charity, and, therefore, it must be considered in the exercise of that same charity to attack such a great sinner as myself. Then, again, the hon. gentleman talks of using the judicial offices for Government exigencies. Look back and see the venerable figure of Hon. E. P. Wood, and think for a moment of that gentleman. He was first induced basely and treacherously to desert his leader and colleagues in the Government; then, as he stated himself to 100 men, who will swear to it, he was promised a seat in the Administration; and then because that promise could not be fulfilled, because the Liberal party rose as one man against his being appointed, he was made Chief Justice to administer justice impartially in the Province of Manitoba,—a man whom the hon. gentleman knows had been bribed to turn his coat against his leader and colleagues and whom he knew was unworthy from that very fact of being a judge. He was sent up there. With all these examples before us, I think we can scarcely allow only Grit judges to be appointed to good positions. Fontenelle, a French writer and philosopher, was attacked once by a friend for being so foud of good living. "Why," said Fontenelle, "you think Providence made all the good things of the world for fools." Does the hon. gentleman think that all these good offices are made for fools? that all these good offices are only to be given to Grit judges? No. There was a vacancy caused by the retirement of Sir Charles Tupper. The hon. gentleman states truly that it is of great advantage to public business that the Minister of Justice should be in the House of Commons. I looked out in Nova Scotia, where the vacancy existed, for a lawyer who could fill that position creditably, and I found him in my hon. friend; and if he were not here at this moment I might enter more fully into the fact of his fitness, but I believe that even the hon. gentleman and hon. gentlemen opposite will admit before the session closes the correctness of my selection and choice. But the hon. gentleman, following up his usual desire, as exhibited in this speech, to set man against man and neighbor against neighbor, has tried to raise the jealous feelings of other legal men in this House, and has said: "This is a new light brought in and other gentlemen are passed over." I can fancy the scorn that exists in the breasts of those gentlemen with respect to this unparliamentary conduct, which is a gross attempt to arouse the jealousies of other men. And so it was said with respect to my hon. friend the Minister of Marine and Fisheries. He said he, too, was a young man, and he had been put over the head of others. So far as the country is concerned, all that the House and the country want, is that fit men should be appointed to office. I believe that in selecting those two gentlemen we have selected fit men; and as regards the others what the hon. gentleman said was mere *persiflage*; and should this discussion be renewed in proper form and on the proper occasion, I shall be glad, and I am sure I shall be able to defend the present construction and the re-construction of the Government, and to account for that reconstruction. I regret deeply the tone in which the hon. gentleman has spoken. I regret that owing to his natural acerbity, owing to his temper, or rather to his want of temper—the want of the milk of human kindness in his breast—he has taken the course that he has taken. It is a course which I am sure will not redound to his credit in the country, but will mark, as many of his other acts have marked, his utter want of a knowledge of human nature, of a knowledge of how mankind, as a whole, will receive any attempts of that kind, to set up neighbor against neighbor, and friend against friend, and to stir up division and strife among them.

Sir RICHARD CARTWRIGHT. I have to call attention on this occasion, not by any means for the first time, to the

remarkable histrionic powers the First Minister has exhibited. It is said by the admirers of Mr. Gladstone, that they are willing to back Mr. Gladstone against any man of his years in England to cut down trees, but I think the admirers of the present venerable father of the House—because I believe the hon. gentleman has attained that distinction—I think they could fairly back him against any man, not only of his years, but any man in Canada, either for turning a summersault or executing a double-shuffle, or capacity for devouring his own words, or ability to turn his back upon himself in any conceivable fashion or way. Now, Sir, I can recollect exceedingly well a good many illustrations of this remarkable faculty, this mental agility which the hon. gentleman possesses. I recollect at an early time in the formation of this Confederation we were told that we were now preparing to tread in the footsteps of English statesmen and economists, whom the hon. gentleman always desired then, as he says he desires now, to imitate. I can recollect very well in the earlier period of this Confederation the hon. gentleman issuing some most admirable state papers, in which he defined, with great clearness and precision, the duties of the Central Government and the Local Governments; and most of us have since had frequent opportunities of seeing how completely the hon. gentleman can violate all those admirable precepts which he then so lucidly laid down. I desire to call attention to a speech which he made very recently in England, and as he accused my hon. friend beside me of misquoting him, I will take the trouble to read exactly what the hon. gentleman said, as reported by an organ which certainly does not design to misrepresent any of his utterances. The hon. gentleman said:

“With regard to the question of Imperial federation, he fully agreed that there must be Imperial federation. He believed that as the auxiliary nations of Australia and Canada and South Africa increased, the present relations, comfortable and pleasant as they were, could not remain permanently fixed. As those auxiliary nations must increase in wealth and in population, so they must in responsibilities, and speaking for the Dominion of Canada, he might say they were ready to increase the responsibilities, they were ready to join the Mother Country in her offensive and defensive league, to sacrifice their last man, and their last shilling in defence of the Empire and the flag of England.”

That, Sir, was on the 4th of January, 1886, and I suppose it is a correct report.

Sir JOHN A. MACDONALD. Certainly.

Sir RICHARD CARTWRIGHT. And I find, eighteen months before this, as reported in the same newspaper, that the hon. gentleman speaking, not to an English, but to a Canadian audience in Toronto, declared that Imperial federation was utterly impracticable.

“Imperial federation is utterly impracticable. We could never agree to send a number of men over to England to sit in Parliament there and vote away our rights and privileges.”

Sir JOHN A. MACDONALD. Hear, hear. That is the federation I did not agree with.

Sir RICHARD CARTWRIGHT:

“I am, as far as this question goes, up to the handle a Home Ruler. We will govern our own country. We will put on the taxes ourselves. If we choose to misgovern ourselves we will do so, and we do not desire England, Ireland or Scotland to tell us we are fools. We will say, ‘If we are fools we will keep our folly to ourselves. You will not be the worse for it, and we will not be the worse for any folly of yours.’”

Now, it does appear to me that there is, to say the least of it, a trifling inconsistency between those two utterances by the hon. gentleman. The hon. gentleman, speaking in his position as Premier of Canada, undertakes to pledge the Dominion to some scheme which no doubt was clearly defined in his own mind, else a man of his station and prudence would never have given his assent to it; and I think we have a right to know what that scheme of federation is which the hon. gentleman advocates, and for the carrying out of which he is willing to pledge the

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last man and the last dollar which his Government have left in our treasury. The hon. gentleman who sits beside him will have an opportunity of explaining to us how much money we have left; and I do not wish to anticipate the roseate and glowing terms in which, as we know by experience, he will acquit himself of his task. But I desire to say that this question is too important a question to be treated as a means of catching, by clap-trap, the cheers of an English audience on one occasion, and of a Canadian audience on another. If the hon. gentleman has convictions on this subject, if he thinks that such a project is practicable, then I call upon the hon. gentleman to explain his scheme, and I say it is his duty, after pledging himself in this way, after pledging the Dominion of Canada, speaking for it in his official capacity, it is his duty to tell us precisely what he proposes to do—what it is that he proposes to pledge us to, what this project is which so greatly commands itself to his mind, although apparently it did not so greatly commend itself to him, as short a period ago as 18 months. Sir, if the hon. gentleman means anything by the remarks he made, he means a very considerable deal. If, on the other hand, as I very much fear, the hon. gentleman means nothing; if his remarks amount to a mere rhetorical flourish, then I have to tell him that such words used by him, who was practically, to all intents and purposes, our ambassador in England at the time, do great harm, and are calculated to bring the honor of Canada into very serious discredit. The hon. gentleman, in his anxiety, I suppose, to throw oil on the troubled waters, denounced my hon. friend beside me as most malignant and unchristian, and went on to say that my hon. friend had raked together all this garbage. Now, Sir, I listened carefully to the statements my hon. friend read; they were one and all of them utterances either of the hon. gentleman himself or of some of the hon. gentleman's colleagues; and if those statements be correctly described as garbage, what possible opinion can hon. gentlemen opposite have of their own utterances? The hon. gentleman went on to use very strong language, indeed, as to the advice which he stated to have been tendered from this side of the House, that he should have endeavored, two years ago, while there was yet time, when due notice had been given of the probable abrogation of the Fishery Treaty—

Sir JOHN A. MACDONALD. No, of the certain.

Sir RICHARD CARTWRIGHT. What other form of words would the hon. gentleman have? The thing cannot be certain until it has happened, the hon. gentleman must admit. But the hon. gentleman's contention was this, that he and his friends behind him would rather endure any loss, would rather run any risk to this country, than humiliate themselves by proposing, a couple of years ago, to the American Government what they actually proposed the other day; and he went on to say, possibly with some reason, that there were circumstances known to him and to the Imperial Government which rendered it unlikely at that moment that such an application would meet with a fit response. Well, Sir, what was our charge? Our charge was that the hon. gentleman would not take any steps to renew the treaty, and would not take any steps to protect our fish and fishermén; that was our charge. The hon. gentleman had a right, if he chose, to refuse to take steps to renew the treaty, but it was his bounden duty, the moment he made up his mind to that course, to protect our people in the exercise of their just rights. It is not by any means alone that he refused to attempt to renew that treaty, but that, knowing as he says that it was certain to be abrogated, the hon. gentleman would not lift his little finger to enable our people to enjoy their just rights; that is his offence, and a very serious offence it is against the people of this country; and I do not hesitate to tell him that he

has seriously prejudiced the future conduct of these negotiations by allowing American fishermen to enjoy, for several months, at their own sweet will, the right to fish in our waters. Now, I suppose it would be impossible for us to ascertain, unless indeed a committee of enquiry were permitted to sit, and we had the Hon. Mr. O'Donohoe before us, what the hon. gentleman's notion of being very nearly in his Cabinet may be, but if we are to believe the newspaper reports—though I am aware that what appears in newspapers is not always correct—is sometimes subordinated to political exigencies—the Hon. Mr. O'Donohoe was at one time in possession of a despatch from no one less than the then Governor General, stating that he was then in the Cabinet. We would like more light on this question, and, possibly, before the Session closes, more light may be vouchsafed to us, if not by the hon. gentleman, at any rate by some of the parties to that very remarkable treaty or negotiation which terminated, not in bringing Mr. O'Donohoe into the Cabinet, but according to the hon. gentleman, very nearly into the Cabinet. Now, as to certain other observations made by the hon. gentleman, and in particular as to the recent changes among the members of this Cabinet, I am bound to admit that in one sense possibly it may not be a matter of very great importance to us on this side, although in another sense it has always been considered a matter of very considerable moment to the public of this country what were the antecedents and the characters of the gentlemen entrusted with important posts; but I want to say one or two words with respect to some remarks of the hon. gentleman, having reference to my hon. friend from Digby (Mr. Vait). My hon. friend the leader of the Opposition was not in the Government at that time, but I was, and I have a very keen recollection of the delicate fashion in which the hon. gentleman opposite endeavored to reconcile the supporters of my hon. friend Mr. Mackenzie to the fact that we, like themselves, had been obliged to import an hon. colleague, not from the bench, but from a distinguished position in the Government of Nova Scotia. It may interest the House to know what the leader of the Government, being then in Opposition, thought as to that transaction. He said:

"It certainly was a great compliment to the gentleman from Digby that he should be selected to enter the Administration. He (Sir John Macdonald) did think that here would have been found among the hon. members from Nova Scotia one who would be fitted to fill the office of Minister, but the hon. leader of the Government did not appear to think so. He evidently was of the impression that he had selected all the standards and left all the culls when he formed his Cabinet, and that he must go to fresh fields and pastures new for another Minister."

I hope my hon. friends on the other side, from Nova Scotia, will fully understand that the hon. gentleman thinks he has selected all the standards from Nova Scotia, and only left the culls, when he saw fit to go outside their ranks to select a representative. I have no desire in the world to reflect on the hon. Minister of Justice; but I will say this, that so far as my poor experience enables me to judge, looking at my hon. friends on the other side, if not in reference to the office of Minister of Justice, perhaps in reference to some of the other appointments, it might be fairer and juster to say that the hon. First Minister had selected the culls and left the standards. Now, with respect to the hon. Minister of Justice, I am fully prepared to admit that his position is peculiar. He has made considerable sacrifices; he may have run considerable risks in joining the present Government; but the precedent which the hon. gentleman has chosen to set is one of a very dubious character. I do not mean to say, and I never averred, that in a country like ours, where legal attainments are necessarily somewhat scarce and of high value, it may not sometimes be necessary, as I believe it was in the case of my hon. friend, Mr. Mowat, that a man should be taken from the bench and brought back to the political arena; but I say that it is

an extreme step, and one that requires justification. I say that in Mr. Mowat's case, most ample justification has been given of the excellence of the choice, and that no man from Ontario who has witnessed the gallant and successful struggle which Mr. Mowat has made so long for the rights of his Province and of other Provinces, which were involved in the rights of Ontario, can fail to see that the choice then made was most amply justified. But I say this also, there is a difference, it appears to me, between removing an hon. gentleman from the bench and placing him in a Local Parliament, where he will have nothing to do with the appointment or dismissal of judges, and where he will have very little power in any way of controlling them, and taking a gentleman, however distinguished, whatever his talents may be, from the bench and placing him, as Minister of Justice, in a place where he will have control of his former brethren, where he will, according to our usage, under certain circumstances have the power of promoting himself, if occasion serves, to the highest judicial post in the country. Still, that is not the only ground on which I think that the method in which the Minister of Justice was brought into this House is one which deserves some serious censure. It is perfectly well known to this House that the Minister was only enabled to take his seat here, as a member from Nova Scotia, by the expedient of purchasing a former supporter of my hon. friend beside me by an offer of a judgeship. I say that that act was, according to the First Minister's own judgment, according to his own recorded and emphatic declaration, one of the gravest acts of corruption which any Government ever committed. There are few members in this House to-day who recollect certain events which transpired in the old Parliament of Canada in 1863, but those who do, will recollect the mode in which the First Minister and his colleague now sitting beside him and my hon. friend from London (Mr. Carling), and the hon. the Minister of Railways (Mr. Pope), dealt with the appointment of Judge Sicotte in 1863—those hon. gentlemen will know I am justified in saying that, in the case of his opponents, no man could more violently and decidedly condemn the action which he has now taken. So strongly did the right hon. the First Minister feel on that subject, that he caused to be moved by one of his supporters a motion which he had prepared himself on that question. That motion reads as follows:—

"That this House feel it their duty at once to express their deep regret that His Excellency should have been advised to make the judicial appointment by which a vacancy has recently been created in the representation of the county—[shall I say of Antigonish? No.]—of St. Hyacinthe, under circumstances calculated to prejudice, if not to destroy, the independence of this House, and to corrupt, at its source, our system of parliamentary government."

Sir JOHN A. MACDONALD. Hear, hear.

Sir RICHARD CARTWRIGHT. That was the language used by the hon. gentleman's supporter, that was the motion voted for by the First Minister and his colleagues whom I have enumerated, and although, unfortunately, we do not possess a *Hansard* with an accurate record of the eloquent speeches of the hon. gentleman and his friends on that occasion, I recollect perfectly well how the hon. gentleman and his supporters made the whole country ring with their denunciations of the gross and flagrant prostitution of the judicial bench—for those were the words they used—by which a member of the Opposition had been seduced into resigning his seat by the offer of a judgeship in Lower Canada. I defy the hon. gentleman, I defy his supporters, I defy his friends in this House or out of it, to point out in what possible way or shape the appointment of Mr. McIsaac to the judgeship of Antigonish differs from or can be more easily justified than the appointment of Judge Sicotte to a seat on the bench in Lower Canada, thereby vacating the representation of the county of St. Hyacinthe. What did

the hon. gentleman say just now, speaking of the appointment of Mr. Wood in Manitoba? Mr. Wood, he said, had been bribed to desert his party, and was therefore unworthy of being made a judge; and if Mr. Wood had been bribed to desert his party and was therefore unworthy of being made a judge, what are we to say of the conduct of the hon. gentleman who bribed Mr. McIsaac to desert his party and, therefore appointed a man who, on his own showing, was unworthy to be made a judge. If the hon. gentleman is able to point out any difference, I shall be happy to give him the floor.

Sir JOHN A. MACDONALD. We will attend to that.

Sir RICHARD CARTWRIGHT. I shall be very glad, indeed, to hear the hon. gentleman's explanations, and I only regret that there are so few present who, like myself, remember the hon. gentleman's fiery denunciations of the same act when committed by the late Mr. John Sandfield Macdonald in 1863.

Sir JOHN A. MACDONALD. The hon. gentleman voted for that motion.

Sir RICHARD CARTWRIGHT. I did, and I shall be very happy to vote for a precisely similar motion, and I hope we will have the opportunity before very long. Now, looking at this Speech which has been put into our hands, I say that the hon. the First Minister, in his remarks, wholly ignored the cause for alarm which my hon. friend beside me (Mr. Blake) declared existed in the present condition of the country. I do not know that the hon. gentleman cares very much what may be the result after. I am very much afraid that he is not only resigned to seeing the deluge come after him, but that in some respect he would like—

Sir JOHN A. MACDONALD. Order.

Sir RICHARD CARTWRIGHT—to be able to believe—

Sir JOHN A. MACDONALD. Order.

Sir RICHARD CARTWRIGHT—that when—I will not say when the hon. gentleman ceases to have any use for us—but when he ceases to be Prime Minister, the whole fabric, which he boasts to have erected with such skill and care, shall fall to pieces. But I will say this: Looking at the facts which are declared in the official returns that have been for months before the country, I cannot understand how any hon. gentleman who has paid the smallest attention to the financial affairs of the country can fail to perceive that our present position is already perilous in the extreme. What do we find in the *Gazette's* statement brought down by the hon. gentleman himself. Last year we had a deficit of 2½ millions, the largest deficit which has existed since Confederation; we find that in the seven months which have elapsed since the commencement of the current year, the deficit was run up to \$5,100,000 in round numbers; we find that the volume of trade has materially shrunk within the space of the last twelve months; we find that neither have we been exporting or importing as largely as previously; we find—and this is a point to which hon. gentlemen profess to pay great attention—that the balance of trade has gone, during the last four or five years very heavily indeed against this country. I recollect quite distinctly, in 1880, when a very considerable deficit was ascertained to exist, the then Finance Minister took upon him to inform us it was a matter of no consequence, because our exports balanced our imports. Since that period, five years have elapsed; and we find that, whereas we imported for consumption in those five years an amount of \$538,278,000, our total exports of our own produce, bullion included, amounted to barely \$429,975,000, so that, on these gentlemen's own showing, although they came into power pledged to redress the balance of trade which they alleged was so much against us

Sir RICHARD CARTWRIGHT.

in the previous years, they have accumulated an adverse balance against us in the last five years of \$108,500,000. I do not, as I have repeatedly declared, attach anything like the importance to that which hon. gentlemen opposite profess to do, but they stand convicted on their own statement, out of their own mouths, of being wholly and entirely unable to redress that very thing which they have repeatedly declared it was the express aim of their policy to redress. Neither is it necessary for me, at present, to do more than allude briefly to the huge mass of indebtedness which has been accumulating within the last half dozen years. It is well known to all the members of this House that we have added about one hundred millions to our debt within the last few years, and have, besides, incurred a vast number of undefined liabilities, which are all the more mischievous, because they afford the precedents for every kind and description of claim that can be preferred against a Government, while at the same time it is perfectly well known that the population of our more important Provinces has become all but perfectly stationary, that we are not only unable to retain here the immigrants whom we bring to the country, but that we are unable to keep within our bounds even the natural growth of our population, and I am afraid that, if the census which has just been taken of the North-West Territories be truly and fairly taken, it will show a very unfavorable condition of things in that great country. We find, in addition to that, that under the hon. gentleman's Administration, so enormously have the fixed charges on the revenue increased that, at the present moment, those fixed charges are within a mere fraction of 70 per cent. of the whole revenue this country receives. Unfortunately, when we recollect that in addition to charges for interest, subsidies, and expenses of Customs and Excise, we must regard to a great extent the Indian expenditure as a fixed thing, over which we have very little control, the hon. gentleman will find that a much larger proportion of our total expenditure must be placed under the head of fixed charges, than I believe can be found in that shape in any known country—at any rate in any known civilised country to-day. Let us put this briefly. The hon. gentlemen have had their six or seven years of office; in that interval they have contrived to double, to more than double in its actual incidence on the population, the taxation of this country. They have not quite but very nearly doubled our total debt, while our population remains stationary. We find that our trade, and particularly our export trade, has gone on decreasing, at any rate within the last two or three years. We find that the fixed charges on the revenue amount to very nearly two-thirds of the whole, and that our expenditure has been increased by some \$13,000,000 a year; and more than that, we are met by a deficit of five millions in seven months, which will be in all probability increased to eight millions before the year closes; and yet they tell us in that Speech that the country is to be congratulated on its financial condition and its general progress and prosperity. I say that these things speak of tension, that they speak of stagnation, that they show a thoroughly unwholesome state of things to exist, that they mean great loss to employers of labor, and, what is still worse, great privation to many of the unfortunate employed. Now, Sir, politically the state of things is worse still. Were we alone on this continent, had we this continent practically to ourselves as the people of the United States had it practically in the early period of their existence, or had we the whole continent left to ourselves as the people of Australia have, the mistakes of the Government would be of much less consequence and we might expect to be able to repair them at our leisure; but everyone who hears me knows that our position is very different, that we are face to face with fierce competition, that we have a great and wealthy neighbor, which is

able to offer a great many inducements to immigrants which we cannot offer, and that we have wantonly and wilfully destroyed the advantages which we possessed and which might have enabled us to a great extent to have counteracted many of the superior advantages which the United States possess. Under the hon. gentleman's régime, the lesson taught to Provinces and to constituencies has been worse. The hon. gentleman knows right well that, in entering into a Confederation like ours, it was the duty of the statesmen to whom it was confided to mould and shape our young Confederation, to imprint upon the minds of the people, and upon the Provinces forming that Confederation, the duty of relying to the utmost extent upon themselves. How has that duty been discharged? We know at the present moment that there is not a Province and that there is hardly a constituency that has not been taught the evil lesson of looking to Ottawa for assistance; taught to believe that the Dominion Government possesses a boundless treasury, out of which all manner of grants and aids can be given to Province or constituency in return for its political support, and the result is shown in the addition of thirteen millions to our expenditure, and in a deficit which is known already to amount to five millions, and is likely to amount to eight before the year is closed. I say to the First Minister, as I have said before to the House, that, when that state of things has arrived, the first duty of the Opposition is to proclaim the facts to the country, and by every means in its power to endeavor to arouse the people to a proper sense of the manner in which their resources are being squandered. I say here, as I have said elsewhere, and as I shall repeat, that the corruption which now prevails in this country is a disgrace to any civilised community, that our condition is far worse than any that has been known in the course of English history, at least from the days of Walpole to the present time, and that, unless a speedy check is put to it, we shall find the edifice of Confederation, which we all desire to see firmly established, which we all desire to see prosper—quite as much on this side as on the other side—we shall find that it has been reared on a false basis, and that the evil lesson which the hon. gentleman has, at any rate during the latter part of his career, been teaching to all portions of this Confederation, will surely lead to its dissolution.

Mr. WHITE (Cardwell). I do not desire to prolong this debate, or to follow the hon. gentleman in the speech he has just delivered. The subjects to which he has incidentally referred, will, no doubt, be the theme of discussion at different periods during this Session, and we will have abundant opportunity to show to the House and to the country how little basis there is for the concluding portion of the hon. gentleman's speech. I simply rise to point out how unfairly the hon. gentleman has quoted from a speech delivered by the hon. the First Minister in Toronto some time ago, on the subject of Imperial federation. The hon. gentleman was good enough to cite words of the right hon. gentleman in a speech which he delivered in England at a banquet given to him at the St. George's Club, and to put in contrast with them words which he alleged, and no doubt thought, were uttered by him in Toronto. You will remember, Mr. Speaker, because we have had the words read to us twice to-night, exactly what the right hon. gentleman is reported to have said in England. The general drift of his statement was that the people of Canada would be quite prepared to enter into an alliance which would be practically an alliance offensive and defensive with the Empire, and that, when the Empire was in difficulties, when the Mother Country found itself face to face with an enemy, the people of Canada will be willing, if necessary, to spend their last shilling and give their last man in defence of the Empire.

The hon. gentleman is kind enough to say that this is in entire opposition to the views expressed by the First Minister at Toronto. I desire, Sir, at this stage, that it may go upon record with the statements which have just been made, simply to cite the words uttered in the city of Toronto, so that the hon. gentleman may see how almost identical in words was the speech at Toronto compared with the speech in London:

"It has been represented that I was in favor of federation with the Imperial Parliament. I never made any such statement; I never had any such opinion, and believe that Canada should still preserve our Canadian Parliament. Canada is the best judge of the best means of governing herself. I believe that Canadian statesmen only can be confided with the trust of putting burdens upon the shoulders of our people, and that no Parliament sitting in England, however great and able it may be, and although Canada may be represented upon it, can faithfully, fully and satisfactorily administer our affairs. The word 'confederation' means a union by treaty, and I believe that a treaty can be made between England and Canada by which we can have mutual commercial advantages, and a common system of offence and defence. The Australian colonies will soon be united in a bond similar to, though, perhaps, not identical with, the Canadian Confederation. Then what will we see? We will see England, with her thirty-five millions, united to Canada with her five millions, soon to become twice that number, and to Australia with a similar population; and the world will know that if the Old Mother Country is attacked, she has two auxiliary nations standing at her back, and bound to make a common cause with her. We know that the nation that commands the sea, commands the world. England is now the chief maritime power in the world. Canada is already, in her commercial marine, the fourth power in the world, and Australia, that vast continent, surrounded by colonies resting on the sea, must have a navy too. The combined naval forces of those three powers will form the great police of the world. They will control the seas of the world, and if they control the seas of the world, they will keep the peace of the world. It has been said that we are running great risks in venturing to make common cause with England. Gentlemen, if I know the people of Canada aright, they are willing to run those risks. But there really is no risk. When any foreign nation knows that the thirty-five millions of people in England, and the twenty millions in the different colonies, forming one great nation, will exert all their military and naval power in one common cause, that fact will prevent possible war with England, and England will be in an as complete moral domination of the world, as was the Roman Empire in the days of old."

Mr. Speaker, I think, in the face of that, it may fairly be left to the judgment of this House and the country, to say whether the statement of the right hon. the First Minister made in England was not in precise accord with the statement made by him in Toronto, and, some ten years ago, in the City of Montreal, when he first, if I remember rightly, on a public occasion, elaborated the scheme which he has since, on two or three occasions, referred to with marvellous consistency as to the nature of his proposal, and in substantially the same words.

Mr. DAVIES. I do not desire to refer to many subjects which have been discussed this evening, but I rise only for the purpose of saying a word or two upon the important subject referred to by the right hon. leader of the Government, and the policy which the Government thought fit to pursue with reference to the very important subject of the fisheries and reciprocity. Before I refer to the policy of the Government, I wish to make one remark with reference to a statement made by the hon. gentleman who moved the Address this evening, the member for the City and County of St. John (Mr. Everett). I refer to it, because he is a Maritime Province man, and will be supposed by those who live in the Upper Provinces, to be acquainted with the matter. The hon. gentleman said that so far as the Maritime Provinces were concerned, since the Intercolonial Railway was built, there had been an exchange of product between the east and the west. So far as one part of his statement is concerned, I believe he is correct, for the people of the east have been compelled to purchase largely from the manufacturers of the west, and to pay through the nose pretty dearly for it. But, Sir, I deny there has been any exchange of products, any interchange of trade. I say no man who is acquainted with the fish trade of the Maritime Provinces, can truly assert that any reasonable proportion of the catch of those Provinces, is consumed or bought by the Province of

Quebec, Ontario or Manitoba. Our natural markets and our only markets, are those of the United States and of foreign countries, and it is delusive in the extreme, and calculated to mislead the House, to make statements of that kind, which are not based upon facts. Now, I wish for a moment to refer to a remark which fell from the leader of the Government. He referred to the several occasions upon which the members on this side of the House have deemed it their duty to bring to the notice of the House, and of the country, the grave and serious importance of re-opening negotiations with the United States upon the question of reciprocity. He stated that there was a depth of degradation involved in our proposal to negotiate with the United States to which he, for one, would never consent to be a party, and which he believed the people, if appealed to, would condemn. Sir, I would like to ask the hon. gentleman whether he has not already found a depth of degradation greater than the one he suggests. I would like to ask him whether it was a greater depth of degradation to open negotiations with a friendly Government to see whether we could not settle upon a friendly basis the international relations between the two Governments relating to trade, and whether that was more degrading than the course he thought fit to pursue since this House met last year. Sir, when the House met last year, the first proposal which emanated from the Government was one to vote fifty thousand dollars of the people's money to protect our fisheries. The grounds upon which that proposal was made were these: That the treaty was about to expire, and that the vast fishing ground surrounding our coast would be thrown open to the enterprise of American fishermen, who, fishing side by side with our fishermen, would catch fish and take them to the only market open to them; and while our men would be handicapped with the enormous duty of two dollars per barrel, their fish would go in duty free, and that, as a consequence our fisheries would be destroyed. The hon. gentleman said, and his proposal met with no small degree of approval on both sides, that in view of these circumstances, and not having obtained a renewal of the fishery treaty, it was desirable and necessary that we should protect our fisheries. He talked in grandiloquent terms of the manner in which we were going to drive out the Yankees and keep our preserves for our own men. But no sooner had the House adjourned, than the hopes held out to the fishermen that their rights would be protected, were speedily dissipated. The hon. gentleman had hied off to Washington and proposed, not that there should be any fair exchange of our fisheries for some trade concessions they would give us, but that they should come into our waters and fish for nothing. And what has been the consequences of his policy? The hon. gentleman knows well that last year he voluntarily proposed that the whole of the waters surrounding these coasts should be given up to the American fishermen, whenever and wherever they liked, without restriction and without license, without anybody to interfere with them. And he knows well that he did that in face of the fact that, our fishermen, taking the same fish, in the same waters, when they took them to the only market open to them in the world, would be met with that two dollars a barrel duty. The hon. gentleman may know, and if he does not, some of his followers behind him may tell him, that he has succeeded in ruining a large number of men and nearly succeeded in destroying the enormous money interest invested in that fishery. If he goes down to the Maritime Provinces and converses with the people there, he will find whether they think it will be an act of degradation on the part of the Government to endeavor to negotiate reasonable, fair and legitimate terms upon which he would admit American fishermen into our waters, instead of surrendering every right and every privilege we possess to these people, for nothing.

Mr. DAVIES,

It has a double effect. It has a damaging effect, which goes further than the temporary loss of the money; and that effect is this: We have led the Americans to believe that we place no value on those rights, and it is now sounded throughout the length and breadth of the United States that the Canadian Government do not value those fisheries, and will not spend a dollar on their protection; and the men who went there last summer, who took their boats and schooners into our waters, and fished without restraint, and without having anything more than temporary permission, have learnt "the trick" with respect to the fishing, and much greater difficulty will be experienced next year than would have been experienced if the Government had instituted at once proper restraints, and adopted forcible means to keep them out. The hon. gentleman has said that our proposal involves degradation on the part of Canada. I have never been able to see what degradation there was in a free and independent people applying through their Government to an adjoining people, and asking them whether certain differences existing could not be settled by mutual agreement, whether the trade relations between the two countries could not be improved by mutual concessions. Did Lord Derby, when he penned his despatch inviting the attention of this Government to the state of facts which would follow the abrogation of the Reciprocity Treaty, think it would be derogatory to our interests, or that it was derogatory to the Ministry of which he was one of the most prominent members, to take the step suggested? No. Look at the despatch which Lord Granville, sent in March, 1883, and you will find that the Imperial Government recognised and realised the importance of the question to be such, that no sooner had they received notice from the United States Government of their intention to abrogate that treaty than they at once called the attention of the Canadian Government to it, and invited their serious consideration to the important state of facts that would arise when the treaty expired. Lord Granville invited their immediate attention to the matter, and asked them further to give expression to their views, so that the Home Government might take action. Lord Granville waited for three months, and not having received any intimation from the hon. gentleman, he followed it up with a second despatch. It was dated in May. In that despatch he urgently requested that the Canadian Government would begin to appreciate the importance of those questions, important not only from a Canadian standpoint, but when the headlands question came into consideration, also from an Imperial standpoint, and he urged the hon. gentleman again and again to take the matter up, and put the Home Government in possession of their views, if they had any. But the hon. gentleman and his Government have been content to sail along without doing anything or having any policy, and I charge him with having sacrificed the interests of the fishermen of the Maritime Provinces by his negligence and supineness in this matter. What did Lord Granville say when he enclosed the notice received from the United States Government? He said:

"I am to request that in laying this paper before the Earl of Derby, you will state that although, after notice is given, two years must still elapse before these articles cease to have effect it appears to Lord Granville expedient to take into consideration, without delay, what course it will be best to adopt with the view, if possible, to avoid a recurrence of irritating disputes in connection with the fishery question, and I am to suggest that in the first place it might be well to communicate a copy of Mr. Lowell's note to the Canadian Government, and to ascertain what views they entertain upon the subject."

He got no answer to that. No course had been decided by the Cabinet then, and at the end of a year we find the Imperial Government sending another despatch to the Canadian Government asking them to do something. It was dated January, 1884, and it says:

"My Lord,—With respect to my despatches of the 3rd May, and 28th December, last, I have the honor to request that you will move your Government to take an early opportunity of placing me in possession of

their views as to the course to be pursued in consequence of the approaching termination of the fishery articles of the Treaty of Washington."

The hon. gentleman thought it derogatory to the dignity of the Government, of which he is the principal member, to do anything to approach the American Government on this matter. Lords Derby and Granville did not hold that view, and they were, no doubt, as desirous of protecting the dignity and self-respect of the Empire as is the hon. gentleman opposite of saving the dignity and self-respect of Canada. What reason does the hon. gentleman give to the House for surrendering the valuable fishing privileges? One is that, so soon as the elections were over, we opened negotiations with our American friends, and on two grounds we gave up our fisheries. One was in order to be good neighbors. If that is a reason, it will apply to next year as well as this: the same motive will exist to prompt us to do it again, and that extends not for the year past, but for the years to come. The second reason was a still more flimsy one, namely, that the American fishermen did not know that the treaty was then about to expire. The hon. gentleman cannot but be aware that it was thoroughly made known by the newspaper press of both countries, when the American Government determined to put an end to that treaty, and a circular was sent by the American Government to each of the firms in the fishing business, telling them that the treaty would expire on a certain date, and that for the future they would have no rights in regard to Canadian fisheries. They were aware of the fact. The reason given by hon. gentlemen opposite for surrendering our rights and fisheries and half ruining the fishing industry are of the most flimsy character. How can the hon. gentleman reconcile his concluding remarks with the opening portion of his speech? The hon. gentleman wound up by expressing the sanguine hope that the Morrison Bill would yet become law. If the temper of the Senate and Congress is such that they are willing, without solicitation, to pass a measure that will give us free trade with them, what could we not have done with them if they had been approached? Does the hon. gentleman maintain that they would do it much more willingly without solicitation or compensation than with solicitation and concession by us? The idea is preposterous. If the hon. gentleman's belief that the Morrison Bill will pass is a well-founded belief, then the temper of Congress is such as to condemn the Canadian Government for not having opened negotiations before and obtaining the advantages desired, I would not have ventured to address the House on this subject, except from the immense importance attached to the subject by the people I represent and by all the people of the Maritime Provinces, and I venture the assertion that the action of the Government will not be approved, but will be censured when their conduct is properly brought before the people.

Mr. MITCHELL. I shall not occupy the attention of the House more than two or three minutes; but as the two great leaders have addressed the House, I feel it my duty as representing the Independent centre to give expression to my views on two or three points referred to in the Speech from the Throne. I shall first touch on the question of Imperial federation. I have listened to the debates on the subject, and I know I have read various speeches made, and upon which comments have been made, emanating from the right hon. Premier of Canada; and I want to say right here, that I think it is a matter of very great regret that a gentleman occupying the position of Premier of this country should have given countenance to the utterances of opinions, in England, calculated to raise expectations both abroad and at home, which, in my humble opinion, never can be realised. I may be mistaken. It may be that the right hon. gentleman and those who sympathise with the view of Imperial federation may be able to propound a scheme

which may be acceptable to the people of this country. But I for one cannot give my assent to any scheme which would take away from the people of Canada any portion of the right of self-government; and without danger of doing so I cannot see that they can propound any scheme which will be acceptable to the people of England or that English statesmen will give us additional protection or additional rights and privileges unless we give up a certain portion of our rights and privileges. That I presume would involve among other things the renunciation of the right of taxation—a thing which this country never would submit to. Speaking as one who is independent of both parties in this House, I for one never will consent to any such scheme as would lessen in the slightest degree our rights and privileges, our self-government, or the control over our policy and revenues which we now possess. Another question which has been mentioned is one of a domestic nature, and one which concerns the people I have the honor to represent. A good deal has been said about the National Policy. I have been an advocate of the National Policy; I am an advocate of it, and I believe in it. I believe it has built up manufactures, that it has given employment to people in this country, and has retained, within our boundaries, those who without it would have been driven to seek homes and employment abroad. But there are features of the National Policy that are being run into the ground. There are certain manufactures which have received and are receiving protection far beyond what they ought to have. Take for example the case of cottons with 35 per cent.; everybody knows that is far beyond what they should receive, and that the money is taken out of the pockets of the people.

Some hon. MEMBERS. Hear, hear.

Mr. MITCHELL. Hon. gentlemen opposite say "hear, hear," and they have the right to say "hear, hear," to the extent of about 10 per cent. I would protect the cotton factories just sufficient to enable them to compete with the productions of other countries, but I think the excessive protection which, under the general system of the National Policy, they are enabled to enjoy with regard to the cotton of this country, is unnecessary, and that it certainly bears hardly upon the poor people of Canada. The article of sugar is much in the same position, but without dwelling upon it I will come down to what is of more importance than either of them, and that is the breadstuffs of the country. I think the time has arrived when the duty should be taken off flour and cornmeal—the food of the poor. This duty was looked upon as a necessity, to hold the Ontario farmers as an offset to Nova Scotia coal. I am in favor of taking the duty off coal and off flour and cornmeal as well. I will not now enter into discussion of the subject, but I wish to say a few words in relation to the fisheries. It has been stated by the Premier that the Government have pursued the course which was just and right in relation to that question. I beg with all due respect to differ from my right hon. friend on that point. Many gentlemen will recollect that when the then Minister of Marine and Fisheries, now the Finance Minister, brought in a Bill, I think the Session before last, for the division of the Department, when the matter was discussed a whole night, I stated my views as to what was the duty of the Government in such a crisis as then existed. We received notice that the fishery clauses were to be terminated. The Government were not taken by surprise. The subject was one with which this Government had a right to deal. And upon that occasion it will be recollected by some hon. gentlemen that I now have in my eye, that after dealing with the question of the division of the Department, it being late at night, I suggested it was too late to go on with the discussion, though I should have liked to say something about the right and proper course to be pursued in reference to the fishery question. I was asked by

the House to go on, and I stated that it was the duty of the Minister of Marine to come to the House and ask for an appropriation of \$100,000 to put on the necessary protection for our fisheries, in justice to our own fishermen, as well as for the purpose of letting our American friends see that we are determined and prepared to protect them. It was stated that such was the policy of the Government, but I am bound to say that that policy has not been carried out. Another year came round, and a sum of \$50,000 was granted for the purpose of putting on the necessary protection. No protection has been put on, and the right hon. gentleman gives us his reasons that friendly negotiations were going on which he hoped would result in a different way. That may be a sufficient explanation, but it strikes me, as I stated at the time, that the way to have effective negotiations was to show the people with whom we negotiate that we were in earnest in our determination to give that protection to our fishermen which they had the right to expect. The people of the eastern section of the country had a right to that protection and it was not extended. I regret that it was not done, especially while a Minister from the eastern portion of the Dominion was at the head of the Department. He should have realised what was his duty on that occasion, and what were the rights and privileges of the people of the section from which he comes. I feel now that, whatever our chances might have been, if we had taken the proper steps to show that Parliament meant business, and meant to protect our interests, those chances are infinitely less now than they would have been. But it is better late than never; and I trust this Session will not be allowed to pass, and that a day, or at least a week, will not be allowed to pass, without the Government taking steps to utilise the money voted last year for the purpose of placing on our coasts, as soon as the season opens, a sufficient number of vessels to protect our fisheries, and that an additional vote will be taken this Session for the purpose of making that system complete. We have heard through the Government press of the protection given to the fisheries; that as soon as our Government found out that the Americans did not intend renewing the treaty—at all events as soon as the report of the committee was made against granting a renewal of the Fishery Treaty with the Canadian authorities they had taken steps to afford our fisheries the necessary protection. There has been no protection granted; our fisheries have been neglected. The fishing for bait—as my hon. friend from Charlotte (Mr. Gillmor) knows very well—has been going on to an enormous extent and no protection has been granted so far as I have seen, except what has been stated by some of the Government organs, and those statements have been made without any date or details. From every source of information I could find it appears that no decided action has been taken, no practical steps taken, to protect our fisheries, even since the committee reported to the United States Senate against a renewal of the treaty. I shall not take up any further time now, as it is probable the matter will be fully discussed on another occasion; but I trust the new Minister of Fisheries, young, energetic, and I hope desirous of earning a reputation for himself, will not let any further delay take place, and that he will not neglect giving that protection to the fisheries which the people of the Maritime Provinces have a right to expect. Before I sit down, I might as well say one word upon another subject. While references have been made to the prosperity that exists in the eastern Provinces of this Dominion, and to the fact that the people there have large deposits in the savings banks, and have as much comfort and happiness and employment as they ever had, I may say that I have seen it recently stated, and have received communications from some of my own constituents stating that a large number of men have been dismissed from the Intercolonial Railway—that people who have been years in the ser-

Mr. MITCHELL.

vice have been dismissed, and at a season of the year when they can get no employment elsewhere. I want to appeal to hon. gentlemen that this is no time to dismiss men from the service. They had better keep them on until the spring, when they could get employment elsewhere, because some of them are most destitute and have written piteous letters pointing out the great hardships they have suffered from dismissal at this season when they could get no employment from any other source.

Sir JOHN A. MACDONALD. I rise to correct an error, no doubt unintentional, in the statement of the hon. member for Queen's (Mr. Davies). He stated that as soon as Parliament was prorogued last Session the Government gave up the right to the fisheries after the 1st of July last—that they hurried off to Washington. The hon. gentleman will find that the whole of that correspondence was brought down by a special Message of the Governor General on the 9th of July, 1885. The hon. gentleman may also recollect that there was a debate on the subject afterwards, in which the hon. gentleman who has just spoken said he approved of the course of the Government under the circumstances in allowing American fishermen to fish in our waters.

Mr. MITCHELL. I said that while I approved of that while negotiations were going on, I thought steps should be taken to put on a force, or at all events to get ready for it.

Paragraphs 1 to 12, inclusive and Resolution agreed to:

Sir JOHN A. MACDONALD moved:

That the said Resolution be referred to a Select Committee composed of Sir Hector Langevin, Messrs. Bowell, Everett, Ward and the mover, to prepare and report a draft of an Address in answer to the Speech of His Excellency to both Houses of Parliament, in conformity with the said Resolution.

Motion agreed to.

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

DEBATES COMMITTEE.

Mr. BOWELL. With the consent of the House I will make the usual motion for the appointment of a committee to supervise the Debates:

That a Select Committee be appointed to supervise the Official Report of the Debates of this House during the present Session, with power to report from time to time, said committee to be composed of Messrs. Béchard, Bergin, Colby, Charlton, Desjardins, Innes, Royal, Scriver, Somerville, (Brant), Taylor, Wood (Westmoreland), and Woodworth.

The only changes are the substitution of the names of Mr. Taylor for that of Mr. White, the Minister of the Interior, and the name of Mr. Wood, of Westmoreland, for that of Mr. Foster.

Motion agreed to.

SUPPLY.

Mr. McLELAN moved:

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

Motion agreed to.

WAYS AND MEANS.

Mr. McLELAN moved:

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

Motion agreed to.

REPORT PRESENTED.

Report of the Minister of Public Works for the fiscal year ending 30th June, 1885.—(Sir Hector Langevin.)

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

Motion agreed to; and House adjourned at 10:45 p.m.

HOUSE OF COMMONS.

MONDAY, 1st March, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

REPORTS PRESENTED.

Trade and Navigation Returns, for the fiscal year ending 30th June, 1885.—(Mr. Bowell.)

Public Accounts of Canada, for the fiscal year ending 30th June, 1885.—(Mr. McLelan.)

Reports, Returns and Statistics of the Inland Revenues of the Dominion of Canada, for the fiscal year ended 30th June, 1885.—(Mr. Costigan.)

Report of the Minister of Justice on the Penitentiaries of the Dominion of Canada, for the fiscal year ending 30th June, 1885.—(Mr. Thompson.)

Report of the Department of Marine, for the year ending 30th June, 1885.—(Mr. Foster.)

Report of the Auditor-General, for the year ending 30th June, 1885.—(Mr. McLelan.)

HOLES IN ICE ON FREQUENTED WATERS.

Mr. ROBERTSON (Hamilton) moved for leave to introduce Bill (No. 2) to amend the Criminal Law, and to declare it a misdemeanor to leave unguarded and exposed, holes cut in the ice on any navigable or frequented waters.

Some hon. MEMBERS. Explain.

Mr. ROBERTSON (Hamilton). I have very great pleasure in explaining the provisions of the Bill, which has been already introduced to the notice of this honorable House on several occasions before. It now comes in a shape in which I hope it will meet with the approbation of every member of the House. Last Session it passed through its second reading, and the rather extraordinary course was taken of objecting to it on the third reading. It was then referred to a special committee, and was reported to the House, and in the shape in which it was reported I now introduce it. I hope there will be no objection to the Bill, which has met with great approbation in all parts of the Dominion.

Motion agreed to, and Bill read the first time.

LAW OF EVIDENCE IN CRIMINAL CASES.

Mr. ROBERTSON (Hamilton) moved for leave to introduce Bill (No. 3) to further amend the Law of Evidence in Criminal Cases. He said: This is to allow parties who have an objection to taking an oath to give their evidence by affirmation.

Motion agreed to, and Bill read the first time.

CONSOLIDATED RAILWAY ACT, 1879.

Mr. MULOCK moved for leave to introduce Bill (No. 4) to further amend the Consolidated Railway Act of 1879. He said: This is the Bill which I had the honor to introduce last Session, and which I then explained at some length. I have added two clauses, the first of which is to

provide a remedy for the Act passed in 1872, requiring the railway companies to redeem unused railway tickets. That Act, however, provided no adequate remedy, and when this Bill comes up for discussion I think I will be able to show that some railway companies, at least, have taken advantage of the defect in the Act to avoid complying with its provisions. The next clause, about which there may be some difference of opinion, is to repeal section 6 of the Act of 1883, by which the Dominion Parliament took over the Provincial railways.

Motion agreed to, and Bill read the first time.

DIGBY PIER.

Mr. VAIL asked, Is it the intention of the Government to rebuild the Digby Pier on the present site? If so, when will the work be commenced?

Sir HECTOR LANGEVIN. This matter is now under the consideration of the Government.

GROSS DEBT OF THE DOMINION.

Sir RICHARD CARTWRIGHT asked, What was the gross debt of the Dominion on the 1st day of March, 1886?

Mr. McLELAN. The gross debt on the first March, 1886, without deducting the assets of \$72,791,837, was \$281,314,532.

Sir RICHARD CARTWRIGHT asked, What portion of the gross debt of the Dominion was represented by temporary loans from banks or other parties, in Canada or elsewhere?

Mr. McLELAN. \$14,362,309.67.

LOBSTER FISHING, P. E. I.

Mr. HACKETT asked, Whether it is the intention of the Government to impose such regulations as will entirely prohibit the fishing of Lobsters for canning purposes around the Coasts of Prince Edward Island, for the term of three years, as rumored in the newspapers of the Maritime Provinces?

Mr. FOSTER. It is not.

LOUIS RIEL MEDICAL COMMISSION.

Mr. COURSOL asked, Whether the Government, after the conviction of Louis Riel, appointed a Medical Commission to enquire into the mental condition of the prisoner; if so, did the said commission forward a report to the Government, and is it the intention of the Government to lay the said report before the House, and when?

Sir JOHN A. MACDONALD. In consequence of certain representations, the Government caused an enquiry to be made by two medical practitioners as to the mental accountability of Louis Riel since his conviction, and also procured a report from the visiting surgeon-physician on that subject. These reports will be laid before the House at once if moved for, and the hon. gentleman may, with the consent of the House, move for them now.

Mr. COURSOL moved for a return of the reports made by the medical commission into the mental condition of Louis Riel after his conviction.

Motion agreed to.

THE NORTH-WEST—GRANTS OF LAND TO MR. VALIN, M.P.

Mr. CASGRAIN (Translation) moved for a return showing all grants of land made to Mr. Valin, M. P.,

in the North-West Territories, with the date of the Letters Patent therefor, the quantity, location, price and payments; also, all grants so made either to Mr. Valin alone, or to others jointly with him. He said: Mr. Speaker, I believe it is important that we should know which are those of the hon. members of this House who have received grants from the Government in the shape of lands in the North-West Territories. My object in making this motion concerning members of this House, is to know whether any of them have received direct ministerial favors, and furthermore, whether some of these grants of land may not conflict with the rights either with the half-breeds, or the Indians or of certain occupiers of land. I believe, Mr. Speaker, that the hon. member for Montmorency (Mr. Valin), from the information I have received, is one of those who have received some of these grants. During the month of December last a meeting was to take place in the county of Montmorency. The hon. member was invited to attend, and certain questions were to be then and there put to him, and he was to be requested to make certain declarations with regard to the events which took place in the North-West. It was intended to enquire of him if, perchance, he had not received some grants of land from the Government, and if, perchance, also such grants of land was not comprised within the limits of the large grant of land given to a certain company in the township of Langevin, which said grant of land took up, *in globo* so to speak, the whole of the parish of Langevin, including the church and presbytery. The member for Montmorency, my hon. colleague, did not deem it proper to go to that meeting; he declined the invitation, but he was present through his employce, whom I might call his *factotum*, Mr. Vallerant, accompanied by other persons commonly called bullies in English, whose object it was to use violence in order to prevent the meeting from being held. The consequence was that the electors of that place were unable to obtain the required information, and that information which might have been useful to all the electors of the county was not given to the public. I believe the only way to get it is to invoke the authority of this House in order to discover the truth, to know just the number of acres of land which the hon. member for Montmorency has obtained from the Government, where such land is located, and to what extent these grants may affect the rights of those parties. I must say, by the way, that the founders of these troubles at Château-Richer have been brought before the police court and have been variously punished, both by fine and imprisonment. But the object of the meeting was not attained, and as I have had the honor to state, we have not obtained the information which I believe the hon. member is bound to give his constituents and to the electors of the county at large. Therefore, Mr. Speaker, I make the present motion.

Mr. VALIN. I have but a few words to say in reply to the hon. gentleman. I know that a certain army went down to the county of Montmorency to hold a meeting there, and that they called themselves the National Party. I received an invitation to attend under the name of that National Party, by a kind of secretary named by them, but as I knew there was nothing like a National Party at present existing except the Conservative party in this country, I did not attend to this invitation. I was informed that there were lots of these bullies, as the hon. gentleman has just mentioned, organised by the so-called National Party, to come down to the county at that meeting, and the people of my county, knowing well that this was being done, advised me not to go to such a meeting. I therefore did not go, nor had I any intention of going. I understand that the army did go down, but had the satisfaction of being turned out of the place of meeting. Who turned them out, I do not know; but I

MR. CASGRAIN.

know well that one of these bullies who went down there was armed with a hammer, which some of my friends at the meeting took away from him. This caused a row, and a few days after, as the hon. gentleman says, six people were arrested on our side unjustly and unfairly. We did not cause any on the other side to be arrested, because we did not think it worth while. But the hon. gentleman, not having been able to make his great speech, it remained in his belly and swelled up, and he had no other way to relieve himself but by rushing into a newspaper. In that newspaper, which, we all know, is not in the habit of telling the truth, he represented that I held land grants in the St. Louis de Langevin township, and that I had them in partnership with Sir Hector Langevin, Sir Adolphe Caron and the Hon. Mr. McGreevy. It would have been a great honor for me to have been a partner with these gentlemen, but I must say we were not partners, and I deny that I had anything to do with such lands. I deny, and I defy anyone to prove the contrary, that I had any lands in that township. If I have land, it is not there. The hon. gentleman is quite mistaken; and I do believe if I have lands in the North-West, they are lands I have the right to hold. But, in the meantime, I do not mean to say that the hon. gentleman should take the way of a newspaper and drag about respectable people just for the sake of the reference. He knew well that he could get the reference here by applying as he did to-day. I have no objection that the whole of my transactions should be laid before the House. I have had no gift from the Government. If I support them it is by my own will; if I support them, it is my politics and it is my view to do so, and I think I support an honorable Government, and I have no shame in doing so. Therefore my transactions can be sent down by the Minister of the Interior, if he wishes, for I have no objection as far as I am concerned. But I will not join this National Party, and I will not acknowledge them. I might do so now if the hon. member for L'Islet (Mr. Casgrain) will repeat what he said at that fine meeting in Château Richer, but I know that the people of that parish were noble and would not listen to nonsense, and so they would not listen to that.

Mr. WHITE (Cardwell). There is no objection to bring down the papers, but I might state the information I have is—and probably, when the hon. gentleman gets that information he may not consider it necessary to press for the return—that the records of the Department show that no lands have been granted to Mr. Valin, and the officer of the Department who gives me this information says:

"It is assumed that the motion alluded to lands allotted to Mr. P. V. Valin for colonization purposes."

These lands are three townships west of Long Lake, about 200 miles away from the scene of the recent troubles. They did not interfere in any way with the troubles; they did not interfere with the lands of the half-breeds, and upon those lands Mr. Valin has already made a payment of over \$13,000. The even numbered sections, of course, are open to homestead entry in the same way as other lands throughout the North-West.

Mr. CASGRAIN. As my hon. friend, the member for Montmorency (Mr. Valin), admits that he has received these lands, I would like to know their extent, the price paid upon them, and what is due. I think that information should be granted.

Mr. WHITE (Cardwell). Certainly.

Mr. CASGRAIN. I would say to my hon. friend that his memory may be short, but he should be more accurate in representing what I stated. I never said he was associated, in obtaining these lands, with the hon. the Minister of Public Works. I never asserted that at all. I will give

him the precise accusation I made against him. It is in French, and I will read it in English :

"I accuse Mr. Valin, my colleague, of not having the courage of coming before his electors, and of having prevented their meeting."

That was my accusation, and I accused him also of being one of those partners who have tried by speculations in the North-West to deprive the Metis of the Parish of St. Louis de Langevin of their church and their property, jointly with Messrs. John White and Jamieson. These are the accusations I then thought to be true, and the hon. gentleman might have explained them before the meeting if that meeting had been held. Now, as to the result of the meeting, as what my hon. friend said in English went to the House, and I desire to put the facts correctly before the House, I say there were no bullies there at all from Quebec, on the part of the parties who went down with me there, and I say, moreover, that after that meeting had taken place, we caused the principal rioters to be brought to the police court and they were condemned—some went to gaol and others paid a fine. If any on our side had been guilty of any act of violence, they would also have been brought before the police court, but none of our friends were brought before the police court. When the trial took place I asked my hon. friend to come to the court and exculpate himself from any participation in this affair; but as he did not come, the public drew their inferences. This is all I have to say upon this matter. Do I understand that the hon. Minister will grant this motion?

Sir JOHN A. MACDONALD. Yes.

Motion agreed to.

OBSTRUCTIONS IN THE RICHELIEU RIVER.

Mr. BÉCHARD moved for copies of all petitions or memorials received by the Government, since the 1st January, 1882, from riparian owners on the Richelieu River, complaining that the piers constructed in the said river, near the towns of St. John's and Iberville, by the Stanstead, Shefford and Chambly Railway Company, raise the waters of the said river, and that their lands are consequently flooded, and praying for relief. He said: I wish to say a few words in explanation of this motion, and in order to make myself understood by the hon. Minister of Railways, I will do so in English. Some thirty years ago, the Stanstead, Shefford and Chambly Railway Company obtained from the Government of old Canada powers to construct a railway bridge across the Richelieu River, in the immediate vicinity of the towns of St. John's and Iberville. It seems that they constructed the bridge upon piers which were sunk into the river; and from the information I have received, it appears that they sank a good many more piles than were necessary for the bridge. Alongside that bridge, about the middle of the river, they constructed a wharf upon these additional piles upon which to place freight, consisting for the most part of lumber, which is loaded on board of vessels navigating that river and Lake Champlain. Now, the owners of land on the banks of the river complain that these piers constitute an obstruction by interfering with the natural flow of water, and during the spring, when the waters of the river are very high, a considerable portion of their lands become flooded and remain flooded until so late a period in the season that the only grain they can sow is buckwheat, which, as the Minister knows very well, can be sown until the beginning of July. Hence, the farmers receive little or no profit from that portion of their land, although it is the richest soil and the most valuable part of their farms. It is well known that on both sides of the river the land is flat and very low, and hence, one can understand the large quantity of land that is flooded. I am informed also that the difference between the level of the river at St. John's and at Isle aux Noix, a

distance of twelve miles, is but a trifle over one inch, which fact shows that the flow of water is very slow, and proves how easily it can be obstructed and the extent of the obstruction. The farmers have been complaining for many years. Some years ago they sent a petition to the Governor General in Council, setting forth their grievances and asking for relief. I believe they also stated in their petition that the eel-weirs which exist in the river also constitute an obstruction to the flow of water, and helps to keep their farms flooded for a long period. It is to my personal knowledge that, some fifteen years ago, these eel-weirs were standing at the head of the rapids, but they have been removed, by order of the Marine Department, to the lower part of the rapids. Of course, I am unable to judge as to the extent to which these obstructions raise the water in the river, but I know that the farmers have complained for years of these additional piles along the railway bridge, as causing the water to overflow their lands for a longer period than would be the case if no such obstruction existed. They hope and believe that the hon. Minister of Railways, to whose Department this matter belongs, will give it his attention and procure them relief if it is in his power. They expect that he will cause an investigation to be made in order to see if any relief can be afforded them.

Mr. POPE. I am aware that there has been a considerable correspondence in relation to this matter, but it occurs to me that it was correspondence with respect to the sale of this property that the hon. gentleman speaks of. However, the returns will be brought down, and the action of the Department will be guided by the opinion of the Minister of Justice as to the legal position of the matter. Everything will be done that can be done.

Motion agreed to.

SELECT STANDING COMMITTEES.

Sir JOHN A. MACDONALD moved :

That a Special Committee of seven members be appointed to prepare and report, with all convenient speed, lists of Members to compose the Select Standing Committees ordered by the House on Thursday, 25th ult., and that Sir John A. Macdonald, Sir Hector Langevin, Sir Richard Cartwright and Messrs. McLellan, Bowell, Blake and Vail do compose the said Committee.

Motion agreed to.

IMPERIAL FEDERATION.

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

Sir RICHARD CARTWRIGHT. Before that motion is put, Mr. Speaker, I have a word or two to say. A question was raised the other night as to the veracity, or, at all events, as to the accuracy of a statement made by me with respect to certain words alleged to have been used by the right hon. the First Minister. The Minister of the Interior appeared to suppose that I had misquoted the First Minister, or omitted a material portion of his speech, or had in some shape or way dealt unfairly with his speech. All those words, I think, were used by that hon. gentleman. Now, I have obtained since then an accurate copy in the *Mail* newspaper of the whole speech made by the First Minister on 23rd November, 1881, a printed slip of which I held in my hand at the time I spoke, although I find the date was printed 1883 instead of 1881, as it should have been. In order to show the House that I have in no way misrepresented or misinterpreted the hon. gentleman, I beg to read exactly what he did say, and I suppose the report published in the *Mail* may be relied upon. The hon. gentleman spoke as follows:—

"Well, then, gentlemen, we are told that we want an Imperial federation. I will not trouble you with a disquisition on the subject just now, but I tell you Imperial federation is utterly impracticable. We could never agree to send a number of men over to England to sit in

Parliament there and vote away our rights and privileges. I am, as far as this question goes, up to the handle, a Home Ruler. We will govern our own country. We will put on the taxes ourselves. If we choose to misgovern ourselves, we will do so, and we do not desire England, Ireland or Scotland to tell us we are fools. We will say, if we are fools we will keep our folly to ourselves."

The House will observe that those are the *ipsissima verba* as I gave them the other night. I am bound, in justice to the First Minister, to say that he did not contradict my statement. In the rest of the speech, which I have examined carefully, I find no reference whatever, except a very short line, to the subject of Imperial federation. The hon. gentleman simply goes on to give his reasons for preferring annexation to independence. From the beginning to the end I cannot find one single word of the quotation which the Minister of the Interior read, and which he thought I had confounded with the speech of the First Minister, so that, I think, I am justified in saying that I neither made any important omission nor in any degree misrepresented the First Minister's statement.

Sir JOHN A. MACDONALD. What is the date?

Sir RICHARD CARTWRIGHT. Twenty-third November, 1881. It was made before the convention in Toronto. That was the speech from which I quoted.

Sir JOHN A. MACDONALD. The hon. gentleman, I think, said 1883—

Sir RICHARD CARTWRIGHT. I did.

Sir JOHN A. MACDONALD—instead of 1881. And the Minister of the Interior referred to my speech in 1884. In the autumn of 1884 I made a speech in Toronto, and my hon. friend quoted from that speech, in which I elaborated the subject. My hon. friend quoted from my speech at that meeting in Toronto and thought the hon. gentleman had alluded to that speech, as in fact I thought. I forgot that I had spoken at all in 1881.

Some hon. MEMBERS. Hear, hear.

Mr. WHITE (Cardwell). Hon. gentlemen opposite think there is something inconsistent in the statement made by the hon. gentleman in the speech from which I quoted and the remarks quoted by the member from Centre Huron (Sir Richard Cartwright). As a matter of fact, if the hon. gentleman will read carefully the speech I read he will find that the passages are in exactly the same sense as the speech from which he has just quoted: that is to say, that the First Minister was opposed to a form of Imperial federation such as was described by the leader of the Opposition in a very famous deliverance at Aurora some years ago, in which he urged representation in the Imperial Parliament, which would involve, in the very nature of things, the cession of some of the privileges which we now enjoy as an independent Parliament of this Dominion. But he went on further, and elaborated in exactly the same terms that he used on several occasions—in Montreal and other places—a scheme of Imperial consolidation, which would be practically an alliance of semi-independent kingdoms for the maintenance of the peace of the world; and there is no possible inconsistency between the quotations which the hon. gentleman has read, as he will see upon looking at the earlier passages of the quotations which I read to the House.

Mr. BLAKE. I wish to say—I did not observe it at the time, else I would have taken the opportunity of correcting him then—that the hon. gentleman used words with reference to myself, which I think were hardly parliamentary. He said, speaking of my reference to his speech at the St. George's Club, that I had "foisted in the word 'beautiful.'" As the hon. gentleman has made that statement, I may be permitted to quote the language of his speech from the *Canadian Gazette* of January 7th, 1886:

"Let us take the case of the Dominion of Canada, every acre of which is a beautiful climate"

Sir RICHARD CARTWRIGHT.

Sir JOHN A. MACDONALD. Oh, no; the hon. gentleman said I spoke of the beautiful soil.

Mr. BLAKE. Not at all; I think I can settle that question. The hon. gentleman is probably excusable for forgetting what he spoke in 1881, but I think he should be able to remember what he said so short a time ago as last Friday. Here is what the hon. gentleman said:

"He spoke about exaggeration, when I said that every acre in the Dominion of Canada was in a healthful climate; the hon. gentleman foisted in the word 'beautiful.'"

That is, that I foisted in the word "beautiful," instead of the word "healthful." Then he says that the words he used were, "a healthful climate" instead of "a beautiful climate." I simply object to being accused of foisting in the word "beautiful," when I referred to the hon. gentleman's speech as applied to the climate of Canada—that is all.

RETURNS RE DISTURBANCE IN THE N. W.

Mr. BLAKE. The House will recollect that, at various periods of last Session, demands were made for large numbers of papers, some described particularly and some by reference to classes, with reference to the communications which had passed between the Government and officials and other individuals in the North-West Territories, prior to and during the early period of the rebellion. The House will also recollect that promises were made that these papers would be produced, if not last Session, this Session. I wish to enquire whether it is the purpose of the Government to bring down those papers at an early day?

Sir JOHN A. MACDONALD. I shall revive my recollection of the numerous, or rather the numberless, demands which were made for these papers, and we shall see what papers it is proper to bring down, and shall bring them down.

Mr. CAMERON (Huron). I would ask if it is proposed to lay on the Table of the House the report of the trial of Louis Riel, in a complete form. The hon. gentleman will find that very important passages are omitted from the report of that trial—for instance the discussions which took place between the counsel for the Crown and counsel for the prisoner on motion to adjourn the trial, the charge of the judge, a large portion of the evidence of Charles Nolin, and especially that portion of the cross-examination which has relation to the insanity of the prisoner, and the arguments of counsel as to the charge of the judge. All these are omitted, and I would ask if it is intended to bring the report down in a complete form?

Mr. CHAPLEAU. I would say to the hon. gentleman that what has been published is the whole evidence taken at the trial. The speeches have not been published, as they are found in the records which were transmitted to the Department of Justice.

Mr. CAMERON (Huron). There is a great deal more than the speeches omitted.

Mr. CHAPLEAU. The speeches were not published and for a very good reason, because they did not form a part of the evidence in the case. The only portion of the speeches which might be taken as part of the evidence, is the speech of the prisoner, which was published. I understand, however, that the House will order the re-printing of copies of these documents, and if it is desired, the speeches will also be included.

Mr. CAMERON (Huron). The charge of the judge was omitted, and that certainly is a very important portion of the trial, and it certainly ought to be before the House.

Sir JOHN A. MACDONALD. The hon. gentleman will see that in this case as in all other criminal cases, the

judge makes a report of the evidence, and that is what has been published, according to what my hon. friend the Secretary of State has stated. I understand that my hon. friend ordered to be published the whole of the evidence as transmitted by the judge.

Mr. BLAKE. It is quite plain from the contemporary reports of the trial published in the newspapers, that there were certain discussions which, to my mind, are extremely important, but which have not been published, including those portions referred to by my hon. friend from Huron, and one which took place at a certain period of the trial between the prisoner, his counsel, and the court. There was also a discussion with reference to the proposal for an adjournment. None of those discussions appear, nor is there any report of the charge of the judge.

Mr. LAURIER. I would also ask the Government whether they intend to lay on the Table of the House copies of the petitions asking for the commutation of the sentence of Louis Riel?

Sir JOHN A. MACDONALD. The hon. gentleman can move for that.

RETURNS ORDERED.

Return of the Receipts and Expenditure, in detail, chargeable to the Consolidated Fund, from the 1st day of July, 1884, to the 1st day of March, 1885, and from the 1st day of July, 1885, to the 1st day of March, 1886.—(Sir Richard Cartwright.)

Return in the form used in the Statement usually published in the *Gazette*, of the Exports and Imports from the 1st day of July, 1884, to the 1st day of February, 1885, and from the 1st day of July, 1885, to the 1st day of February, 1886, distinguishing the products of Canada and those of other countries.—(Sir Richard Cartwright.)

Return showing the names of all persons who tendered for the contract of carrying the Mail from Calgary to Fort Macleod, the amount of each tender, to whom the contract was let; together with all papers and correspondence relating to said contract.—(Mr. Landerkin.)

Motion agreed to; and House adjourned at 4:20 p.m.

HOUSE OF COMMONS.

TUESDAY, 2nd March, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

SELECT STANDING COMMITTEES.

Sir JOHN A. MACDONALD, from the Special Committee appointed to prepare and report lists of Members to compose the Select Standing Committees, ordered by the House on the 26th ult., reported lists as follow:—

No. 1.—ON PRIVILEGES AND ELECTIONS.

Messieurs

Abbott,	Davies,	Quimet,
Barker,	Girouard.	Patterson (Essex),
Billy,	Hall,	Robertson (Hamilton),
Blake,	Laurier,	Royal,
Bossé,	Lister,	Shakespeare,
Cameron (Huron),	Macdonald (Sir John),	Taschereau,
Casgrain,	Mackenzie,	Temple,
Chapleau,	Macmaster,	Thompson (Antigonish)
Colby,	McCarthy,	Weldon,
Costigan,	McIntyre,	Wells,
Curran,	Mills,	White (Cardwell), and
Daly,	Mulock,	Woodworth.—36.

No. 2.—ON EXPIRING LAWS.

Messieurs

Armstrong,	De St. Georges,	McMillan (Vaudreuil),
Billy,	Desaulniers (St. Maurice),	Paint,
Cameron (Inverness),	Dodd,	Pruyn,

Campbell (Benfrew),	Guillet,	Rinfret,
Campbell (Victoria),	Hackett,	Robertson (Hastings),
Casey,	Harley,	Tyrwhitt,
Cochrane,	Hesson,	Valin,
Coughlin,	Labrosse,	Ward, and
Daoust,	McIntyre,	Yeo.—27.

And that the Quorum of the said Committee do consist of Seven Members.

No. 3.—ON RAILWAYS, CANALS AND TELEGRAPH LINES.

Messieurs

Abbott,	Ferguson (Welland),	Orton,
Allen,	Fisher,	Quimet,
Bain (Soulanges),	Forbes,	Paint,
Bain (Wentworth),	Fortin,	Patterson (Essex),
Baker (Missisquoi),	Foster,	Pope,
Barker,	Gagné,	Ray,
Barnard,	Gault,	Riopel,
Beaty,	Geoffrion,	Robertson (Hamilton),
Bécharde,	Gillmor,	Robertson (Hastings),
Bell,	Girouard,	Robertson (Shelburne),
Benoit,	Glen,	Ross,
Bergin,	Gordon,	Royal,
Bernier,	Grandbois,	Rykert,
Billy,	Haggart,	Scott,
Blake,	Hall,	Scriver,
Blondeau,	Hay,	Shanly,
Bossé,	Hickey,	Small,
Bourassa,	Hilliard,	Smyth,
Bowell,	Holton,	Sproule,
Bryson,	Hurteau,	Stairs,
Burns,	Irvine,	Sutherland (Oxford),
Burpee,	Ives,	Sutherland (Selkirk),
Cameron (Huron),	Kilvert,	Taschereau,
Cameron (Inverness),	King,	Tassé,
Cameron (Victoria),	Kinney,	Temple,
Carling,	Landerkin,	Thompson (Antigonish)
Caron (Sir Adolphe),	Landry (Kent),	Thompson (Haldimand)
Casey,	Landry (Montmagny),	Townshend,
Casgrain,	Langevin (Sir Hector),	Trow,
Chapleau,	Laurier,	Tupper,
Charlton,	Livingston,	Vail,
Cockburn,	Macdonald (Sir John),	Valin,
Colby,	Mackenzie,	Vanasse,
Cook,	Mackintosh,	Wallace (Albert),
Costigan,	Macmaster,	Wallace (York),
Coursol,	Macmillan (Middlesex),	Watson,
Curran,	McCallum,	Weldon,
Davies,	McCarthy,	Wells,
Dawson,	McCrane,	White (Cardwell),
De St. Georges,	McDougald (Pictou),	White (Hastings),
Dickinson,	McGreevy,	White (Renfrew),
Dodd,	McIntyre,	Wigle,
Dugas,	McMillan (Vaudreuil),	Wilson,
Dundas,	McMullen,	Wood (Brockville),
Edgar,	Mills,	Wood (Westmoreland),
Everett,	Mitchell,	Woodworth, and
Fairbank,	Mulock,	Wright.—141.

No. 4.—ON MISCELLANEOUS PRIVATE BILLS.

Messieurs

Allen,	Glen,	Mulock,
Baker (Missisquoi),	Guilbault,	Quimet,
Bell,	Hay,	Pinoaneault,
Bossé,	Hickey,	Ray,
Bourassa,	Holton,	Reid,
Burns,	Homer,	Robertson (Shelburne),
Burpee,	Ives,	Scriver,
Cameron (Middlesex),	Jamieson,	Small,
Cameron (Victoria),	Jenkins,	Smyth,
Caron (Sir Adolphe),	Kilvert,	Springer,
Casey,	Kinney,	Sproule,
Catudal,	Kranz,	Stairs,
Cockburn,	Labrosse,	Taschereau,
Daoust,	Langelier,	Tassé,
Desaulniers (Maskin'è),	Landry (Kent),	Taylor,
Desaulniers (St. Maurice),	Landry (Montmagny),	Thompson (Haldimand),
Edgar,	Laurier,	Tupper,
Farrow,	Lenage,	Vanasse,
Fleming,	Lister,	Wallace (Albert),
Foster,	Macmaster,	Ward,
Gagné,	McDougall (O. Breton),	Weldon,
Geoffrion,	McMullen,	Wells, and
Gillmor,	Massue,	Wright.—71.
Girouard,	Montplaisir,	

And that the Quorum of the said Committee do consist of Seven Members.

No. 5.—ON STANDING ORDERS.

Messieurs

Auger,	Ferguson (Welland),	Livingston,
Bain (Wentworth),	Gaudet,	Macdonald (King's),
Baker (Victoria),	Gault,	McDougall (C. Breton),
Beaty,	Gigault,	Macmillan (Middlesex),
Bourbeau,	Gillmor,	Massue,
Burnham,	Gordon,	Moffat,
Cameron (Middlesex),	Grandbois,	Montplaisir,
Casgrain,	Gunn,	O'Brien,
Coughlin,	Hackett,	Paterson (Brant),
Dawson,	Hurteau,	Patterson (Essex),
De St. Georges,	Innes,	Rinfret,
Dodd,	Irvine,	Sutherland (Oxford),
Dundas,	Jackson,	Wood (Brockville), and
Dupont,	Kaulbach,	Woodworth.—44.
Ferguson (Leeds & Gren)	Landerkin,	

And that the Quorum of the said Committee do consist of Seven Members.

No. 6.—ON PRINTING.

Messieurs

Allison,	Charlton,	Tassé,
Baker (Missisquoi),	Foster,	Taylor,
Bergin,	Innes,	Trow,
Blondeau,	Landry (Montmagny),	Vanasse and
Bourassa,	Somerville (Brant),	White (Cardwell).—16.
Bowell,		

No. 7.—ON PUBLIC ACCOUNTS.

Messieurs

Bain (Soulanges),	Foster,	Riopel,
Baker (Victoria),	Grandbois,	Robertson (Shelburne),
Bécharde,	Holton,	Rykert,
Bergin,	Ives,	Scriver,
Blake,	Kilvert,	Somerville (Brant),
Bowell,	King,	Taschereau,
Carling,	Langelier,	Townshend,
Cartwright (Sir Richard),	Macdonald (Sir John),	Trow,
Charlton,	Mackenzie,	Tupper,
Colby,	McDougald (Picton),	Vail,
Costigan,	McLellan,	White (Cardwell),
Coursol,	Massue,	White (Hastings),
Davies,	Mulock,	White (Renfrew),
Desaulniers (St. Maurice),	Pope,	Wood (Brockville), and
Farrow,	Rinfret,	Wood (Westmoreland)
Ferguson (Welland),		—46.

And that the Quorum of the said Committee do consist of Nine Members.

No. 8.—ON BANKING AND COMMERCE.

Messieurs

Abbott,	Fairbank,	McCarthy,
Allison,	Fleming,	McDougald (Picton),
Baker (Victoria),	Forbes,	McGreevy,
Bécharde,	Fortin,	McLellan,
Bernier,	Gagné,	McMullen,
Blake,	Gault,	McNeill,
Bossé,	Gigault,	Massue,
Bourbeau,	Girouard,	Mitchell,
Bowell,	Guilbault,	Moffat,
Bryson,	Guillet,	O'Brien,
Burnham,	Gunn,	Orton,
Burpee,	Hackett,	Quimet,
Cameron (Huron),	Haggart,	Paterson (Brant),
Cameron (Middlesex),	Hall,	Platt,
Cameron (Victoria),	Hesson,	Reid,
Campbell (Victoria),	Hilliard,	Robertson (Hamilton),
Carling,	Innes,	Rykert,
Cartwright (Sir Richard),	Ives,	Scott,
Casgrain,	Jackson,	Scriver,
Catudal,	Jamieson,	Shakespeare,
Charlton,	Kaulbach,	Shanly,
Cimon,	Kilvert,	Somerville (Bruce),
Cochrane,	Kinney,	Sutherland (Oxford),
Cook,	Kirk,	Thompson (Antigonish)
Coursol,	Kranz,	Vail,
Curran,	Landerkin,	Vanasse,
Cuthbert,	Langelier,	Wallace (York),
Davies,	Lesage,	Weldon,
Dawson,	Macdonald (Sir John),	White (Cardwell),
Dickinson,	Macdonald (King's),	White (Renfrew),
Dugas,	Mackenzie,	Wood (Westmoreland),
Dundas,	Mackintosh,	Wright, and
Dupont,	Maemaster,	Yeo.—101.
Everett,	McCallum,	

And that the Quorum of the said Committee do consist of Nine Members.

Sir JOHN A. MACDONALD.

No. 9.—ON IMMIGRATION AND COLONISATION.

Messieurs

Allen,	Dugas,	Mitchell,
Allison,	Edgar,	Montplaisir,
Armstrong,	Fairbank,	Orton,
Auger,	Farrow,	Paterson (Brant),
Bain (Wentworth),	Ferguson (Leeds & Gren)	Patterson (Essex),
Baker (Victoria),	Fisher,	Pinsonneault,
Barnard,	Fortin,	Platt,
Bécharde,	Gagné,	Pope,
Bell,	Gaudet,	Prayn,
Benoit,	Grandbois,	Ray,
Billy,	Guilbault,	Robertson (Hastings),
Blondeau,	Harley,	Ross,
Bourassa,	Hay,	Royal,
Bryson,	Hesson,	Scott,
Burnham,	Hickey,	Somerville (Bruce),
Burns,	Homer,	Springer,
Cameron (Middlesex),	Hurteau,	Sproule,
Campbell (Renfrew),	Jackson,	Sutherland (Selkirk),
Carling,	Jenkins,	Taylor,
Catudal,	King,	Trow,
Chapleau,	Kirk,	Tyrwhitt,
Cimon,	Kranz,	Watson,
Cochrane,	Labrosse,	White (Hastings),
Cockburn,	Landry (Kent),	White (Renfrew),
Colby,	Mackintosh,	Wigle,
Coughlin,	McCallum,	Wilson,
Dawson,	McCraney,	Wright, and
Desaulniers (Maskin'è),	McMillan (Vaudreuil),	Yeo.—86.
Dickinson,	McNeill,	

And that the Quorum of the said Committee do consist of Nine Members.

Sir JOHN A. MACDONALD moved, with consent of the House, that the report so far as it relates to the Select Standing Committees on Standing Orders, be concurred in.

Motion agreed to.

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

Motion agreed to, and the House adjourned at 3:20 p. m.

HOUSE OF COMMONS.

WEDNESDAY, 3rd March, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

SELECT STANDING COMMITTEES.

Sir JOHN A. MACDONALD moved :

That the report of the Select Committee appointed to prepare and report lists of Members to compose the Select Standing Committees of this House, in so far as it relates to the Committees on Privileges, Elections, Expiring Laws, Railways, Canals and Telegraph Lines, Miscellaneous Private Bills, Printing, Public Accounts, Banking and Commerce, and Immigration and Colonisation, be concurred in.

Mr. COURSOL. I have not got the names of the different committees. Are the names to be submitted to the House ?

Mr. SPEAKER. They are in the Votes and Proceedings of yesterday.

Mr. COURSOL. Then I beg to move in amendment, seconded by Mr. Gigault, that the following words be added to the motion :—

And that Mr. Desjardins be added to the Select Standing Committees on Privileges and Elections, on Railways, Canals and Telegraph Lines, on Printing, and on Banking and Commerce; that Mr. Amyot be added to the Select Standing Committees on Privileges and Elections, on Railways, Canals and Telegraph Lines, and on Miscellaneous Private Bills; and that Mr. Bergeron be added to the Select Standing Committees on Railways, Canals and Telegraph Lines, on Standing Orders, and on Public Accounts."

Sir HECTOR LANGEVIN. I have no objection to the motion of the hon. gentleman, provided that other names are added on the different committees mentioned by the hon.

member for Montreal East, Mr. Coursol. The hon. gentleman proposes to add the names of Mr. Desjardins and Mr. Amyot to the Committee on Privileges and Elections; I suggest that two other names be added to that committee. The hon. gentleman moves that Messrs. Desjardins, Amyot and Bergeron be added to the Railway Committee; I would suggest three names in addition. Then the hon. gentleman moves to add one name each to the Private Bills Committee, to the Banking Committee, and to the Public Accounts Committee; I shall move that one more be added to each of those committees. The hon. gentleman has also moved to add the name of Mr. Desjardins to the Printing Committee. If I understand the matter rightly, we have already one too many on that committee. Mr. Foster's name was left there by mistake, and should be withdrawn; so that, perhaps, the hon. gentleman would leave out that portion of his motion, to be dealt with afterwards, so as not to cause complication; because the hon. gentleman knows that the Printing Committee is a joint Committee, with a fixed number, and that the two Houses must have the same number.

Mr. MACKENZIE. It is not limited in number. The Senate can appoint another one also.

Sir HECTOR LANGEVIN. Yes; no doubt.

Mr. COURSOL. I understand Mr. Desjardins was on the committee last year, and I think he was a very useful member on that committee.

Sir HECTOR LANGEVIN. Perhaps the House will allow me to write my amendment.

Mr. BLAKE. While the hon. gentleman is engaged in writing his amendment, I would say that I think a mistake was made in the course of the proceedings in committee for which I hold myself responsible. I had supposed that the name of my hon. friend from Lévis (Dr. Guay) would be placed on some of the Standing Committees in the course of last Session, but it turned out that the election for Lévis came so late in the Session that there was no opportunity to do so. As sometimes happens when a vacancy is filled late, no change is thought worth while, so that no suggestion was made for the addition of his name. It is customary, of course, for every hon. member to be upon some committee, unless in exceptional circumstances, and I therefore suppose that there will be no objection to Dr. Guay being added to the committees on which his predecessor was placed, namely: the Committees on Banking and Commerce, and Immigration and Colonisation.

Sir JOHN A. MACDONALD. Certainly. Last year the Printing Committee numbered fifteen, and I have no doubt that the Senate appointed a committee of fifteen. Mr. Foster, who was on it last year, we have struck out and replaced by another; but as the hon. member for East York (Mr. Mackenzie) says, we may increase the number and ask the Senate to increase their contingent to the same number, so that we will leave Mr. Foster in, and by leaving him in, you can add Mr. Desjardins—that will make seventeen.

Sir HECTOR LANGEVIN moved in amendment to the amendment:

That the following Members be also added to the following Committees:—Sir Adolphe P. Oaron and Sir Hector Langevin to the Select Standing Committee on Privileges and Elections; Messrs. Bourbeau, Shakespeare and Hesson to the Select Standing Committee on Railways, Canals and Telegraph Lines; Mr. Bain (Soulanges) to the Select Standing Committee on Miscellaneous Private Bills; Mr. Tassé to the Select Standing Committee on Public Accounts; Mr. Burns to the Select Standing Committee on Banking and Commerce; and Mr. Guay to the Select Standing Committees on Banking and Commerce and on Immigration and Colonisation.

Amendment to the amendment agreed to, and motion, as amended, agreed to.

THE PRINTING OF PARLIAMENT.

Sir JOHN A. MACDONALD moved:

That a Message be sent to the Senate, requesting that their Honors will unite with this House in the formation of a Joint Committee of both Houses on the subject of the Printing of Parliament, and that the Members of the Select Standing Committee on Printing, viz.: Messrs. Allison, Baker (Missisquoi), Bergin, Blondeau, Bourassa, Bowell, Charlton, Desjardins, Foster, Innes, Landry (Montmagny), Somerville (Brant), Tassé, Taylor, Trow, Vanasse, and White (Cardwell) will act as Members on the part of this House of the said Joint Committee on the Printing of Parliament.

Motion agreed to.

REPORT PRESENTED.

Annual Report of the Department of Indian Affairs.—(Sir John A. Macdonald.)

FIRST READING.

Bill (No. 5) to extend the jurisdiction of the Maritime Court of Ontario.—(Mr. Allen.)

PROPOSED COURT OF RAILWAY COMMISSIONERS.

Mr. McCARTHY moved for leave to introduce Bill (No. 6) for constituting a Court of Railway Commissioners for Canada, and to amend the Consolidated Railway Act of 1879. He said: In introducing this Bill, I may say, Mr. Speaker, that it is the same Bill I had the honor of introducing last Session, and, practically, it is the same measure which was introduced in a former Session, which was read the second time and referred to the Railway Committee, by whom it was rejected by a very large majority. The Bill, upon being brought back to the House, was not voted upon, and I now re-introduce it for the purpose of carrying it through the second reading, with the hope that it may receive on this occasion a more favorable support than it did the Session to which I have referred. The provisions of the Act are, of course, well known to all hon. members, and I need not offer any further explanation at present. Substantially it is the same measure, founded on the lines of the English Railway Commission and purporting to constitute a court for the purpose of giving effect to the laws of the land with respect to railway companies. This House is aware that this is a very difficult problem to deal with; that in the adjoining country, most of the States, a very large number of them, at all events, have adopted in one shape or other some form of Railway Commission; that for the last seven or eight years the United States Congress has been endeavoring to agree upon a measure to regulate the railway commerce of the whole of the country. But, as I understand, while the House of Representatives has been able to agree to a Bill, and the Senate has also been able to agree upon a measure, both Houses have not been able to agree upon one particular measure, so up to this time no law has been passed constituting a court of Railway Commissioners or dealing with this great question by Congress for the United States as a whole. No measure, so far as I know, seems to have given more effect to the law or to be better adapted for the purpose for which it was intended than the Railway Commission established in England in 1872. So much is this the case that since then that court of commission, which was of a temporary character, has been from time to time extended, and certain of the powers of the commission have been enlarged; and both parties there have agreed apparently that the commissioners' powers ought to be extended; and I notice in the Speech from the Throne, on the opening of the new Parliament, that the late Government of Lord Salisbury brought it for-

ward prominently as a measure to be dealt with during the present Session.

Motion agreed to, and Bill read the first time.

CARRIERS BY LAND.

Mr. McCARTHY moved for leave to introduce Bill (No. 7) respecting Carriers by Land. He said: The Bill which I have the honor to introduce is not exactly the same as the Bill on the same subject which I had the honor of introducing last Session, and which received upon a vote the assent of the majority of the House. This Bill is, however, substantially in the same direction, and it is founded upon the two statutes regulating the Carriers law of England: one passed in 1830 and known as the Carriers Act, and the other passed in 1854, and having special relation to railway companies. The great features of this Bill are: First, to declare that no carriers by notice shall limit his liability as a carrier in any way or form. But he might, by a contract signed by the person sending the goods, limit his liability, provided that that contract having been so signed, is afterwards, in case of difficulty arising, found to be just and reasonable by any court or judge before whom the question may come, so far as to the liabilities of carriers. Then, in the other direction, it limits the responsibility of carriers to certain definite amounts for the animals or goods they may carry, unless a value greater than these amounts be stated at the time the goods are forwarded, and some additional compensation be paid to the carrier for transporting the goods—in point of fact, insuring the goods while they are in transit. These are the main features, and I trust the Bill may become law, as at present there appears to be no limitation on the powers of carriers—and, of course, the great railway companies are the chief carriers of the country—whereby they can be prevented putting before persons compelled to send goods over their lines such conditions as render the company wholly irresponsible, no matter whether the damage may happen by their default or neglect or not.

Motion agreed to, and Bill read the first time.

CONSOLIDATED RAILWAY ACT AMENDMENT.

Mr. McCARTHY moved for leave to introduce Bill (No. 8) to amend the Consolidated Railway Act of 1879. He said: This is a short Bill, but I believe and hope that it is one which will receive the unanimous consent of this House. Since 1868, strange to say, in our railway legislation we have made no provision at all for the protection of people whose property is injuriously affected by the works of a railway company. There is provision made, though not in very express language, for compensation for lands taken, but there is no provision in the case of lands injuriously affected. How that omission occurred in 1868, I do not know. The provision was in the Consolidated Statutes of Old Canada; it is now the law of the land in the Province of Ontario, but it has been omitted, not only in 1868 but again in 1879, when the law here was re-consolidated. I propose just to add two clauses which are to be found in the Consolidated Act of Canada, Chapter 66, Sections 4 and 5, by which companies are made responsible and bound to pay fit compensation, not merely for lands taken but for those which are injuriously affected by the construction of their works.

Motion agreed to, and Bill read the first time.

MEMBERS' INDEMNITY ACT AMENDMENT.

Mr. FARROW moved for leave to introduce to Bill to amend the Members' Indemnity Act. He said: I think most hon. members are acquainted with this short
Mr. McCARTHY.

Bill. It was introduced last Session, but though the Session lasted a long time we had not time to get this Bill through. I hope this Session will not be so long, and yet that we may have time to pass this measure. It is a very plain and short Bill. It provides that when a member is sick, outside of Ottawa, he shall receive his pay as if he were in Ottawa. It appears to me that the old law favors some members more than others. It favors the member living in Ottawa, abiding at home, where he may be nursed and attended to, and it favors the Cabinet Ministers, who receive large salaries and who ought to be here. But I think from what I have heard and from what I know of the opinion of members on both sides of this House, that they agree that if a member is taken sick here, and desires to return to his home to be doctored and nursed, and where he would have a better chance of recovering, he shall receive the same pay as if he remained in Ottawa.

Mr. BLAKE. I would point out that as this Bill proposes to increase the public charge, it is not in order to introduce it in this way.

Mr. SPEAKER. This is a Bill which, from the reading of it, shows that its purpose is to increase the charges upon the public treasury, and it must therefore originate by committee, with the consent of the Crown. I hope the hon. gentleman will withdraw the Bill and have it introduced by resolution, as that is the better way.

Motion withdrawn.

REVISED STATUTES OF CANADA.

Mr. THOMPSON (Antigonish) moved for leave to introduce Bill (No. 9) in reference to the Revised Statutes of Canada. He said: This Bill has for its object the bringing into effect of the Revised Statutes of Canada, which I laid upon the Table this afternoon. After the attention which the subject has received in both Houses last Session, I take it that the present Bill will be, in its progress through its chief stages, regarded as of a merely formal character; but at the same time it may be convenient for the House that I should make briefly such explanations as seem to be in point at this stage, rather than at the second reading of the Bill, in view of its probable formal disposition at that stage. The House is probably aware that in 1831, the Hon. Mr. Cockburn was appointed a commissioner for the purpose of initiating this work, and that under the commission he proceeded with the preliminary work of the revision, assisted by Mr. Ferguson, who is one of the present commissioners. In the Session of 1883, the preliminary work of the commission having advanced a considerable stage, a new commission was organized, consisting of Sir Alexander Campbell, Hon. Mr. Cockburn, Mr. Ouimet, Mr. Graham, Mr. Ferguson, and Dr. Wilson. Mr. Cockburn was afterwards succeeded by Mr. O'Connor, who served on the commission until his elevation to the bench of the High Court of Justice of Ontario. These gentlemen have proceeded with their work with the utmost diligence since that time, and the result of their labors was the volumes which were laid on the Table of Parliament last Session, and which received the careful scrutiny of a large committee of both Houses of Parliament. I think that the opinion of that committee, in so far as I have been able to ascertain it, was that the work was not only carefully done, but performed in such a way as to speak very highly for the patience and the ability which the revisers had displayed in preparing their consolidation. Since the prorogation of Parliament, however, additional instructions were given to some of the gentlemen who were on the former Commission. One or two names were substituted for those of gentlemen who were at a distance and could not perform the new duties at the city of Ottawa, and instructions were given to those gentlemen to further revise the consolidation

which had been laid on the Table last Session, for the purpose of carrying out the suggestions made by the joint committee, and to include in the revision the statutes of last Session. The volumes which I laid on the Table half an hour ago include the results of the labors of those gentlemen, and supplement the labors of the chief commissioners. Those volumes will be found to carry out the suggestions of the committee of both Houses of last Session. The Acts of last Session are included, and a few further amendments which seemed to be necessary in order to give effect and completeness to the whole work. It is proposed that, after the revision has been adopted by Parliament at this Session, if it should be, the work should be finally issued, with the statutes of the present Session included, and that it should be supplemented then by a third volume, embracing the Statutes of the United Kingdom having reference to Canada and in force in Canada, Orders in Council which have the force of law in the Dominion of Canada, and other statutes which hon. members will find in schedule B of the volumes now on the Table, and which contain provisions which the commissioners did not deem it desirable to consolidate, partly because some of them relate to portions of Canada less than a whole Province, partly because some of them have a temporary character, and partly because some of them are of doubtful jurisdiction as between this Parliament and the Provincial Parliaments. When this is done the consolidation will be complete. In stating to the House that the recommendations made by the committee of last Session have been adopted, I should add one qualification. The report of the committee set forth a schedule of amendments which they desired to be made in the revision, and they closed with this general suggestion :

That each chapter be numbered and given a short title, thus :—“Chapter 1—Of Interpretation of Statutes,” in lieu of the long title in the draft, and that all preambles be left out.

The reference to preambles is to the usual expression preceding every Act of Parliament, but not always preceding each chapter of Revised or Consolidated Statutes—“be it enacted by the Governor General,” etc. This suggestion has not been adopted, and it is not proposed to act on it. I understand it not to have been as formal a recommendation as the other recommendations of the committee, and there seemed to be reasons commending themselves to the judgment of the revisers why that suggestion should not be carried out. One is that the practice of having each chapter of the revision appear as a separate Act, is a practice which has been adopted in Ontario, and, I think, in all the other Provinces of the Dominion except New Brunswick and Nova Scotia; and it was the opinion of at least some of the gentlemen connected with the revision in those two Provinces that it would be more convenient, for uniformity and other reasons, such as convenience of quotation and convenience of reference in amending Acts, to adopt the practice pursued in Ontario. With this single exception the Statutes laid on the Table today embody the suggestions which were made by the committee of both Houses last Session.

Mr. BLAKE. The business which the hon. gentleman proposes to engage in is certainly one of some seriousness, and, I think, should demand a little more than that formal attention which he seemed to suppose the House should be called on to give it. If we give it no more than formal attention on this occasion, we shall on no occasion have given it more. The committee only considered it during the last Session of Parliament, and the time and circumstances under which the consolidation was brought down were such as to render it impossible for the mass of members to deal with it. I am glad to find it brought down at so early a period this Session, and I hope it will receive

something more from the House than the formal attention which the hon. gentleman bespoke. I think it ought to, because it involves certain questions which do not arise in ordinary consolidations, one of the most important of which the hon. gentleman incidentally touched upon. I refer to the grave and serious question which arises in our legislative transactions of the power of Parliament to pass certain laws which we assume occasionally to pass. The hon. gentleman has told us, what we were not informed of in the Speech from the Throne, that since last Session arrangements were made whereby the volume now submitted is made to contain the Acts of last Session, a perfectly proper proceeding; and he has informed us in general terms of the character of other changes which have been made. I took the liberty, in the short debate which took place last Session, of suggesting that we might find not merely additions, but perhaps also subtractions in the process of judicious delay, and I did not hear the hon. gentleman gratify our curiosity as to whether those expectations have been realised. Although he alluded to the Acts of doubtful jurisdiction, there is one rather large Act that was in the consolidation of which the jurisdiction is no longer in doubt; I refer to the License Act, commonly called the McCarthy Act. We know not if that will appear; if not, I suppose the hon. gentleman will inform us of the economy of space which has been gained by the subsequent labors of his commissioners. I do not propose to say anything with reference to the principle on which the consolidation has been effected just now. My hon. friend behind me pointed out last Session some circumstances, which I thought very well worthy of attention, with reference to the character of the consolidation. It is of great consequence that it should be framed upon just principles, and it seemed to me the suggestions of my hon. friend were such as might well have been attended to on the occasion of the further consideration which the hon. Minister of Justice tells us has been given to the statutes since that time. But these suggestions may perhaps be more fitly made at a later stage, when we understand exactly what alterations have been made in the volume.

Mr. THOMPSON (Antigonish). I may, in reply to the observations of the hon. gentleman, say that I did not, I think, express myself as desiring that the measure should receive only a formal consideration. I referred to the different stages as being matters of formal proceeding, and it may be that I expressed myself in a way to be misunderstood. I made that remark as a reason why I should enter into an explanation of the Bill at this early stage, and why I supposed it would be more suitable that I should explain now than at the second reading, when I did think the Bill would be passing through a formal stage. But I shall personally, and I am sure my colleagues will also, be greatly gratified if this Bill receive from the members of the House a great deal more than merely formal consideration. With regard to the observations which the hon. gentleman has made as to the statutes of doubtful jurisdiction, I perceive the hon. gentleman has misunderstood me again. The commissioners have not taken the liberty of putting statutes which have passed this Parliament into the schedule of Acts of doubtful jurisdiction. In referring to the subject of doubtful jurisdiction, I referred to Acts in schedule B as Acts which were in force prior to the union of the Provinces, which remain in force in the different Provinces in which they have been passed, and in relation to which, or to some of which, it may be doubtful whether this Parliament has authority to repeal or amend. The particular statute referred to did not, therefore, come within the category at all. The License Act was embraced among the Acts in force, before the decision of the Judicial Committee of the Privy Council, which was arrived at a

month or two ago, but the hon. gentlemen will find, before the Bill passes another stage, that the License Act will be placed in a table of errata at the end.

Motion agreed to, and Bill read the first time.

TRANSFER OF LAND IN THE N. W. T.

Mr. THOMPSON (Antigonish) moved for leave to introduce Bill (No. 10) respecting the transfer of real property in the North-West Territories. He said: The Bill is one which I shall have to call the attention of the House to at considerable length, perhaps, when I come to move its second reading, because it involves not only a great many details but a great many principles in relation to the transfer of lands in the North-West Territories, which it will then be necessary for me to invite the House to consider most carefully. I may state now, as intimating the general outline of the Bill, what the measure proposes. I will begin by stating that it is substantially the Bill that was introduced in the Senate at an early period last Session and which passed that House with a number of amendments. I take the liberty, however, of inviting the attention of Parliament to certain features of the Bill which were eliminated in the Senate. It proposes, in the first place, that there shall be four registries for land in the North-West Territories: one in the Assiniboine district, one in the Alberta district, and two in the district of Saskatchewan. We propose in respect of titles already existing in the North-West Territories certain provisions which will have the effect of bringing all of them on the register. As regards future operations in land, that is to say in regard to all titles emanating from the Crown hereafter, it is proposed that the operation of the Bill shall be compulsory in the Territories. Land patents henceforth will be forwarded to the proper registry office and there take their place on the register; this is with a view of beginning a thorough system of registration of titles in respect to all future operations in land. In respect to lands to be brought on the register, of which the titles now exist, it is proposed that these registrars shall exercise a scrutiny for the purpose of ascertaining correctly the validity of each title and to identify the properties to which the titles appear to refer. The registrar shall then—and this applies both to existing titles and those to emanate from the Crown hereafter—issue a certificate of title, and this certificate shall, while outstanding, operate and give to the person named in it an indefeasible title, such certificate to be conclusive evidence as to the title, so that even the rightful owner, in point of morals and equity, shall have no right to recover the property against the registered holder. It will enable the transfer of land to be accomplished by entering into a memorandum of sale, the form of which is given in the Act. It will make the transfer exceedingly simple in form, available to every land owner, without necessity for professional assistance, and that memorandum is to be consummated and the transfer of the title to be effected by presentation to the registrar, the holder of the property being identified and surrendering his outstanding certificate. This will enable land to be transferred as chattels are, as bank stock is, and as shipping is under Acts relating to these properties. Another important provision of the Bill, and one that did not meet with favor last Session in the Senate, is that which aims at the abolition of the distinction between real and personal property. It is proposed that land shall be in the position of chattels real in the North-West Territories hereafter, thereby at once sweeping away the doctrines relating to real property, which encumber its progress and transfer, and have created a good deal of difficulty in the acquisition and transfer of property in the older Provinces, to say nothing of the accumulation of diffi-

Mr. THOMPSON (Antigonish).

culties with which they have surrounded the acquisition and transfer of lands in older countries still. It is proposed, that on the transmission of land by operation of law, such as by bankruptcy or otherwise, the transfer shall be verified by the registrar and completed in much the same way as is done now in respect of shipping; but in relation to transmission by will or intestacy, instead of its being necessary that the registrar should ascertain the persons on whom the property devolves, there shall be a realty representative, who shall produce to the registrar the will of the deceased or the letters of administration, and that representative shall be regarded as the absolute owner of the property, to deal with it according to the will or according to the law of intestacy, it being the policy to take no notice of trusts and to provide that trusts shall not bind the land, although they may be enforced by the courts against the trustee, and, in some instances, against the land itself by decree. This is to accomplish the object of having every holder take his position on the register as being, to all intents and purposes, the absolute owner of the property. There is one additional provision that I should mention, and that is a provision for compensation for mistakes that may be made by the registrar in the discharge of his duties. It is obvious that, when we undertake to give an indefeasible title by the act of the registrar, we must provide against the contingency of a *bond fide* owner of property being divested of it by the error or mistake of the registrar; and this Act provides that compensation shall be made to any such owner who is so divested of his property. I am not prepared just now to say that the details of the Bill, in that particular, as now prepared, will be entirely satisfactory. It may be that, at a subsequent stage of the Bill, it may be found necessary to provide for an augmentation of the fund created by the present Bill, but I think that the explanations which will be made of the operation of the Act in countries where it has been adopted will be such as to allay the feeling of alarm which would naturally be excited by the idea of compensation being provided for the land owners dispossessed by the act of the registrar. I need not go into the details now, but I may say, in a general way, that the experience in the countries where this system has been adopted has been that an exceedingly light tax, based upon the value of the property brought before the registrar, has been found far more than ample to provide for the mistakes which have to be corrected. In South Australia—I think in most of the Australian colonies—one halfpenny in the pound on the property brought before the registrar has been found so far from being insufficient to meet the expense that it has accumulated, until it now reaches something like £38,000 or £40,000 sterling in one colony. The objects of the measure, and the features which I have stated are, then, in the first place, in relation to land in the North-West Territory, to give security of title equal at least to that provided in the other Provinces, and to some extent there, by the registration of deeds; in the second place, to provide for cheapness and ease of transfer far greater than can be provided under any system of registration of deeds whatever, and to provide, once for all, and at this early stage in the history of the North-West Territory, a system of land laws which will obviate for all time to come, in relation to those territories, the inconvenience, the expense and the difficulties in relation to the holding and transfer of land which have reached a serious magnitude in some older countries. I will be able, at a subsequent stage of the Bill, to lay before the House some details of the operation of Acts of this character in the countries in which this system has been adopted, but I think I am justified in saying now, in a general way, that the experience of every country in which it has been adopted,

including all the colonies of Australia, New Zealand, in British Columbia, and in some parts of the Indian Possessions, it has been most satisfactory in its working, and has met to the fullest extent the objections of those who were opposed to its introduction, and that it is a measure which can be safely adopted in any Province, Colony or Territory in the position of the North-West Territory. Very recently a publication has been made in the United Kingdom by the incorporated Law Society, which, as we all know, is composed of gentlemen who are qualified in the highest degree to give an independent and wise opinion upon the value of a measure of this kind. I have had the opportunity of giving some attention to their publication, and I have been struck by nothing in it more than by this fact that every objection which they make to the introduction of such a scheme as this into the United Kingdom, is one which, I am happy to say, we are free from in legislating in regard to the North-West Territory. In the first place, there are the great disadvantages which any change in the Land Laws involves in the Mother Country, in the disturbance of the habits, the prejudices and the customs of the country, in relation to the holding, transfer and settlement of land; and there is also the difficulty of bringing before the registrar titles of great age, involving great difficulties, causing a great deal of delay and expense in their investigation, and, more especially, the difficulty which exists there in connection with the identification of persons and in relation to the changing of boundaries from time to time. In the North-West Territory we have a system of survey which is peculiarly advantageous in regard to the application of a system like this, and, what is of more consequence, we have proximity to the root of the title itself. The titles now in existence there are of modern date in comparison with those which exist in other countries, and we have yet to issue very many of the titles to those lands which will no doubt be called for in the course of a few years. These circumstances make it desirable, I think, that a Bill like this should be adopted in relation to the North-West Territory, and I therefore move its first reading.

Mr. MILLS. This is, no doubt, a very important subject, and one which, I believe, the Government or one of their supporters has introduced to the attention of the House on some previous occasions. As early as 1873 I had the honor, as a member of the Government of my hon. friend from East York, to introduce a measure on the same subject, or one of a cognate character, and that has been upon the statute book from that day to this, but the portion of the measure which provided for the registration of titles has never been dealt with up to the present moment. I know that, on that occasion, the organs of the hon. gentleman who leads the Government took very strong ground against the proposed change in the registration of titles for real property. I suppose, now that the measure emanates from that side of the House and has the support of the Minister of Justice it will receive different treatment from what it did some years ago. Of course I do not know what the provisions of the Bill, as introduced by the Minister of Justice, are, but I think there were some serious defects in the measures which the hon. gentleman on that side of the House submitted to the consideration of Parliament on this subject. I may mention one or two of those defects. The Bill provided that property, on the death of an intestate, should vest in the real or personal representative, but it made no provision whatever for the partition of the estate. Now, unless that is done, there will be really no provision for the registration of the estate in the interest of the various owners to whom it would devolve by succession. Of course, I will not say anything with respect to the provisions of the hon. gentleman's Bill, because I have not got it before me,

and cannot discuss it in this respect, but I have no doubt that it will be a very great improvement upon the law as it now stands—that it will greatly facilitate the searches made in respect to titles, and will cheapen the transfer of real property. Unless, however, the hon. gentleman's Bill does provide for the registration or partition of estates, it will certainly be defective.

Mr. THOMPSON (Antigonish). If I understand the hon. gentleman's objection, the Bill provides for it, but I will carefully consider his suggestion.

Motion agreed to, and Bill read the first time.

PREVENTION OF CRUELTY TO ANIMALS.

Mr. CHARLTON moved for leave to introduce Bill (No. 11) for the more effectual prevention of Cruelty to Animals. He said: This Bill was introduced last Session, but at too late a date to receive the consideration of the House. It imposes penalties for maliciously killing animals, for unlawfully and maliciously attempting to kill, for acts of wanton cruelty, for injury done to animals in driving, for using live animals as targets, and for neglecting impounded animals. It also makes provisions with regard to the transportation of live stock on railways, the feeding of such animals, periods of rest, care of cars, etc. The Bill, when printed and distributed, will, I trust, in its humane and merciful provisions, receive the approbation of the members of this House.

Motion agreed to, and Bill read the first time.

MORTGAGES ON REAL ESTATE.

Mr. McMULLEN moved for leave to introduce Bill (No. 12) to amend the Act relating to interest on moneys secured by mortgage on real estate. He said: In 1880 an Act was passed providing that moneys secured by real estate mortgage, if paid after the lapse of a certain period, could be paid off on certain conditions. One condition was that the mortgager should pay three months' interest in advance. I propose to alter that clause, providing that three months' notice may be given. I also propose to shorten the period from five years to three years, as mortgages are now usually drawn upon real estate for a period of five years. I also propose to put in another clause that will permit the mortgagee or any other person entitled to pay the encumbrance on any property to pay it off at a shorter date than three years under certain conditions.

Motion agreed to, and Bill read the first time.

SUPREME COURT.

Mr. LANDRY (Montmagny) moved for leave to introduce Bill (No. 13) to limit the appellate jurisdiction of the Supreme Court as respects matters of a purely local nature in the Province of Quebec.

Several hon. MEMBERS. Explain.

Mr. LANDRY. The title explains for those who want to understand.

Motion agreed to, and Bill read the first time.

TIMBER LICENSES IN THE DISPUTED TERRITORY.

Mr. WALLACE (York) enquired, How many applications have been made for licenses to cut timber within what is known as the "Disputed Territory" since 1872, giving the number in each year? How many Orders in Council were passed authorising the issue of such licenses, giving the number in each year? How many licenses were actually issued, stating the number in each year and the period for which they were issued respectively? The amount paid for ground rent of timber limits, stating the number of payments made on passage of the Orders in

Council before the issue of the license and the number who paid after the issue of license? What amount has been received by the Department of the Interior for dues on timber cut under license, and how many licensees have made payments on account of dues? How many persons have at this moment authority by license to cut timber in the "Disputed Territory," and for what periods respectively do their licenses extend? How many permits have been issued, in each year since 1872, to cut timber in the "Disputed Territory?" What amount has been received by the Government as dues on timber cut under such permits? How many persons are at the present time authorised to cut timber under permit in the "Disputed Territory?" Has any sum, and, if so, how much, been refunded to persons who have paid money to the Department for timber licenses or permits but who have cut no timber under such licenses or permits?

Mr. WHITE (Cardwell). In answer to the first question, there were 308 applications made, as follows: in 1872, 11; 1873, 2; 1874, 2; 1875, 5; 1876, 1; 1877, 2; 1878, 1; 1879, 6; 1880, 4; 1881, 11; 1882, 26; 1883, 108; 1884, 126; 1885, 3. On the second point: There were 115 Orders in Council, made up as follows: 1873, 4; 1874, none; 1875, none; 1876, none; 1877, none; 1878, 1; 1879, none; 1880, 2; 1881, none; 1882, 1; 1883, 48; 1884, 60. On the third point: There were 4 leases for the term of twenty-one years, and 23 yearly licenses expiring on the 31st December of the year in which they were issued. Of these, 1 was granted in 1875, 1 in 1876, 1 in 1878, 1 in 1880, each of these being leases for twenty-one years; 18 were granted in 1884; 7 in 1885. Of these yearly licenses, I may say 23 in all have lapsed, and have not since been renewed. No licenses have been issued for 1886. On the fourth point: The amount paid for ground rent is \$18,263.35 altogether. Twenty-three persons paid \$7,578.28, prior to the issue to them of their respective licenses, as ground rent for 1884; twenty-four persons paid various sums, amounting in all to \$5,624.81, prior to receiving the instructions for the survey of their respective berths, but have not yet received their respective licenses. All the leaseholders (three) and four of the licensees have paid ground rent since the issue of their respective leases or licenses. The licensees who thus paid did so for the year 1885, and the amounts paid by them was \$1,005.03. On the fifth point: The lessees of twenty-one years, or their assignees, have paid to this Department the sum of \$27,520.86. The holders of yearly licenses cut no timber, so far as we know, under their licenses, and paid no dues. On the sixth point: The following three firms only:—The "Rainy Lake Lumber Company," "The Keewatin Lumbering and Manufacturing Company," and "Messrs. Dick and Banning." All those are cutting under twenty-one year leases, the first named expiring in the year 1896; the second in the year 1896; and the third, who are the assignees of W. J. Macaulay, hold two such leases, covering in all a tract of 100 square miles. One of these leases expires in 1899, and the other 1901. On the seventh point: No permits were issued to cut timber in this Territory prior to the year 1881; since that time 63 permits have been issued as follows: 1881, 5; 1882, 14; 1883, 28; 1884, 16. We have collected the sum of \$27,416.32 as dues on timber cut under permits in the disputed Territory. All those permits have expired. Under the regulations all permits expire on the 1st of May next succeeding the issue thereof; consequently as no permits have been issued since 1884, there have been none such in force since May 1st, 1885. There has been no refund made to any of the parties who have paid money to the Department, but have cut no timber under such license or permits.

Mr. WALLACE (York).

DISTURBANCE IN THE N. W.—CLAIMS PAID.

Sir RICHARD CARTWRIGHT asked, What amount has been paid from the 1st July, 1885, to the 1st March, 1886, on account of the recent rebellion in the North-West, or of claims arising therefrom?

Sir ADOLPHE CARON. The expenditure by the Militia Department from 1st July, 1885, to 1st March, 1886, on account of the recent rebellion in the North-West, or for claims arising therefrom, has been \$2,286,960.

Sir RICHARD CARTWRIGHT. My question covers all the expenditure—not that of the Militia alone. Perhaps the Minister of Finance can inform me whether the only expenditure made has been through the Militia Department?

Mr. McLELAN. The statement in the Finance Department of the amount paid from 1st July, 1885, to 1st March, 1886, on account of the recent rebellion in the North-West, or of claims arising therefrom, is as follows: Miscellaneous Justice, including North-West Territories, \$35,577.83; expenses and losses arising out of troubles, including expenditure by the Department of Militia for transport of troops, etc., \$2,128,310.01; sundry claims for losses paid, \$65,790; expenses of North-West rebellion losses commission, \$2,017.65; or a total of \$2,231,695.49.

Sir RICHARD CARTWRIGHT. Is that in addition to the other amount?

Mr. McLELAN. No. This is the whole amount we have entered in the Finance Department as having been paid.

Sir RICHARD CARTWRIGHT. So that \$2,300,000 in round numbers covers the whole amount up to date?

Mr. McLELAN. Yes.

THE PUBLIC DEBT.

Mr. CHARLTON asked, What was the amount of the net public debt on 1st March, 1886?

Mr. McLELAN. \$208,522,695.15.

DIGBY PIER.

Mr. VAIL asked, Is it the intention of the Government to make such temporary repairs to the Digby Pier, as will admit of steamers landing passengers and freight on said Pier till the permanent work is completed; if so, when will the work be commenced?

Sir HECTOR LANGEVIN. It is the intention to immediately proceed with the work.

DISTURBANCE IN THE NORTH-WEST—CLAIMS COMMISSION.

Mr. CASEY asked, Whether the Commission appointed to settle claims arising out of the North-West rebellion (connected with the Department of Militia and Defence) has yet reported, and if so, when its report will be laid before the House?

Sir ADOLPHE CARON. A preliminary report of the commission referred to will be laid on the Table of the House in a few days.

SETTLERS IN MANITOBA AND THE NORTH-WEST.

Mr. CHARLTON asked, What is the number of settlers supposed to have settled in Manitoba and the North-West Territories in the calendar year 1885?

Mr. CARLING. The number of settlers supposed to have settled in Manitoba and the North-West Territories for the year 1885 was 7,240.

CENSUS OF MANITOBA, NORTH-WEST TERRITORIES AND KEEWATIN

Mr. CAMERON (Huron) asked, Has the census of Manitoba, the North-West Territories and the District of Keewatin, or either of them, been taken under the Act 48 and 49 Victoria, Chapter 3? If so, what, by said census, is the white population of Manitoba, the District of Keewatin and of the North-West Territories separately, and what is the Indian and half-breed population in each?

Mr. CARLING. The census of Manitoba and the North-West Territories and the District of Keewatin has not been taken under the Act referred to. A census of the three districts of the North-West Territories, Assiniboia, Saskatchewan and Alberta, was taken in August, 1885. The population of the three districts was as follows: Whites, 23,344; Indians, 20,170; Half-breeds, 4,848; total population, 48,363.

FLOUR SUPPLIED TO NORTH-WEST INDIANS.

Mr. PATERSON (Brant) asked, Were any samples of the flour supplied to Indians in the North-West submitted, on behalf of the Government in the years 1884 or 1885, to any persons not in the service of the Government, to inspect and report thereon?

Sir JOHN A. MACDONALD. Yes; on several occasions. Thomas McKay & Co., millers, of Ottawa, have examined the flour sent from Ottawa to the North-West. Lieut-Governor Dewdney has frequently had the flour examined in the North-West by parties not in the service of the Government.

TRIAL OF LOUIS RIEL.

Mr. AMYOT moved for:

Copies of all documents forming the record in the case of Her Majesty against Louis Riel tried at Regina, including the jury list, the names of the jurors challenged, and by whom they were challenged, the list of the jurors empanelled, the motions and affidavits filed, the evidence, the incidents of the trial, the addresses of counsel and of the prisoner, the charge of the Judge, the names of the Judges or Assistant Judges who tried the case, the names of the counsel for the prosecution and for the defence; and in short, of every document whatsoever relating to the trial, and also of the verdict and of the recommendation to the mercy of the Court.

Mr. THOMPSON (Antigonish). All the papers embraced in this motion which are accessible, will be brought down in compliance with it.

Mr. BLAKE. I suggest to the hon. gentleman whether it would not be fitting to lay on the Table of the House formally, those documents which, during the recess, were circulated among members. Those documents emanated from the Administration; I refer to the memorandum from Sir Alexander Campbell.

Sir JOHN A. MACDONALD. Certainly.

Mr. BLAKE. I believe that document was very extensively distributed throughout Canada, and it appeared with the imprimatur of the Queen's Printer. I also refer to the report, or the so-called report of the trial. The Administration having taken the course of issuing the document during the recess, should have submitted it all spontaneously.

Mr. THOMPSON (Antigonish). This is embraced in the report of the trial.

Mr. BLAKE. I did not observe that the motion is wide enough to embrace the report of the evidence, but I made an observation relative to the hon. gentleman's motion, but entirely independent of it. I am making the suggestion that it is incumbent on the Administration, in taking the course of issuing these documents, themselves to lay them on the Table.

Motion agreed to.

RESPITES GRANTED TO LOUIS RIEL.

Mr. AMYOT moved for:

Copies of all Orders in Council respecting the several respites granted to Louis Riel before his execution.

Mr. THOMPSON (Antigonish). There are no such Orders in Council.

Motion withdrawn.

POST OFFICES IN NORTHERN DISTRICTS.

Mr. COOK moved for:

Return of the number of Post Offices established in the Muskoka, Parry Sound, and Nipissing Districts, with the cost and revenue of each office for each year respectively, since 1879.

Sir HECTOR LANGEVIN. We will give all the information we can, but the cost for each year would be very difficult to obtain. We will, however, give the information as near as possible.

Motion agreed to.

ELECTORAL FRANCHISE ACT—INSTRUCTIONS TO REVISING OFFICERS.

Mr. CASEY moved for:

Copies of instructions or circulars issued to Revising Officers in regard to the performance of their duties under the Electoral Franchise Act of 1885.

He said: My object in making this motion is partly to call attention to what seem to me certain peculiarities in the conduct of some revising officers in the preliminary steps they have already taken towards forming a list of electors; and in the second place, to ask the Government whether instructions have been issued, or will be issued, to these revising officers, such as will secure greater uniformity in, and conformity with, the law, in the subsequent proceedings of the officials in question. The Act of last Session is presumably intended not only to secure the uniformity of the franchise throughout the Dominion, but to afford facilities to those entitled under the Act to obtain registration on the list of voters. But, Sir, unfortunately the revising officers are left by the Act in such a position of absolute unaccountability, irresponsibility, and plenary power, that the degree of uniformity of power obtained and the facilities afforded for registration in the different electoral divisions throughout the Dominion, depend entirely upon the will, the pleasure, or the whim of the revising officers for those divisions. The Act, as we pointed out from this side of the House very frequently last Session, if it does not directly encourage the putting of obstacles in the way of the elector who claims the franchise, affords tremendous opportunities for the putting of such obstacles in his way by these officers having the power, if they have the will, to place such obstacles. Now, the action of the revising officer who was appointed for the riding I represent, as well as for the other riding of Elgin, will illustrate perhaps better than any mere hypothetical statement of possibilities—the degree of irritation, the trouble and expense, that may be imposed on the elector who seeks to have his right to vote authenticated by registration on the list. If I refer to his actions in some detail, it is not for the sake of making an attack on that revising officer in particular, so much as for the sake of pointing out to the House and the country the dangers to which this Act subjects those who now claim the vote for the first time, to warn the electors of other parts of the Dominion of the troubles to which they may be subjected, and to notify them of the course they ought to pursue in order, with certainty, to obtain registration. My object is also to draw the attention of this House to

such conduct as I am about to describe, in the hope that its opinion may be of such a nature as to have a wholesome effect on other revising officers, and perhaps upon this same revising officer himself, in the performance of their subsequent duties in connection with the lists. The revising officer is called upon to perform, as has been frequently pointed out, a double function. He is not merely a revising officer—he is also a compiling officer; and the name he bears is derived only from the second part of his duties, that of revising and criticising the work he has already done as a compiler. It will be remembered, no doubt by everybody, but I must state it again in order to avoid obscurity in my remarks, that the first duty of the revising officer is to obtain copies of existing voters' lists, poll books and other documents of that kind, showing who are entitled to vote during the year before the Act was put in force. The Act goes on to state that with the assistance of those assessment rolls which he is to take as *primâ facie* evidence of the qualification of the persons named thereon, and "such other information as he can obtain," he is to go on and make his primary list of voters. The Act made no provision as to what he should consider sufficient or proper information to justify him in putting the name of any elector upon the first list. During the debate on that point the right hon. Premier expressed his view that it was the duty of the revising officer, in making the first list, to obtain what was to his mind satisfactory *primâ facie* evidence of the right of each applicant to have his name placed on the list. If he was satisfied, on the face of the application, and without any evidence being adduced, either pro or con, that the person who claimed to be registered had a *primâ facie* right to be registered, he was to insert that name in the list, and leave those who objected to it to move afterwards for its removal at one of the two courts of revisor. The revising officers of Ontario met in convention before their duties began, and if I remember correctly, adopted a formal agreement that they would accept no other information besides the assessment rolls and the voters' lists, except in the form of applications either from individual voters or from one person, putting in a list of voters in both cases authenticated by a statutory declaration. I am not aware how far this rule has been adopted by revising officers in other Provinces, or whether it was adopted at the suggestion of the Government, or at the instance of the revising officers themselves. Even under that rule, which has been adopted in Ontario, there has been great lack of uniformity. Some revising officers have accepted applications for the insertion of a long list of names, authenticated by one declaration, made by the person who compiled the list. Other revising officers, among whom I must number the one for the east and west ridings of Elgin, required individual declarations made by each person who claimed the right to have his name placed on the list. Some revising officers, I am informed, in other Provinces than Ontario, perhaps in Ontario as well, have refused to accept any applications or to pay any attention to any declaration of qualification until after the publication of the first list, saying that the proper time to make these declarations is at the preliminary revision, in which decision I think they are contravening the very words of the Act. Others have received such applications, and have taken what seems the obviously proper course of giving notice of a day on which the list should be completed and sent to the printer, so that the electors in the division who have not been registered might know the time within which to put in their applications. Others do not give this notice, among whom again I must number the revising officer for the Elgins. Of those who have accepted and dealt with those applications, some have simply given no notice whatever to the applicant, whether his application has been successful or not. Others have returned the rejected applications,

Mr. CASEY.

with reasons endorsed, directly to the applicants. Others, as again the revising officer for the two Elgins, have returned the rejected applications in batches to the persons through whom they were sent in. That is the course he has pursued in the east riding. In the west riding, so far as I am aware, he has returned no rejected applications to anybody except the revising officer's clerk, and they have lain in the clerk's office until the president of the Reform Association applied for them and got them; so that the persons whose applications were rejected did not know it in time to make a second application in a more acceptable form and thereby get their names on the list. Unfortunately, these acts of the revising officer, who happens also to be a judge, cannot be questioned; his rule is absolute; no appeal can be had from it; and it is all the more necessary that his action should be criticised in this House, which I consider is the proper place in which to criticise it, and that the attention of the House should be given to it. I said that the revising officer of Elgin, insisted on individual applications being made by parties claiming registration. The result was that both parties circulated large numbers of printed forms of applications and declarations amongst their friends, asking them to fill them up and send them in to the revising officer's clerk. This was done. Now, to carry out the spirit of the Act, to carry out the policy announced by the Premier himself last Session, the course of the revising officer, when these applications were sent in to him, I conceive should have been this. He should have simply required an intelligible statement from each individual elector as to the qualifications he claimed, and a sufficient identification of his property, where the qualification was a property qualification, and an intelligible declaration as to the other points required from resident income voters and others. Instead of doing that, he has assumed to treat these applications as he would a technical pleading in court; he has assumed to require an absolute adherence to the wording of the Statutes; he has assumed to require that no contraction of words shall be used, and that ordinary business language shall not be sufficient, thereby making it absolutely impossible for any ordinary farmer, farmer's son, tenant, mechanic, laboring man, or other person unlearned in the law, without having a copy of the Act before him at the time of his application, to put in an application satisfactory to this lynx-eyed official. By such conduct he has gone far towards practically disfranchising all those classes of voters. Of course their chance is not entirely gone yet. They have still the opportunity of going to the first or second Court of Revision and having the error of the revising officer rectified; but this is subjecting them to great cost and great trouble; so that, if he is not disfranchising these parties, he is imposing upon them a tax which the law did not contemplate, as the sole condition on which their names should be registered on the voters' list. It may be said, why did they not consult a lawyer and get their names registered? Everybody does not wish to go to the expense and trouble of consulting lawyers with regard to this matter, and the necessity of consulting a lawyer before we can claim our undoubted legal rights to exercise the franchise. We have been accustomed to see our names put on the voters' list by the sole action of the local municipal authorities, and that is the rule in every Province as regards the Provincial franchise. It is only in regard to the Dominion franchise that a man must be taxed to secure the franchise. Even a reference to a lawyer would not, in every case, secure this right to the voter, for a great many of the applications I intend referring to were drawn up by lawyers, and the applications were rejected by the revising officer as incorrect in a technical sense. When I say these applications were rejected on mere legal quibbles, I am prepared to back up my assertion by reading a few of the objections raised, and giving the House the substance of the applications

themselves, so that the House may judge whether the objections were quibbles or not. The first case I meet is rejected as being illegible. The revising officer endorses these words: "Many of the words are to me perfectly illegible." I submitted the application to several gentlemen, who had never seen the applicant's handwriting before, and they all declared that every word of the application was legible; while, on the other hand, some of us had considerable difficulty in making out the endorsement of the officer. I submitted the application to the editor of a newspaper, a gentleman who understands manuscript pretty well, and he said it was good copy, such as compositors would declare excellent. If applications are to be rejected on the ground of their being illegible to the revising officer, though perfectly legible to other people, we can only come to the conclusion that the officer is not fit for the place. On another application the officer endorsed that he is the judge of the facts and that no conclusion should be stated in the declaration. Then we have another one rejected on the ground that "the declaration must show that the applicant is a tenant on lease." The applicant simply states the nature of the property on which he claims to be qualified, and that he holds it as tenant and has held it as such for the required period, but he omits to say "under lease." I think there is a fair presumption when a tenant has held property for some time, he is holding it under lease. If I am not wrongly advised by legal gentlemen, a lease, under the wording of the law, need not necessarily be a written document, a verbal agreement being sufficient. Another application in which the applicant states: "I am a wage earner of at least three hundred annually, and have derived such wages and have been such resident for one year before the first of January, 1886," is objected to because the word "dollars" is omitted, as if the applicant could have meant cents; and again on the ground that "wage-earner" is not sufficient, that the applicant "must derive an income from his earnings." I take that to be a technical quibble. We know that a wage earner means a laborer in some calling, and not a salaried official, or he would call himself so. I do not think it is the officer's business what the man's calling is, so long as he is shown to derive an income, wage or salary, of \$300 from whatever he does. His legal description is not entered on the voters' list; he is merely put down as an income voter, and it does not matter in the least from what source he derived an income, so long as it is not from an investment out of Canada. Here is a very remarkable case: A man applies to be registered, saying he is owner of a lot on such a concession in such a township, and is assessed on the same for the sum of \$150. The officer endorses: "if it is not too late and his name appears on the assessment roll at a valuation of \$150, it may be entered; otherwise not." He objects to a reference to the new assessment roll as a proof of value, but if the name is on the old assessment roll he is willing to keep it. What right has he to object to the new roll? He is obliged by section 16 to take the assessment roll as *prima facie* evidence of the value. It will be rather startling to hon. gentlemen concerned in the passing of the Act last Session to be told that wages earned will not qualify. "It is not sufficient to earn wages," says the revising officer—you must "derive an income." But how can a man earn wages and still be said not to derive an income from his work in money or money's worth. That is a peculiar state of things that no one can understand. I think it is only the mind of a revising officer that could conceive such a state of things. Here is another one rejected because the legal description of the applicant is not inserted. I argued before, that there is no necessity to insert the legal description. It is nobody's business what the man is as long as he has the required income. Again, another point is made that the declaration says: "I am a British subject by birth or naturalisation," and our intelligent revising officer says he must state

whether he is one or the other, and will reject the statement that he is a British subject by either the one or the other.

An hon. MEMBER. He is a painstaking officer.

Mr. CASEY. Yes; he has taken all pains to find excuses to reject these declarations. Another application states:

"I derive an income from my trade of not less than \$300 annually, and have so derived such income and been such resident for a number of years, and now reside at the village of Morpeth."

The intelligent officer says he "must have been in receipt of such income for twelve months next before the first day of January, 1886." He cannot understand that, having been there for a number of years, he must have been there for twelve months.

Mr. VAIL. What is the officer's name?

Mr. CASEY. His name is Hughes. Here is another one rejected. The applicant states that his name is John Praschau; that, by a mistake on the voters' list, his name and that of his father had been exchanged; that he has been put down as the farmer and his father as the farmer's son, and that he desires to be put down as the son of the man who owns the north half of lot 3, in the 11th concession of Aldborough. This is refused on the ground that he must state the value of the real estate. It happens that both the farmer and the son are on the voters' list which the judge is to take as the *prima facie* evidence, and yet he rejects this application and throws them both off. This man's father is shown by the declaration to own 100 acres in a prosperous part of the country, which the judge must have known to be worth much more than \$300, and if that is not *prima facie* evidence I do not know what is. Here is another case in which the judge objects to a man stating he is a British subject by birth or naturalisation, and he goes further. The man states:

"I am the son of Donald Campbell, of the Township of Howard, in the County of Kent, who is the occupant and owner of the south half," &c.

The judge endorses this:

"Is he a British subject by birth or by naturalisation? Which is it? In what municipality is the land situated?"

The man swears he is the son of Donald Campbell of such a lot in such a township, and has been a resident thereon with his father for one year before the 1st January, and this intelligent official wants to know the municipality in which it is situated after being told the lot, the township and the county, and that the man has resided upon it continuously for a certain time. The applicant in this case is not a Conservative. Here are several others endorsed "too late, list printed." This recalls the remark I made before that notice should have been given of the time when the list would be printed so that applications might be put in before that date. Here is one who swears he is the son of Donald Shaw, who owns certain land which is worth \$6,000, and that he has been a resident on the said land at least one year prior to 1st January, 1886. The judge says he must have been a resident "continuously" on the farm. Well, if he were dealing with a pleading in court upon which a large sum of money depended, perhaps such quibbling might be defended, but to require from a farmer's son who fills up his own declaration such an amount of legal acumen as to insert every particular word would be to require impossibilities, and to make it impossible for these persons to be registered. Another person swears he has been occupant of a lot for a certain time, describing it definitely, and the revising officer cannot make out in what municipality that is situated. This again is the type of a considerable number on which I ask the judgment of the House and of the lawyers in the House. The applicant declares that he derives "an income as a railway em-

ployee sufficient to qualify as a voter under this Act." The judge states that he "should state facts and not conclusions. The returning officer and not the declarant is to judge of the right to be placed on the voters' list," meaning that he should state the amount of his earnings. I think, as the revising officer is only to require *prima facie* evidence, the solemn declaration should be sufficient, but I admit that that is not such a glaring case as some of the others I have quoted. Here is another person who claims to be registered as a fisherman, because he has boats and nets to the value of \$200, and continues:

"I am a tenant of property for which I have paid rent of \$40 per annum for the last two years."

He is rejected because he cannot be registered as a fisherman unless he owns real estate besides his nets, &c., and unless he is a tenant under lease. He is disqualified because he has omitted the words "under lease." I have seen, though I have not in my hands, any number of other rejected applications from the other riding of Elgin, rejected for even more frivolous reasons than these. In one case it was because the applicant stated that he has been the occupant for one year "preceding" the 1st January, 1886, instead of one year "next before" the 1st January. This keen-sighted judge saw such a distinction between "preceding" and "before" as to invalidate the application on that account. In another case a young friend of mine put in an application for a second person, which was rejected on the grounds that it was not in due form. To make that right he put in a second application in the words of the Act, "in money or money's worth," and that was rejected because it did not say whether it was in money or in money's worth. Probably some of my friends in the neighboring riding have such instances to bring up, and I will not go into any more of them. I wish to say, in a general way, of this line of conduct, that it is simply an act of oppression and taxation to the persons who are duly qualified to vote, but who cannot obtain the legal recognition or right without being put to the trouble and expense which this proceeding will cost them. Undoubtedly these persons will apply to the preliminary or final court of revision to get these quibbles set aside and have their rights recognized; but that will involve a large expense to these parties, and probably it will also involve a considerable expense to the country. I do not yet know upon what scale the revising officers are to be paid for the work, but it is reasonable to suppose that the pay will have some relation to the extent of their work; and if they can show that they have a large amount of work to do on this primary revision, in all probability they will claim larger salaries on account of it, even if they are not paid by the day while they are doing this work. We know it is to the interest of the revising officer to make as much work for himself as he can by forcing people to go to the primary or final court of revision instead of putting the names on the first list. I do not say this gentleman is doing it for that purpose, because I do not pretend to see into his motives; but it is a temptation to any irresponsible official in that position, to make work in the hope of making pay for himself, and that temptation ought to be removed. I say it will be a source of cost to the individual and to the community to deal with the primary applications in the way in which these have been dealt with. I hope the House will express such an opinion on the matter as will prevent other revising officers from acting in a similar way, and perhaps prevent this one from acting in a similar way in the future. But there are other matters besides applications on which I want to be informed, and which I intend to cover by my motion. If the motion is not sufficiently explicit to call for them, I hope I shall be allowed to amend the wording of it in such a sense as to obtain the information I want. I am

Mr. CASEY,

informed that instructions, and letters, have been sent to revising officers in regard to the cost of printing voters' lists, which I take to be a part of their duty, as expressed in my motion; and I intended to obtain those instructions along with the other papers by the motion I proposed. If the Minister will state to me whether he considers this motion sufficient, and will consent to its amendment if not sufficient, I shall be obliged to him. The Act calls undoubtedly for a considerable amount of printing, and we want to know whether we are getting it in the cheapest way possible, if any competition is allowed for it, or whether the printing of the lists is given entirely at the will and pleasure of the revising officer; also what the probable amount of it is likely to be in each constituency. With these remarks, I simply ask the Minister in charge of this subject, for any explanations he may give as to what instructions are issued, or will be issued, and when they will be brought down.

Mr. CHAPLEAU. There is no objection to laying before the House copies of the Orders in Council, circulars and instructions, or rather suggestions, that have been sent to the revising officers by the Department which has undertaken the administration of the Act. My hon. friend, I suppose, does not expect me to answer here the brief that he has laid before the House against the actions of the revising officer in the division which is represented by the hon. gentleman. According to the Act, one of the functions of the revising officers is to make a compilation of the voters to be put upon the list. He is to obtain his information from the lists of voters already existing, from the assessment rolls already existing, of which he is to get copies and that information is to be *prima facie* evidence that the voter's name should be put on the list; while it is also the duty of the revising officer to get any other information that he may procure to assist him in preparing these lists. It may be, as the hon. member has said, that some of the revising officers have understood that, either by necessity, or by the interpretation they gave to the Act, they have not to go beyond the voter's list and the assessment rolls already existing, in preparing their first list. Others, however, interpret the Act as allowing them to take other information to aid in the compilation of the list which they have to publish before the first of March. Of course, the revising officers have a certain amount of discretion in the exercise of their duty. The hon. gentleman has pointed out some of the inconveniences under which they labor. These might be remedied at the first revision; certainly at the last revision. With regard to the applications which appear to have been rejected, and which the hon. gentleman has partly read to the House, if there is any inconvenience it is that which necessarily arises from the working of a new Act which extends the franchise in this Dominion. Nobody will deny that in the first application of the law there will necessarily be a certain amount of difficulty, trouble and inconvenience; but I think, also, every one will admit that after the Act gets thoroughly into operation there will be much less difficulty and friction, and that system will be found to be easier than the present system of registering votes, and will be found to work more satisfactorily, more impartially, and less subject to partisanship in preparing the lists. I hope, and I am sure the country hopes with me, that after a little while there will be far less litigation before the courts than we have seen heretofore in the contestation of the lists. The lists, as prepared according to this Act, will be more complete, better made and more satisfactory in every respect; and if, after experience, it is found that any amendments are required, they can be adopted, so as to make the law more intelligible and give less trouble in its administration.

Mr. CAMERON (Huron). I think the House was fairly entitled, at the hands of the Minister who has undertaken to reply to my hon. friend, to some explanation as to

the conduct of the revising officers whose actions are called in question by this motion. It is not simply the statement of the hon. member from West Elgin (Mr. Casey) we have to deal with, but the hon. gentleman has fortified his position by sworn declarations made by nearly a score of persons who applied to be put upon the voters' list in the riding of West Elgin. And so far as one can judge from the declarations, they appear to be a full compliance with the letter as well as with the spirit of the law. Yet we have this revising officer promptly rejecting those applications and refusing to put those names on the voters' lists, and the hon. gentleman does not think it necessary to give any explanation or say a word in regard to that grave charge. The hon. gentleman states that they expected to have a little difficulty, a little rasping in the working of the statute at the beginning. We so stated last Session; but the hon. gentleman and other hon. gentlemen declared that it would work with perfect ease, that there would be no difficulty in working the statute, and that justice would be done to both sides of politics. Well the explanation which the hon. member has given shows very clearly that justice is not being done to somebody. The Secretary of State says: "Well, it is true that those men may have failed in their applications, but, if they failed to get upon the preliminary list, they may be admitted at the final revision." But the hon. gentleman forgets the expense, and trouble, and worry, and annoyance endured by those men, who by the letter and spirit of the law are entitled to vote and are yet called upon to make an application before the revising officer to be put upon the voters' list in that way. I would ask the hon. gentleman what guarantee there is, if the revising officer has rejected an application, backed up by the sworn declaration as to qualification, in making the preliminary list, that the same officer will not, upon some pure technicality, reject the application on the final revision. Then the applicant is helpless; he has no remedy, he has no appeal. For hours, nay, for days, we urged on the floor of Parliament last Session that the Government should give the voter some protection against the partisanship or misconduct of revising officers, by allowing an appeal to the Superior Court, but we were told that there would be no remedy and no appeal. Hon. gentlemen declared they were appointing a class of men who would be above partisanship, who would deal out fair play to both sides of politics, who would do justice as between man and man; and yet we see the kind of justice that is being meted out in the riding of West Elgin. West Elgin is not an isolated case. There are many instances and cases where returning officers have pursued precisely the same course. To some extent, I think, the responsibility rests on the shoulders of the Government. They did not prepare rules or give sufficient instructions to the revising officers to secure a uniform practice, or if the Government did issue such instructions, the officers paid no respect to them. In one county you will find the revising officer positively refusing to give to those on one side of politics the slightest indication as to the mode of procedure or as to the time when he would make up the preliminary list. In another county we find the officer, alive to the necessity of doing justice between man and man, giving proper notice. I know an instance in which the revising officer told those on one side of politics that, if the list was placed in his hands on a certain day, that would be sufficient; but when the list was placed in his hands two weeks before the day named, he rejected it on the ground that it was too late. Yet we are told there is no friction and no injustice done. There is injustice done all round from the beginning to the end of the matter, and we have the proof in the statement made by the hon. member for West Elgin. I know a case in which the revising officer, when the list was put into his hand—and the same

form of application and schedule was used as the Conservatives used—exercised judicial functions and scrutinised and canvassed the list and decided as to whether the names should be on or not, in the absence of the parties interested in the matter.

Some hon. MEMBERS. Name, name.

Mr. CAMERON (Huron). Do not be alarmed; you will get the name in abundance of time to suit your purposes as well as mine. I know another case in which, when the Liberal list was placed in the hands of the revising officer, he called into his office the leading Conservatives of the locality and consulted with them on the subject. Such difficulties have crept in at every stage of the proceedings. There has been placed in my hands, within a short time, a long list of names of men who applied to be put on the voters' list in a certain riding, who made what I believe to be the proper declaration, but were rejected, some without reason and some with reason, by the revising officer. Let me give you, Mr. Speaker, a few samples to supplement the statement made by the hon. member for West Elgin (Mr. Casey). I understand that the revising officers before entering on the discharge of their duties held a meeting in Toronto and laid down certain rules for their guidance. One was that if an applicant desired to get on the preliminary list, and made declaration of his qualification, the revising officer should put that name on the list. Well, I hold in my hand a declaration made by an individual, and it reads as follows:

"I am a resident of the said electoral district and am in receipt of an income amounting in money or money's worth to not less than \$300 annually, and have received such income for one year before January, 1886, and reside (at so and so) in the said electoral district."

If hon. members will turn to sub-section 4 of section 6 they will observe that the applicant complied with the strict letter of the law in every respect.

Sir JOHN A. MACDONALD. Will the hon. gentleman allow me to interrupt him. It will be 6 o'clock in five minutes. There cannot be any business done afterwards, because from 7 o'clock we take up Private Bills, then Public Bills and Orders, Government Notices of Motion and Government Orders. There will, therefore, be no necessity for our coming back again.

Mr. BLAKE. The hon. gentleman is quite right. Under the Orders of the House there is no business we can do to-night.

RETURN ORDERED.

Return showing the number of convicts in the Dominion Penitentiaries for the years 1884-85, who were employed at work that competes with free labor; the kind of work employed at; the number employed at each kind of work; the number employed outside by contractors; and the amount received per day by the Government for each convict so employed; and where the goods so manufactured were disposed of.—(Mr. Wilson.)

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

Motion agreed to; and the House adjourned at 6 p.m.

HOUSE OF COMMONS.

THURSDAY, 4th March, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

PRIVATE BILLS PETITIONS—EXTENSION OF TIME.

Mr. BEATY moved that the time for the reception of Petitions for Private Bills be extended to Thursday, the 25th day of March inst., in accordance with the recommendation of the Committee on Standing Orders.

Motion agreed to.

FIRST READINGS.

Bill (No. 14) to reduce the capital stock of the Bank of New Brunswick.—(Mr. Weldon.)

Bill (No. 16) to incorporate the Medicine Hat, Dunmore and Benton Railway Company.—(Mr. McCallum.)

INSOLVENT BANKS AND FINANCIAL INSTITUTIONS.

Mr. EDGAR, in moving for leave to introduce a Bill (No. 1a) further to amend an Act respecting insolvent banks, insurance companies, loan companies, building societies, and trade corporations, said: The object of this Bill is to confer upon employees of insolvent companies the same privileges as to preferential claims for wages, that were given to employees of traders under former Insolvent Acts, especially the Act of 1875. That is the sole object of the Bill, and I think it is one that will commend itself to the House.

Motion agreed to, and Bill read the first time.

ELECTORAL FRANCHISE ACT—INSTRUCTIONS TO REVISING OFFICERS.

The House resumed the consideration of the proposed motion of Mr. Casey for copies of instructions or circulars issued to revising officers in regard to the performance of their duties under the Electoral Franchise Act of 1885.

Mr. CAMERON (Huron). I pointed out yesterday, Mr. Speaker, some of the difficulties that applicants desirous of having their names placed on the voters' lists had to encounter, by the strict mode in which the revising officers interpreted the law, and in some cases owing to the difficulties they had to encounter because the revising officers acted in defiance of the law. I pointed out that some of the revising officers in the various municipalities had rejected names that were sent in duly fortified by a sworn declaration. I say this is all wrong and it ought to be checked by the Administration. These facts must have come to the notice of the Government of the day, and the Government ought to have taken proper precautions and steps to see that the parties who were entitled to be placed upon the voters' list should have a fair opportunity of being placed there. I complained, and I still complain, that so far as we know the Government did not issue to the revising officers proper instructions—instructions that would, at all events, procure a uniform practice and uniform procedure among all the revising officers. It will be recollected that when we were discussing the Franchise Bill in the last Session of Parliament, we pointed out the various difficulties that the Liberal party would have to encounter in perfecting the voters' lists in so far as they were concerned. We pointed out that those officials, being appointed by the Government, would be in almost every case the friends of the Government, and that the chances were that one side of politics, the Liberal party, would not get the justice that they were entitled to have at the hands of the revising officers. These men, of course, receive their appointments from the Government; their emoluments entirely depend upon the Government; and I notice that the First Minister, with his usual craft in political matters, did not fix the emoluments last Session; that important item was kept over until the revising officers had performed the most important of their functions, which is the preparation of the preliminary voters' lists. We have in many instances serious reason to complain of the way the law is being administered. I do not mean to say—far from it—that all the revising officers are partisans. There are many who are fully alive to the propriety of dealing fairly with both parties, and who discharge their duties fairly and honestly, and cannot be led, even a hair's breadth from the

Mr. EDGAR.

path of duty by the leader of the Government. But on the other hand, we know there are revising officers who do not adhere either to the letter or the spirit of the law in any sense, and whether they are revising officers or judges who are revising officers, the same statement applies; and be they judges or not I am prepared to assume the responsibility of stating that in many cases they are not acting fairly with the electors of this country. I noticed in the Conservative press that after the appointments of the revising officers were made, the Government got credit for appointing the judges. They said the Government had appointed in nearly every case the county court judges. I say the First Minister is entitled to no credit for appointing the county judges. We fought the question on the floor of Parliament day in and day out and night in and night out, and it was only by the persevering and firm and determined attitude of the Liberal party that we compelled the First Minister to promise that as far as practicable he would appoint judges revising officers. But the right hon. gentleman was equal to the emergency. He appointed in several counties junior judges; in counties where junior judges were no more required than is a third wheel to a cart. They were appointed revising officers—they, fresh from the political struggles in which they had been engaged; and the right hon. gentleman made them in every single instance revising officers. I am bound to say, with respect to some of them, that they have so far discharged effectually and well the duties they were expected to discharge by the Government when they were appointed. I say every obstacle is thrown in the way of voters getting upon the lists by some of the revising officers. I do not charge all with it, as I have already said, but by some of them every technicality that will assist them in rejecting a voter is employed, and the applications are rejected accordingly. The Secretary of State told us that we might naturally expect to have these difficulties in the initiatory steps for the enforcing of the Act. That was not the language made use of by hon. gentlemen opposite when the Bill was up last Session; but we find the difficulties are here and meet us at every step, and the Secretary of State gives us consolation by saying that we may expect them. If we have them in the preliminary steps, and when a man makes an honest application fortified by an honest declaration under oath, what may we expect from some officers when they prepare the final voters' lists and when there is no appeal whatever from their decisions? I say an electoral body can be placed in no more unfortunate position. A political party can be placed in no more unfortunate position than we are placed in by the effects of this Bill. There are some cases, many cases, the cases cited by the hon. gentleman for West Elgin (Mr. Casey) in which even the Secretary of State would not undertake to justify the action of the returning officer. The hon. gentleman said nothing in justification of the course pursued by the revising officer in those cases cited. The hon. member had clear and positive testimony under oath from those men that they sent in their applications to the returning officer and that the revising officer refused to put their names on the list. So gross an outrage was committed and so scandalous was the conduct of the revising officer that even the Secretary of State would not undertake to justify it. I propose to fortify the statement made by my hon. friend from West Elgin by referring to two or three more cases, because it is well that the revising officers should understand that Parliament is bound to discuss and should discuss their conduct where clear cases are made out. I should be very sorry to call in question the action of the judges and revising officers, unless fortified with the necessary documents placing the charge beyond the region of possibility or doubt. I hold in my hand two applications made to be placed on the voters' lists by two gentlemen in a certain constituency in western Ontario.

Mr. WHITE (Hastings). Name the county.

Mr. CAMERON (Huron). You are very anxious to get information.

Mr. WHITE (Hastings). I want to get the truth.

Mr. CAMERON (Huron). You always want to get information on everything.

Mr. SPEAKER. Order, order.

Mr. CAMERON (Huron). I hold in my hands two declarations made by two individuals who desired to be placed on the voters' list, in a constituency in western Ontario. They were sworn to before a commissioner in proper form, yet these two applications were rejected, and why? The reason given by the revising officer is, that there was writing on the margin of the papers. Now, Sir, you will see—anybody can see at a glance, that the space left for filling in the qualification of the voter, was not large enough to enable the applicants to fill it in, and they had to extend three lines on the margin of the declaration. Why, Sir, this thing is done every day in the courts of justice; if you have not space enough to fill in a form, it is carried out on the margin; but this wise revising officer rejected two of the declarations because a portion of three of the lines written in them were written on the margin. I say that is as scandalous a thing as can well be imagined, and one cannot understand that a revising officer could be acting honestly and fairly, in rejecting an application upon such flimsy grounds as that. I hold in my hands another application made by another applicant for a place on the voters' list, and his qualification is stated as follows:—

"That I am a resident within the said electoral district, and derive an income from my earnings, in money or money's worth, of not less than \$300 annually, and have so derived such income and been such a resident for one year next before the 1st day of January, 1886, and now reside in the said township."

I say, Sir, that that is a compliance with the law, and I think I can challenge even the Minister of Justice upon that point. Sub-section 6, section 4, provides:

"Is a resident within such electoral district, and derives an income from his earnings, in money or money's worth, or from some trade, office, calling, or profession, or from some investment in Canada, of not less than \$300 annually, and has so derived such income and been such resident for one year next before the said 1st day of January, &c."

I say that this declaration is a declaration within the spirit and letter of the law, and yet this revising officer rejected that declaration, and sent it back to the man who made it, and he had not an opportunity of correcting the mistake, if there was any. I think I can also, in this case, challenge the Minister of Justice to make any correction upon this declaration; and yet the revising officer, for reasons best known to himself, rejected it. It may be said: What wrong is done to the man, since he has the right to appeal to the court of final revision to have his name placed on the roll? Sir, if this man is to be at the mercy of the revising officer, who rejected his application in the first instance for no legal reason known to anybody, and that does not appear upon a careful reading of the Statute—if he is rejected upon such grounds as I have mentioned, what reason has the applicant to suppose that greater justice will be meted out to him in the final court of revision? I say that under these circumstances a man has little chance of getting on the voters' list. I will give you another case. Here is an applicant who wishes to be placed on the list in a constituency in western Ontario, and his declaration under oath is as follows:—

"I derive an income from my earnings in money, of not less than \$300 annually, and have so derived such income and been such resident for 12 months prior to January 1st, 1886."

Well, Sir, upon reading the Statute one would naturally suppose that that was a sufficient declaration to justify a man being placed on the list, but in this case the application was rejected, and why? The revising officer says,

first, he should show that he derives an income from his earnings. Well, I say that the man does swear to that. Another reason assigned by the revising officer is:

"That he should state 'that he has so derived each income and has been such resident for one year next before the first day of January, A.D. 1886.'"

The man uses, instead of the words "next before," the word "prior," but surely the revising officer, in the preliminary preparation of the list, is not justified in rejecting an application for such a reason as that. Anybody can understand what is meant unless he is wilfully blind, or unless he does not wish to do what is just and right. But that man's application was rejected, and he is driven, if he wants to be placed on the list, to all the trouble, expense, worry and annoyance of making another application to the court of final revision. I hold in my hands two applications made by two respectable men, one a Presbyterian clergyman, in a western constituency. Both applied on the ground of income, and both applications were rejected, and upon what grounds do you suppose? Can you imagine the reason? The note on the back of them, is, "written very bad;" and because the revising officer says the writing is very bad, both these applications are rejected. Well, Sir, I throw out a challenge to hon. gentlemen on the Treasury Benches, and I venture to say there is not a man among them, even including my smiling friend, the Minister of Agriculture, who can write as good a hand as the worst of these declarations. Yet both are rejected because the revising officer is old, and I believe, short sighted, and he says the writing is not very good. What is the revising clerk for? Why, if the revising officer could not read it he should have obtained the assistance of his clerk before rejecting it, and the declaration could have been easily deciphered. I hold in my hand another application in which the person applies to be placed on the list as an income voter. He swears:

"That he is in receipt of an income from his occupation and calling as carpenter of \$300 and over, annually, and was so in receipt of said income as aforesaid and resided as aforesaid for one year next prior to, etc."

Observe, this applicant says "next prior" to the 1st of January, 1886, and this revising officer to whom the application is made, rejects it because he did not use the words, "next before," instead of "next prior to." Well, I had supposed that in these modern times common sense would prevail in such matters as these. I recollect, and the Minister of Justice recollects the time when, if a man did not cross his "t's" and dot his "i's," he was subject to a demurrer and the proceedings might be set aside. I thought that we had got beyond that stage, but these wise revising officers are introducing the old system and if an "i" is not dotted or a "t" crossed, the man who is applying for those rights which every freeman loves, is deprived of them, because the revising officer stupidly says the man has used the words "next prior to" instead of "next before." Here is another case in which the qualifications are stated in the following words:—

"I have been for twelve months prior to the 1st of January, 1886, and am now, a resident of St. Thomas, and my wages are \$300 or more yearly, and were such for one year prior to the 1st of January, 1886."

The revising officer said that the applicant should show that he derives an income from his earnings. Well, I take it that he did show that, but the revising officer ignores the solemn statement made by this applicant. The revising officer further says the applicant should show that he so derives such income, and has been a resident for one year next before the 1st of January. The same objection the revising officer took to one or two of the cases I have referred to is made applicable to this case, and the evidence rejected on that ground. In another case, the applicant swears:

"I am a resident of St. Thomas, in the county of Elgin; I am in receipt of wages amounting to \$300 a year, and was in receipt of the same for twelve months prior to January 1st, 1886."

The revising officer rejects this application because he says the applicant should swear that he is a resident "within" the city, whereas the man swears, "I live in the city." The revising officer finds a distinction between in the city and within the city. Perhaps the Secretary of State will be able to point out where he has erred in that respect. He makes this further objection: that the applicant should state that he derives an income from his earnings, while the man swears that he is in receipt of an income of \$300 from his wages. What are his wages but his earnings? and yet this revising officer, appointed by this Government to do justice between man and man, sees fit to reject this man's application on that ground.

Mr. ROBERTSON (Hamilton). He is a county judge, is he not?

Mr. CAMERON (Huron). I do not care whether he is a judge or not. The matter has been published for weeks, not only in the Opposition press, but in the *Mail* newspaper, and it was the duty of the Government to draw this officer's attention to the misinterpretation of the law he was laying down, and compel him, on pain of losing his place, to deal fairly between man and man. It is said that this man has rejected Conservative votes on the same grounds. I do not care for that; it only shows how unfit he is to be placed in a position so sacred and important as that of revising officer. Here is another application, in which the applicant's lawyer, instead of writing January in full, contracted it to Jany., and the revising officer imagined that there was some other month in the year that commenced in the same way, and rejected the application because January was not spelt in full. In no court are such technicalities as these allowed to prevail; and here the law ought to be interpreted in a liberal and generous spirit, and if there is a doubt of a man's right to vote, that doubt ought to be decided in favor of the voter until there is an opportunity of finally testing it at the court of revision. But in cases where there has been no doubt whatever this and other revising officers have rejected the names of applicants. Not so has the law been administered in other cases. We have given some instances in which the applications, verified by the proper evidence, have been rejected. The revising officers had a formal meeting in Toronto, and decided that the names of applicants who made proper application, accompanied by a sworn declaration, should be placed on the list, and that no other names should be placed thereon except those on the assessment roll and the voters' list. But some of these revising officers, in clear defiance of the law and of the statements of the First Minister last Session, have placed hundreds of names on the lists without any declaration having been made. We know that in more than one county, where there are Indians, the revising officer has placed the names of from 56 to 448 Indians on the list without any application having been made by them. Some prominent Conservative has been sent to the Indian agent, and has got the names from him.

Mr. ROBERTSON (Hamilton). I rise to a point of order. Will the hon. gentleman be kind enough to name the constituency where that has been done, and the revising officer who has done it?

Mr. CAMERON (Huron). If the hon. gentleman will take the trouble to enquire in the different constituencies where there is an Indian population, he will find the truth of my statement. I am told on credible authority that the names of Indians have been placed on the list without any application having been made by them, and I say that is not in accordance with the statement made last Session by the First Minister, who assured us that Indians should be

Mr. CAMERON (Huron).

treated like white men—that if they made application to the revising officer and showed their right to vote, that their names would be placed on the voters' list. I am told further that in some cases where the Indians did not want their names to be put on the voters' list at all, their names appear on the list, and they are entitled to vote at the next parliamentary election. Now, Sir, these are some, but by no means all, of the objections we have to the conduct of these revising officers. The fact is, some of them do not obey the law; they do not care for the law; they are a law to themselves; they do as they please. If the Government has given them instructions, and they do not obey the Government and the law, they have no right to be there, and the sooner they are made aware of that the better. I complained last night, and I complain again, that there is a want of uniformity in the practice. In some constituencies the revising officers give notice of every step taken. That is proper. Some do not give any notice, and they decline to give any information to one side of politics. By referring to the Statute of last year, you will find that by sections 19 and 20 the revising officer is bound to hold a court for the preliminary revising of the voters' list, and section 20 provides that any person who desires to be placed on the voters' list—

Mr. ROBERTSON (Hamilton). Before the hon. gentleman enters on that branch of his subject, I wish to ask him if he will have the goodness to place the papers he has read from, on the Table, so that other members may see them, or whether he does not intend to do so.

Mr. CAMERON (Huron). If my hon. friend or any other member desires to see these affidavits, they are quite open to their inspection. But I am not going to place them on the Table of the House, as I do not know what is to become of them. They were placed in my hands for a purpose, and I have used them for that purpose; and if the hon. gentleman is so curious and anxious to get at the truth, I am perfectly willing to show them to him. I hope my hon. friend is satisfied. I was pointing out, when interrupted, that, as I understand it, the judge is bound to hold a preliminary court and to give a month's notice of its holding. In sections 19 and 20, any person has the right to make application to be placed on the list of that preliminary court, the duty of the judge being simply to add names and make amendments and corrections, not to strike out names. Any person who desires to be placed on the list has the right, by giving eight days' notice, to appear before the revising officer at the preliminary court. In the city of Toronto, notice has been given that this preliminary court will be held at various days in the different wards, between the 5th and 13th April, and yet the *Toronto Mail* publishes the following:—

"The list of voters under the Dominion Electoral Franchise Act have been completed, and no more names will be added, until the final revision in July."

Mr. WOOD (Brockville). That is in the local column, not over the signature of the judge.

Mr. CAMERON (Huron). It is in the *Mail*, the organ of the Opposition, and the paper they swear by. It has gone abroad to the electors of Toronto that nobody can apply to be put on the voters' list at this preliminary court. Whether the paper be wrong or right, this misleading paragraph has gone abroad to the public. I am told, however, that the *Mail* is not wrong and that the revising officer has so decided. If that be so, he has gone in the teeth of the Statute, and I hope the Government has not given instructions to revising officers to so decide. It is said the Government have found that the costs of printing the lists will reach so enormous a sum that they have decided on putting a veto on adding names at the preliminary court, as in that case the lists will have to be printed twice after the preliminary revision. That somebody is at

fault is perfectly clear. In the working out of the Statute we meet with every kind of difficulty, not only difficulty raised by the revising officer, but an amount of labor, worry and expense that no man except hon. members on this side contemplated when we were discussing the Bill last Session. The worst wish I have for hon. gentlemen opposite is that they may have the same labor, worry and trouble, and the same annoyance and expense, as we on this side, in looking after the lists. In the first place, before the preliminaries are prepared we have to attend every polling division to see who ought to be put on the list, and after the list is published the work has to be done over again to see how many Tories have been put on and Liberals struck off who ought not, and we have to go to the expense of subpoenaing voters who have been left off, in order that they may establish their right to vote. There is only one way of rectifying the wrong and undoing the mischief and relieving candidates from all this worry, and annoyance, and trouble, and expense, and I trust that way will be adopted before long; that is, to repeal the Act from beginning to end.

Mr. COOK. I congratulate the hon. member from Hamilton (Mr. Robertson), on taking the lead of the House to-day.

Mr. ROBERTSON (Hamilton). Will you bet anything on it?

Mr. COOK. When a very tough case comes up the Government require a good digestive organ to swallow it, and in this case they have selected the proper person. The hon. member for Huron (Mr. Cameron) has said that we want justice. It was stated last Session by the Government that justice would be meted out all round. That reminds me of the story of the Irishman who went to a lawyer. The lawyer said: You want justice; he said: No, I want law. That is what the Government want to-day. They do not want justice, but they want to carry the election by means of the revising barristers, and therefore last year they insisted on forcing upon the country this iniquitous measure—a measure more iniquitous than any known. The hon. member for East Hastings (Mr. White), I am told, has boasted he was one of the men who strongly urged the Government to pass this measure, and because the chances for his re-election would be nowhere without it. He stated, I am told, that he had worked among his Indian friends and had converted them all to Orangeism, so that he was sure of their support. I can refer to other places where there are Indians; I can refer to an island in a certain lake where there is an Indian settlement, who, I know, refused to allow a Conservative to go in there and form a Conservative association, and, in consequence, the revising barrister refused to put them on the list, giving as a reason that he did not believe they were in the constituency over which he had jurisdiction. I should say, from the attitude taken by the hon. member from Hamilton to-day, it was fortunate he had not been appointed to the position of junior judge of his constituency, therefore entitling him to the position of revising barrister from the course taken in this matter by the Government, as it is quite plain what course he would pursue in making up the electoral list. I could point to a revising barrister in one constituency who entirely rejected declarations, although the junior judge in the adjoining constituency accepted exactly similar declarations. I would like to know what my hon. friend from Hamilton thinks of that. Yes; and there was an expense beyond that of the Government, which is going to be enormous—an expense to the Liberal party. Names were selected, and the revising barrister in that constituency refused, and still refuses, to give any information, and, when the solicitors or the officials of the Reform Association call upon him, he distinctly states to them: There is the law; go by that. That same senior

judge at another time, under the old system, when an appeal was made to him from the court of revision to put a man on the voters' list whose name should have been there, and who was as much entitled to vote as the Premier of this Dominion, and who had a farm and had been left off inadvertently, instructed his lawyer to attend the court of revision, to get his name restored to the list. When all the facts were elicited and the judge saw he was entitled to vote, said: "Where is the man?" The solicitor said: "I am acting as his solicitor; he is not here in person; I am acting for him." The judge said: "If he is not here, I will not allow him to go on the list." Do you say that such a man should be trusted with revising the lists in any respectable community? I say not. I do not know what course a man can take in matters of this kind; but I tell that revising officer that in the constituency that he is adjudicating upon in reference to the voters' list, he will fail in his attempt to put more Conservatives on than Reformers. I tell him he will fail in his attempt, because there is an indignation in that constituency to-day that cannot be easily quelled, and I advise him to do what is fair and just in the matter. I do it here upon the floor of Parliament, knowing every word I state, and I will endeavor to assist the people in that constituency, or in any other constituency, to do what is right and proper to put every person on the list who should be there, so that, when we make an appeal to the people, it will not be a one-sided appeal as these gentlemen would like to have it. I do not know what these gentlemen have to say now, after passing a law, putting it on the Statute-book, making it law, when they discover that such practices have been indulged in by the revising barristers. I suppose it is the duty of the First Minister or the Secretary of State, when they discover a matter of that sort, to at once advise that officer that he has not performed his duties aright, and that he should be dismissed. I go further than that. If that revising officer happens to be a judge, and he acts in a partisan manner in connection with his position, who will have any confidence in his judicial position as a judge of the county; and it would be the duty of the Government not only to dismiss him from the position of revising officer, but for this House to remove him from the judgeship, and give it to honorable and honest men who will have the confidence of the country, or, at all events, of the Conservative community in which he lives. It is not only the Liberals who complain, but the whole community, the honest Conservatives—and I am glad to say there are some. I have found some even in my county during the recess. I visited my constituency; I held meetings; and I tell the Government that the strongest men, the most intelligent and intellectual men of their party have turned their backs upon the right hon. gentleman, and notwithstanding his revising barrister at his right hand, and advised, as my hon. friend says—and I have no doubt they have had his advice—to make all the Tory votes they could and defeat all the Liberals they could at the next election, he will find himself mistaken. That is my opinion. I am not afraid to state it in my place here, and face to face with the men I expect to defeat at the next election. As far as the revising barrister is concerned, sometimes he may not do the bidding of the hon. gentleman opposite, for there are some honest, true Conservatives who will change their views when they make their cross on the other side of the ballot. I am not in the fortunate position of my hon. friends about me. I have nothing to present, because the revising officer refuses to give back the declarations he rejected. There we are. What is to be done in that case? I do not know; but I assure him that at the time the preliminary trial comes on, I will demand of him to act honestly, and, if the Government do not and if he does not act honestly, I will see that he does. I will see that he will not use illegal means against me. I am making reference now to my own constituency. I have referred before to other constituen-

cies, and I could refer to constituency after constituency as to the meanness, the lowness resorted to by hon. gentlemen opposite through their revising barristers for political purposes.

Mr. DUNDAS. I think the hon. gentleman should have placed a little more charitable construction upon the actions of those who differed from him, perhaps honestly. In the constituency I have the honor to represent, the Conservatives feel that they have suffered very harshly from the action of the revising officer. There, 314 votes offered to the revising officer—all Conservative—have been rejected, while but 23 of the Reformers met the same fate. The affidavits accompanying the 314 applications were in the same form as that generally used throughout the Province, and I believe accepted by most of the revising officers in other constituencies. I do not for a moment accuse our revising officer of partiality in this respect. The officer is the county judge, and every person who knows him knows that he would be above acting in a partial manner. What he has done I believe he has done honestly, but it has borne very harshly upon our party, and I believe he has taken a narrow view of the law. I will only add that I had no intention of bringing this matter before the House had it not been that so much has been said by hon. gentlemen opposite as to the way in which they were treated. We find that it will be necessary to have these 314 persons come personally before the revising officer in order to have their names placed upon the list, but, notwithstanding this, and that the revising officer has for his clerk his own son, and that the lists are prepared in his son's office, and that his son is a member of the Reform party, and, I think, an officer of the Reform Association of the county, still we do not accuse him of any partiality. I simply rise to point out these facts, and to say that these decisions or constructions that have been placed upon the law, by the revising officers, have not in all cases been in favor of the Conservative party.

Mr. LISTER. I rise simply to make a few remarks in relation to the motion now before the House, and not for the purpose of finding any fault with the revising officer in the county which I have the honor to represent, a gentleman who has been lately appointed and who, thus far, has shown every disposition to do what is right to both parties. I think, Sir, that this discussion, so far, has shown that there are difficulties about the working of this Act which must be regretted by every person who has anything to do with it. It is unfortunate that the revising officers throughout the country have taken different views of the law; and I think it is to be wished that they should take a broad, generous and liberal view of the law, as we were promised by the First Minister when this Bill was first introduced. But, unfortunately, many of them have taken a contracted view of it, and while some of them accept evidence which, in my opinion, is quite sufficient to justify the placing of a name on the first list, many others reject that evidence, thus causing great inconvenience, in money and time, to the people who take an interest in this matter. Now, Sir, from the statements made by the hon. member for Huron (Mr. Cameron) and other gentlemen who have spoken here to-day, it appears to be a very difficult matter for a white man to get upon the voters' lists. The men who pay the taxes of this country, who defend it from outside aggression and internal rebellion—these men, it appears, have very great difficulty, at all events, in some constituencies, in getting on the lists. I would say to the hon. gentlemen who spoke about the Indians, that in many of the reserves throughout this country, the Indians have been placed on these lists without their knowledge, and in some instances against the consent of the Indian bands themselves. I know, as a fact, that the Indian agent has brought in names of Indians to be placed upon the lists, unverified by affidavits, or any other

Mr. Cook.

evidence which would show that these men were entitled to be placed upon that list, and their names have been placed upon it, and they are voters to-day. I know, Sir, that in a county very close to my own, there is a band of Indians living, and 26 of them have been placed upon the voters' lists as being entitled to vote, while some 20, I believe, of those Indians have stated that they did not want to be placed upon the lists, and if compelled to vote they would vote against the Government. Now, Sir, in another county I believe the county of Brant—the Indian agent has made a list of names of the Indians and given them to the revising officer; their names have been placed upon the voters' list, and these men will vote at the next election—perhaps for the Government candidate. I merely point this out to the House to show that the white men are not being treated properly. Surely, if the Indians of the country are to be placed upon the lists at the mere request of the Indian agent, it is but fair that the revising officers throughout the country should take a liberal view in favor of white men in construing the Act which they are working. No man knows, except those who are somewhat intimately engaged in election matters, the trouble and expense that people who desire to vote will have to take to get their names upon the lists. I think, Sir, that the Government are not discharging that duty which we have a right to expect from them unless it advises, as it appears to have done in other matters, the revising officers throughout the country to take a liberal view of this Act. Now, we do know that the revising officers have received declarations before the first lists were sent to the printers, and all declarations received by them before that time will secure the names being placed upon the list. We know that after those lists are printed a preliminary revision is to be held. Now, that revision is only to be held in one place in each constituency, and it was never intended by the Act that people should go to the expense and trouble of attending that court of revision. All that the Act contemplated was that declarations should be furnished to the officer at that first court of revision, and he should accept those declarations as *prima facie* evidence of the right of the person to vote. I know that in my constituency the revising officer has so construed the law, and I think that it is the correct construction, in the interest of all parties concerned, because Conservatives have to go to the trouble as well as Reformers. It is impossible that the revising officer should know the names of all persons in the constituency who are entitled to vote, and in order to have those names upon the list it is necessary that both parties should be vigilant, and that those names should be presented, and all that he should require is that *prima facie* evidence of the right to vote should be presented to him, and on that the vote should be placed upon the list. There is, then, a final revision, at which the names who are wrongfully put on the lists can be appealed against, and if the appeal is sustained the names are to be struck off, so that no wrong may be done to one party or the other. Sir, this discussion shows how unworkable this Act is. This discussion verifies and justifies the opposition made to it during last Session of Parliament. Sir, if I am correctly informed of the cost of administering this Act, it will take, at least, half a million dollars to put it into operation. In the county of Lambton, from which I come, the printing alone will cost upwards of \$1,500, and when we remember the fact that this work is to be repeated from year to year for five years—the usual duration of a Parliament—it means that the voters' lists upon which every election in this country is to be held, will cost the people upwards of two million dollars—double, I believe, the expense of an election. Now, Sir, the Government itself has found this Act unworkable. The motion asks that the instructions given by the Government to the revising officers should be laid before the House. I would

like to ask what right this Government has to give instructions to the revising officers. The Statute clearly enough points out the duties of these gentlemen, and if the Government thought proper to take upon themselves the responsibility of advising the men whom they appoint, surely they ought to give them such instructions as would make the practice uniform in placing voters upon the lists. There is another thing that I will say. It is charged that these judges act in a partial or partisan manner, and it is a matter to be sincerely regretted that any gentleman occupying a position on the bench in this country should act in such a way. And, Sir, if it is found that they are acting as partisans—acting in the interest of the gentlemen who appointed them for the purpose of defeating the popular will, then I say that if it should happen—and I believe it will happen in the very near future—that a change of Government will take place, I believe, Sir, that it will be the duty of the new Government to dismiss them, not only from their positions of revising officers, but from the judicial position which they have disgraced—if these statements are true.

Mr. LANDERKIN. I desire to say a few words on this motion. I hope the Government will consent to bring down all the papers asked for by my hon. friend from Elgin (Mr. Casey). I would like to ascertain what advice has been given by the Government to their revising officer who has been appointed by the Government to preside over the riding that I have the honor to represent. I have not one word to say against that officer, I know of nothing of which to complain personally; but I understand that the printing, which was given to the local newspapers in the riding I represent—that is, the printing of the lists, has been taken away from them by the revising officer. I do not know whether the revising officer, Judge Lane, has been the means of doing this or not, or whether he has acted under instructions from the Dominion Government; but the fact remains, so I am informed, that this patronage, which should belong to the local newspapers, has been taken from them and given to an outside office. Every hon. member knows the importance of the local newspaper. They have special functions to perform and receive but very few perquisites from the Government, and I consider it is a great hardship on those papers to have that patronage taken from them and given to outside papers. In South Grey, last year, the list for the township of Artemesia was printed by the *Flesherton Advance*, the list for the township of Bentinck by the *Hanover Post*; that for Durham by the *Grey Review*, that for the township of Egremont by the *Confederate*, that for Glenelg by the *Markdale Standard*, and for Normandy by the *Durham Chronicle*. Thus the local papers had the advantage of printing the lists, which were well done. Now, I understand this Government has taken away the printing from those papers and given it to an outside office. If this has been done by the revising officer, I do not support his action. I hold that the patronage relating to the necessary printing belongs to the papers in that county. Outside papers receive in many cases very large sums from the public treasury, and I consider that everything in the way of local printing should be given to the local papers. When the Bill was before the House last year I opposed it, and I estimated at that time that the cost of printing would exceed \$600 in each riding. I remember that hon. gentlemen opposite laughed at the statement and thought the estimate much too high. I was told by a revising officer, the other day, that a contract had been let for printing the preliminary list, and in each riding the cost would amount to nearly \$900. What it will amount to in my riding I do not know. The outlay of public money in connection with the introduction of this measure will be enormous. Hon. members at the time it was introduced had not the slightest

idea of the enormous tax they were thus placing upon the people of the country. If the Government had been aware that, at a time of great depression, they would by adopting this measure, have placed such enormous burdens upon the people, I think—provided they had been alive to the country's interest—they would not have forced the adoption of that measure at that particular time. I am amazed at the statements made by the hon. member for Huron (Mr. Cameron) in regard to the conduct and decisions of some of the revising officers on applications made to be placed on the voters' list. The country will likewise be amazed, and the people will learn that the object of the Government was, as I stated last Session, to perpetuate power for the party now in power. I believe, as the Act comes to be fully understood, not only by the Reform party but by the Conservative party, it will not be approved. Honest men, to whatever party they belong, will not approve a measure which places such enormous burdens upon the people, and at the same time leaves open the door to offences against the liberties of the people. I notice that in one of the ridings—I think it is in the riding of North Wellington—they have several local newspapers, which in the past have printed the voters' list, and have done the printing as well as printing is done by the Government themselves. Yet the printing of the preliminary list was awarded to the *Mail* newspaper, a newspaper that last year received, in the Immigration Department alone, from the Dominion Government for printing, \$7,200. The *Mail* could well have afforded to have been magnanimous with the country newspapers and allowed them to receive the printing to which they are justly entitled, and which I demand they shall have. We find that the papers in the large centres frequently obtain large sums from the Government for printing. I am not going to complain particularly of that; but I do complain that when the Government has an opportunity of benefiting the country press they cripple it to build up their subsidised organs for the purpose of perpetuating their reign of power in the country. The *London Free Press* last year received \$10,793 from the Government for printing immigration pamphlets. The *Hamilton Spectator* received \$1,500; the *Montreal Gazette*, a paper which I think the Minister of the Interior has heard of before, \$7,299.66, obtained when that gentleman was a member of the Government for a great part of the year. In order to show the country newspapers how ill-used they have been by the Government, I will read over a list of some amounts which have been paid to some of the leading organs. In three years the *Mail* received for printing, for one department, \$22,777.21; *Montreal Gazette*, \$20,342.80; *Hamilton Spectator*, \$8,369.28; *London Free Press*, \$22,589.50; *Prescott Messenger*, \$10,454.16. There is not a paper in the riding I represent but is equal in intelligence and circulation to the *Prescott Messenger*, and I cannot understand why such a large sum should have been given to that organ. I notice that the paper having the largest circulation in the Dominion, one which stands head and shoulders above all those in point of ability, a paper having double the circulation of those papers I have mentioned—I refer to the *Toronto Globe*—all it received last year for printing was \$7. If the Government had desired to let these advertisements be known to the country they would have been printed in the *Globe*, which is read not only in every quarter of this Dominion, but in the Old Country, the United States, and in every other civilised country. Yet we find that the *Toronto Globe* is only down for \$7, and the *Toronto Week*, edited by that distinguished political economist and scholar, Goldwin Smith, only receives from this Government \$3. I say plainly and fearlessly that if the Government acted in this way to the local press it was unworthy of them; and if it was due to the revising barrister, then he has my condemnation. But I would say, at the same time, that if

he did not do so I will not condemn him, or condemn him for any act, so long as it is right and just, for he will have my support as far as I can give it to him. The gentleman who is now revising barrister is deputy judge of the county from which I come. Last Parliament he occupied a seat in this House, but he has been appointed deputy judge by the Government, and also revising barrister, and it will be my duty to strengthen his hands in every way I can, so long as he deals justly, fairly and honestly between the parties. That is the position I take with regard to him. I do not assail him, but whoever took away the printing which legitimately belongs to the local press of the country shall have my condemnation; I shall not sit silent, without uttering my protest against what I consider a wrong done towards that portion of the press on account of the work it is doing. The local press are doing a great work in educating the people in many things, and supplying them with information upon matters which are of vast importance to them, and I would not sit silent and see the rights taken away from the local press and given to the hirelings I have mentioned.

Mr. ORTON. As the hon. gentleman has referred to the revising officer for North Wellington, I may state that I had it from his own lips that the reason he was compelled to have the printing done in Toronto was, simply, that there was no office in the county that was capable of getting out the list in time.

Mr. LANDERKIN. I would ask the hon. gentleman if there were no papers in the riding he represents which were competent to print in time the lists for elections to the Provincial Legislature.

Mr. ORTON. I do not know anything about that, but the fact as to the Dominion franchise lists is as I have stated.

Mr. LANDERKIN. I have only to say that if there are not printers in the hon. gentleman's county capable of doing the work, there are in mine.

Mr. PATERSON (Brant). I did not intend to say anything on this question, but a remark made, no doubt inadvertently, by the hon. member for Lambton, necessitates my saying a word or two. That hon. gentleman stated that in the county of Brant the Indian agent had handed in the names of the Indians to the revising officers, and that he had enrolled them in that way. I have no doubt that the hon. gentleman, having heard that the Indians were enrolled, supposed that it was done in that way, but I think it is only just to the Indian agent to state that he had nothing whatever to do with it. As I understand it, the Indian agent has no power under the Act to hand in the names of Indian voters. I think it is contrary to the Act—at least it was intended to be, and I think we accomplished that intention. I should think that, if any Indian agent in other ridings—as I have heard it stated is the case—has handed in the names of Indians on his reserve and these names have been received by the revising officer, that agent, and the revising officer as well, have transcended their duties. The hon. member for Bothwell thinks not, and he is a legal gentleman, more capable of judging than I am; but I think it was the intention to prevent the Indian agent from interfering in that matter, either in the preparation of the lists or otherwise. The Indians on the Brant reservation have been enrolled, I believe, to the number of a great many hundreds, but I think it was done by the revising officer appointing a bailiff, who went down to the reserve and made a kind of assessment, thereupon placing them upon the list. If I were to judge of what was right and proper, my judgment being guided by the opinion of the First Minister himself in his declarations in Parliament last year, I would say that the revising officer had made a mistake. I do not wish, however, to impugn his

Mr. LANDERKIN.

motives, because I believe he desires to carry out what he believes to be the meaning of the Act, but it is one of the unfortunate things with regard to this Act that it has been so loosely framed that it is susceptible of many interpretations. While the case of the Indians in the county of Brant is, I believe, as I have stated, we see it reported by the newspapers from other places that the revising officer has gone to the municipality, has told the residents of the reserves that under certain conditions they can have their names enrolled if they desire, thus giving the Indians the option of having their names enrolled or not; and I believe that in every case in which that course has been pursued, the Indians have largely refused to avail themselves of the provisions of the Act, thus justifying the argument we used, last year, that the Indians were not themselves parties to the part which was being taken in regard to them. I should say, however, that those agents who had simply given the Indians permission to enroll themselves if they desired were correct. It will be remembered that I offered a motion during the debate, that no Indian should be enrolled except on his own application, and subsequently that he should not be enrolled without his consent, and that the First Minister having spoken adversely to my motion, I urged on him to give some attention to the question of how the Indians should be enrolled. I pointed out that on the reserve they had no assessment rolls, the rolls being the basis of the list in other cases. The First Minister, as I remember his reply, stated that the revising officer would proceed to the reserve and hold his little court—the fact of a man being an Indian making no difference in that respect—and that any Indian could apply personally or by agent and have his name placed on the list. Some of the revising officers have acted in that way, but as it was not incorporated in the law, the revising officer in the county of Brant did not so interpret his duty, and did not consult with the Indians or obtain their consent in any way, but he has simply made an assessment and placed them on the list. Without finding fault with him I would point out, as has already been pointed out, that if uniformity of franchise is the object—and we know how that was dwelt on by hon. gentlemen opposite—what a lack of uniformity there is in its provisions. Here we have had instances cited of parties, of whose right to vote there could be no question, who made application, who made the declarations and took all the steps required by the law, yet failed to have their names entered on the preliminary list; while in other cases parties who have not sought and do not desire to be placed on the voters' list, are placed on it without their consent. We are receiving evidences very early, as I was sure we should, of our unwisdom in dealing with this question. I am prepared to move, as soon as I can, for a resolution which I believe was unanimously adopted by the chiefs of the Six Nation Indians in council about two months ago, in which they declared that they did not want to have this Act applied to them at all. We have not yet been able to get a copy of that resolution. Upon application by a newspaper to the local superintendent of the band for a copy of the minute, he said he did not feel at liberty to give it without permission of the Department at Ottawa, but that he would write for that permission. Up to the present I am not aware that he has received it. I have, therefore, placed a motion on the Order paper with the view of obtaining it. Now, here is the application of the Act to parties who do not desire to be enrolled, who have actually protested against being placed on the list, and who, if my information be correct, are placed on it against their consent, while others who have enjoyed the rights of citizenship hitherto and are fully entitled to be enrolled, by some little quibble or objection of the revising officer are excluded from the preliminary list entirely. In the discussion which has taken place to-day, and in the numerous discussions which in this Session and in future

Sessions will undoubtedly take place, occupying the time and attention of the House and lengthening the Sessions by days, if not by weeks, as well as in the fact that the conduct of the judges is brought into review, and that charges of partisanship are likely to be directed against the judiciary, we have other evidences of the unwisdom of the Act, apart from the question of expense. The expense, as I estimate it now, will be quite equal to the enormous figure suggested by the Opposition last year. My own opinion, from what information I can get, is that not less than \$200,000 will be spent for printing alone, to say nothing of the salaries of the officials. But over and above all that, the right of a British citizen to exercise the franchise being placed in the power of any one individual, without any appeal from his decision, is something which I feel this Session to be as objectionable as I did last Session. Under the system of preparing the list which prevailed before, the individual could maintain his right before the assessor when going his rounds, if the assessor chose to act in a partisan spirit, which I believe was not the case, or to question a man's right to the franchise, he had an appeal to the court of revision, composed of men elected by the ratepayers themselves, upon whose conduct they could pronounce judgment every twelve months, and who, if their decisions were not correct, or if they manifested partisanship, could be removed from office. If even then a man felt that partisanship was being displayed, he had a right to appeal to the county judge. But under this Act, we have the case of a judge who is a revising officer, brought prominently before the House. On the merest technicalities and quibbles, he has tried to prevent men getting their names on the list, and if he should persist in his refusal, there is no appeal from his decision at all; it is wholly in his power to dispossess these persons of the right to exercise the franchise. These are some of the many objections which were urged against the measure last Session, and which have gathered force during the time that has intervened, and it seems to me that they will make themselves still more apparent as discussions will arise in the future upon the operation of this Act.

Mr. MILLS. My hon. friend from Brant (Mr. Paterson) did not correctly apprehend my dissent from the observations he was making. I did not understand the hon. member for Lambton as he did. I understood the hon. member for Lambton to speak from his own personal knowledge of what came under his observation, when he said that the Indian agent in his constituency had actually given the revising officer a list of the names of Indians who in his estimation were entitled to be placed on the voters' list. That is clearly contrary to law, which provides that if an Indian agent causes the name of an Indian to be registered as a voter, or to vote or refrain from voting, he shall be held to be guilty of a misdemeanor. It is clear that if he causes the name of an Indian to be registered, whether he gives the revising officer a list or gives information which enables him to make a list, he violates not only the spirit but the letter of the Act. Wherever an agent interferes with the view of assisting in the preparation of a voters' list, he is violating this provision of the law.

Mr. McMULLEN. I wish to offer a word of explanation with regard to the remark that dropped from the hon. member for Centre Wellington (Mr. Orton). I wish to state that I have good reason to believe that the revising officer of North Wellington was willing to offer the printing to the local press, but owing to the short time in which the work had to be performed he was obliged to send it outside of the riding.

Mr. WELDON. I desire to call attention to the difficulty that has arisen in the construction of the Act in regard to tenants. It was intended that persons should

have the opportunity of getting their names placed on the preliminary list with very little or no expense. In the Province and constituency which I represent, all tenancies expire on the 1st of May as a general rule, and as tenants have to show that they have paid their rent up to the 1st of January, 1886, they cannot be enrolled until they show that rent has been paid for the last month prior to the revision. It has been decided by some of the revising officers that they cannot put the names of tenants on the list at all until the final revision. The effect of that is that persons who have made applications to be placed on the preliminary list are obliged to notice in advance of the final revision, to attend the barrister's court, and to incur considerable expense before they can get their names on the list. In the cities of St. John and Portland, where the tenancies all expire on first May, the result is that the revising barrister does not put their names on the list, and the parties are obliged to make two applications, the expense falling on the final revision. If a party swears he is a *bonâ fide* tenant and has really paid rent prior to January, 1886, that would be quite sufficient, without compelling him to produce a certificate to show he had paid rent on the first May or June prior to the date of the certificate.

Mr. MULOCK. I am glad to be able to offer my testimony with regard to the efficiency of the revising officer who has to do with my riding. When this Bill was before the House last Session, the question arose as to who should have the final revision, in the case where the revising officer was not a judge. I then advocated the course that has been adopted, namely, leaving the final adjudication in the hands of the county judge, in case he were not the revising officer. I did not approve of the Bill, but when the Government had decided on forcing it through, I endeavored to have it made as perfect as I could. I can well understand that decisions of the judges should not be fraudulent, but yet strike the lay mind as fraudulent. Still I believe that the county judges, as a class, speaking, at least, for those of Ontario, have endeavored to establish uniformity of practice, have honestly set to work to try and put the Act in force according to its practical meaning. It is, therefore, specially to be regretted if any of them should so far misunderstand the object of the Act as to defeat its end by any technical means. I acquit them all of any intention to do wrong, for it would be most lamentable if the public were obliged to withdraw to-day any confidence in the judiciary, because they may fail in some particular duties that may attach to their office. Should a judge, holding the office of revising barrister, prove himself unfaithful in that capacity, there is no position of public trust which he should be permitted to enjoy for a moment, and I trust the House will always be sufficiently independent to remove from office any judge who, in the discharge of his duties as revising officer, has clearly been proved unfaithful to his trust. When the House loses its sense of equity to the extent that it will not administer such punishment, no matter to what party the officer may belong, there will cease to be any safeguard to the rights of the people. It is of the utmost importance to the country and to the Government itself that this Act, as put into operation by the revising officer, shall give entire satisfaction. In view of what has occurred, it is manifestly clear that some of the revising officers are misapprehending their duties and defeating the object of the Act, by attaching undue importance to technical objections, and such a course is, in effect, as injurious as if it were the result of malice or design. As the Government has sent certain instructions to revising barristers, it would be productive of great good if they would follow up the course they have adopted by intimating to the officers that in future they should endeavor to carry out substantially the object of the Act, which is that every man who possesses the necessary qualification be placed on the voters' list, if he

makes any reasonable attempt to be placed there. Such a course on the part of the Government would redound to their credit and to the good of the country.

Mr. CASEY. I agree with what the hon. the Secretary of State said yesterday in one respect, namely, that I could not expect him to answer in detail on the spur of the moment the charges I brought, but I feel deeply disappointed that he did not express his condemnation of the transactions which I laid before the House. Even if he did not believe that I had established my case against this particular revising officer, he should have denounced proceedings, which, if established, are, on the face of them, unfair, unjust, and without precedent. If the Government have been already lacking in their duty in not sending instructions to the revising officers which would have prevented transactions of the sort, I have still further ground for regretting the course they have taken. Leaving aside these particular cases I have brought before the House, the point I wish to emphasise is this: when the officer is compiling his first list, he is not sitting in his judicial capacity, as he will be on the final revision; he is merely acting as the municipal clerk used to act and not as a judge, and should therefore require no greater acquaintance with the law on the part of those applying to be registered than a municipal clerk required on the part of those who applied to be put on the old voters' list. In this case, excessive technicality has been insisted on in my county; I do not know to what extent in other counties. Possibly, in many of them, the same technicality has been insisted on, but the revising officers have been more secretive than in Elgin, and have not given reasons for rejection or probably not notified the applicants at all of their rejection. For this reason more particularly, I brought on the debate, so that voters all over the country should be warned in time to enquire into the fate of their applications. As I stated last year, the officers require watching, and the facts prove the truth of that assertion. I agree with the hon. member for North York (Mr. Mulock), that it is quite possible the revising officers, without the intention of doing wrong, may do injustice, as they are men unused to this procedure and accustomed to purely legal proceedings. They have attempted to apply this in many cases where it did not apply, where it should not apply, and in these cases they will do serious injustice, even where they do not mean to do wrong. Of course, I do not deny that there are places where the revising officer may have been appointed, and probably has been appointed, with the intention, on the part of the Government at least, of getting the most favorable consideration for one side of the case. In such cases as these, he will specially pay for watching. All I ask now is simply publicity. We want to know what the Government has told these officers to do. As to this question of printing, it seems to be no secret. We are told on every hand—it seems to have leaked out from the returning officers themselves—that the printing is to cost so much per name—12c. or 12½c. per name—and this is, of course, a pretty large figure. I am informed by practical printers that 6c. per name would be ample and would give a good profit. I do not know of my own knowledge whether that is correct or not, but I know that, unless you have competition, unless you do what the townships do, ask the printing offices in the various towns to compete, you will never have the list printed at the lowest rate. No matter how low you fix your arbitrary rate, it will always be higher than that which you would get as the result of competition; and, further, it will always be in the hands of the papers on one side. If that amount of 12c. per name is correct, it will amount to from \$450 to \$500 for every constituency in Canada. That is over \$100,000 which is to go into the pockets of Conservative newspapers, for it will all go to Conservative newspapers.

Mr. BOWELL. That is not so.

Mr. MULOCK.

Mr. CASEY. Unless some very Conservative independent organ can be found in some town which will get a slice of it. As to the form, we are told that the instructions to the revising officer were that he must not print the list three times, as the Act says; that he must contravene the Act, and print it only once; that he may print all the copies from the assessment roll, say 600 numbers per constituency, that he can use 200 copies for the preliminary revision, and then, by adding names at the foot of the pages in blank spaces, can prepare the list for the final revision, and so, in the same manner, can complete the list by striking out with his pen or by adding names as the case may be. In this way we will have a very peculiar, scrappy looking list, a list full of erasures, and subject to manipulation by the revising officer after the final court has been held, because there is nothing to prevent his running his pen through any name he likes, and the result will be that that person will be disfranchised, and we will have no security as to the composition of the list. Of course, this is an attempt to avoid the expenditure for printing which would be necessary if the Act were carried out. The Government see that the Act involves more expenditure than the country will stand, and they have contrived a plan to avoid some of this expense, but the result will be very inconvenient lists. As to the Indian question, I have been informed, since this debate began, from my constituency that the statement made as to other counties is true there also, and that the course pursued by the revising officer in my own county was that which has been alleged. I am told that the judge interviewed Mr. Beatty, the Indian agent at Highbgate, and got a list of the Indians on the Moravian reserve who ought to go on the primary list. I mention this only to urge that such procedure is dangerous and improper, and I doubt if it is not illegal, and it certainly should be put a stop to.

Motion agreed to.

TEMPORARY GOVERNMENT LOANS.

Sir RICHARD CARTWRIGHT moved for:

Return showing in detail sums borrowed by way of temporary loan by Government on 1st March, 1886, from banks or other parties, in Canada or elsewhere.

He said: I do not want to enter into a lengthy discussion on this matter, but in making the motion I would be glad to know from the Minister of Finance whether the \$14,300,000 which he stated to be now borrowed by way of temporary loans from parties, either in Canada or England, are new loans, or whether they were loans of last Session carried over. Last Session there was an amount, either equal to or somewhat larger than this, which had been borrowed temporarily, and I had understood that the loan was in part for the purpose of paying those off. However, as I had observed that the Minister of Finance did not contract as large a loan as had been expected, I suppose in point of fact this had been renewed from time to time. I would like to know, if the hon. gentleman's memory permits him to state it, how that was.

Mr. McLELAN. In answer to the hon. gentleman, I may say that part of that sum is made up by the old loans and are still standing, and some by new loans contracted since. The parties loaning object to our giving their names. We can give the dates at which certain amounts were loaned, and when they will be payable, but the names of the banks and the names of the institutions loaning we object to give, as they decline to have their names published, but we will give the rates of interest and the dates at which they were contracted.

Sir RICHARD CARTWRIGHT. Last year the hon. gentleman's predecessor, I think, objected to giving the rates of interest, but did give the names. Now, although I do not want to embarrass the Minister of Finance, who has

a great deal on his hands, I do not myself see why there should be any objections to the names of parties who loan money being made known to this House. I do not recollect on any previous occasion, that particular information having been refused, and I fail myself to see that there can be any sufficient reason for not doing it. Of course, it is a matter which, to a certain extent, we must acknowledge rests in the discretion of the Government; but it is a new precedent, as far as my memory serves me, and I do not remember the information being refused before.

Mr. BOWELL. During the last Session of Parliament the late Finance Minister did, as the hon. gentleman states, give the names of the banks and the parties from whom the money was borrowed, but the hon. gentleman has forgotten that when a second motion came before the House—and I think if he refers to the *Hansard* he will find it there recorded—the Finance Minister then refused to give the names of the parties from whom the money was borrowed, stating at the time—

Sir RICHARD CARTWRIGHT. The hon. gentleman himself was then acting Finance Minister I think.

Mr. BOWELL. I was coming to that presently. The statement was made in the House by myself, by the direction of the late Finance Minister, that the parties, from whom the money was borrowed, objected to their names being made public, and considered it a private transaction; but the amounts which were being borrowed were given to the House. The statement made last Session was precisely the same as the one which has been made by the present Finance Minister.

Mr. BLAKE. I suppose it is intended to communicate the rate of interest in each case, and not the average rate?

Mr. McLELAN. Yes, for each loan.

Mr. BLAKE. For my part, I do not wish to give my assent to the doctrine that borrowing transactions can take place between the Government of this country and individuals, without this House being made cognisant of the persons. I think it is an utterly unsound notion. I think that the sooner the corporations, who have transactions of this kind with the Government, know that they will be held liable to have these transactions stated in Parliament, the better; and if public corporations decline to loan to the Government and the people of this country, and have their names made known, we had better not borrow of them; we had better borrow only of those who can afford to have the transactions stated, with the names of the persons with whom the country is contracting.

Motion agreed to.

INTERCOLONIAL RAILWAY—PRIVATE CARS.

Mr. WELDON moved for:

Return of the number of private or official cars built or purchased for the Intercolonial Railway since the year 1878, and the cost of each car.

Mr. POPE. There has been no private cars of that kind purchased for the Intercolonial. There has been one car held for the general inspection of the railway, but it is as much for the Canadian Pacific Railway as the Intercolonial. However, I will give the hon. gentleman the information with respect to that car.

Motion agreed to.

THE NORTH-WEST DISTURBANCE—TRIAL OF LOUIS RIEL.

Mr. CAMERON (Huron.) I am not quite sure whether the Order of the House on the motion of the hon. member for Bellechase (Mr. Amyot) covers what I require by the motion I have on the paper. The hon. gentleman moved

for a return, and obtained an Order of the House, for copies of all documents forming the record in the case of Her Majesty against Louis Riel tried at Regina, &c. What I desire to obtain is a copy of the shorthand notes of what took place on the application to postpone the trial of Louis Riel; the argument of prisoner's counsel in favor of and the arguments of the Crown counsel against such postponement, and the observations and decisions or rulings of the judge thereon; the shorthand notes of Charles Nolin's cross-examination and the arguments of counsel and decision of the judge thereon. In order to be sure that this ground is covered, I move for:

1. A copy of the shorthand notes of the application to postpone the trial of Louis Riel for one month from the 21st July, 1885; the arguments of prisoner's counsel in favor of and the arguments of the Crown counsel against such postponement, and the observations and decisions or rulings of the judge thereon.

2. The shorthand notes of that portion of Charles Nolin's cross-examination wherein Riel's counsel endeavored to establish Riel's insanity; Riel's protests against that line of defence, and his desire to dispense with the services of his counsel, and the arguments of counsel and the observations and decisions or rulings of the judge thereon.

3. The judge's charge to the jury at the trial of Louis Riel.

Motion agreed to.

REPORT PRESENTED.

Report of the Department of Militia and Defence for the fiscal year ending 30th June, 1885.—(Sir Adolphe Caron.)

RETURNS ORDERED.

Return showing the expenses, in detail, with dates, incurred by the several members of the Government, and any other person or persons in the service of the Government sent to England or elsewhere, on behalf of the Government, from 16th February, 1885, to date; as also a return showing the travelling expenses in detail of Sir Charles Tupper, High Commissioner to England, during the same period.—(Mr. Somerville, Brant.)

Return showing the amounts of money paid to Chief Kah-ke-wa-qu-na-by (otherwise known as Chief Jones), editor of "The Indian Newspaper," during the past four years, with a statement of the services rendered for such payments, and all correspondence and Orders in Council in connection therewith.—(Mr. Somerville, Brant.)

Return of all the hardware and railway supplies purchased in Halifax by the Department of Railways and Canals for the Intercolonial or any Government works, in each year from 1st July, 1878, to 31st December, 1885, the names of each firm, amount by tender and contract and without, amount paid to each firm in each year.—(Mr. Forbes.)

Return showing:—1st. The name of each person on the superannuation list on the 1st of January, A. D. 1885. 2nd. The date at which each of such persons were superannuated. 3rd. The amount paid into the superannuation fund by each person now on the list. 4th. The total amount paid to each person now on the superannuation list up to the 1st of January, 1886.—(Mr. McMullen.)

Return showing the amount paid P. M. Barker, of Orangeville, returning officer under the Canada Temperance Act for the County of Dufferin, Ontario, for the vote taken under the provisions of said Act, on the 30th day of October, 1884, giving a detailed statement of his account and the amount paid him, giving each item separately.—(Mr. McMullen.)

Return showing copies of all reports, communications, letters or other papers from any Government agent or other person, to any member of the Government or to any Department of the Government, since the 1st of April, 1882, referring to the insufficiency of the food either as to quality or quantity, supplied by the Government to any Indians in the North-West Territories, or referring to the case of any North-West Indians who may have suffered or died from starvation.—(Mr. Mulock.)

Returns of all casualties to trains on the Intercolonial Railway arising from collision, broken rails or any other cause, for the calendar year 1885; the respective causes and dates; the names of any conductors, engine drivers, or other officials dismissed, suspended or fined for any such collision or other neglect of duty; the amount of damage (if any) to property in such cases; the amount of compensation paid to owners of property destroyed or damaged, as well as amount of claims for loss or damage to property (if any) unsettled.—(Mr. Weldon.)

Return showing the quantity of rolling stock purchased for the Intercolonial Railway during each six months of the year ending 31st December, 1885, giving each kind of rolling stock, and whether purchased under contract or otherwise, the parties from whom bought and the cost of each kind; also a statement showing what has been built in Government workshops of each kind.—(Mr. Weldon.)

Return showing the quantity of stores purchased and taken into stock for the Intercolonial Railway during the last six months for the year ending 31st December, 1885, specifying what stores and of what kind

purchased under contract, and the names of the several contractors, and the several amounts paid under such contracts.—(Mr. Weldon.)

Return showing the cost and moneys expended upon the railway station building in St. John, New Brunswick, and of the furniture and fittings therein, the amount of the several contracts, names of contractors and the place of manufacture of such furniture and fittings.—(Mr. Weldon.)

Return showing the number of men employed on the Intercolonial Railway between Campbellton and Halifax and between St. John and Shediac including the men employed at the different stations, specifying the number at each station and the men employed in the machine shops at Moncton; the number and names of men dismissed or discharged from the employment of the Railway since 1st of October last, and the several causes of such dismissal or discharges; also any reduction of wages payable to the employes or any of them since the 1st day of October last.—(Mr. Weldon.)

Return of the rolling stock repaired at the Government workshops at Moncton for the Intercolonial Railway during the year ending 31st December, 1885; also of the rolling stock of the said railway repaired at other workshops during the same period, the places where such repairs were made and the amounts paid.—Mr. Weldon.

Copies of all petitions, communications, and representations in favor of the commutation of the sentence of Louis Riel.—(Mr. Laurier.)

Copies of all papers found in the Council room of the insurgents, or elsewhere at Batoche, especially including: 1. The diary of Louis Riel. 2. The minute book and Orders in Council of the insurgent Council. 3. The correspondence of Louis Riel.—(Mr. Laurier.)

Copies of all reports made by the Commissioners appointed by the Royal Commission issued on the 30th March last, "to make such enumeration of Half-breeds resident in the North-West Territories outside of the limits of Manitoba previous to the 15th day of July, 1870, and also to report the persons entitled to be dealt with under sub-clause (e) of clause 81 of the 'Dominion Lands Act, 1883,' and also the extent to which they may be entitled;" of all proceedings of the said Commissioners; of all instructions given to them and of all correspondence exchanged between them and the Government.—(Mr. Laurier.)

Copies of minutes of the councils held by the Six Nation Indian Chiefs during the month of December, 1885.—(Mr. Paterson, Brant.)

Copies of: 1. All Orders in Council or Departmental Orders respecting the putting in operation "The Act respecting the Electoral Franchise." 2. All instructions given by the Government or any of the Departments to the revising officers appointed under said Act. 3. All correspondence between the Government or any Department of it and said revising officers.—(Mr. Cameron, Huron.)

Copy of the Order in Council, dated on or about 4th August, 1883, under which the Prince Albert Colonisation Company was authorised to exchange township 43, range 27, west of 2nd meridian, for fractional township number 45 on the south side of the Saskatchewan River, also range 27, west of 2nd meridian.—(Mr. Edgar.)

1. A copy of the report of George Duck, Dominion Lands Agent at Prince Albert, dated on or about 15th August, 1884, relating to the lands of the Prince Albert Colonisation Company. 2. A copy of all reports of Rufus Stephenson, Inspector of Colonisation Companies, concerning the Prince Albert Colonisation Company, and particularly his report dated on or about 19th November, 1884, relating to the lands of said company, and giving detailed statements as to the settlers thereon. Also, copies of all reports by, and instructions to, Government agents or employes relating to the said company's lands, either originally or subsequently applied for.—(Mr. Edgar.)

Return showing the number of Half-breeds of the North-West Territories who proved their claims before the Commission at Fort Qu'Appelle, Touchwood Hills, Qu'Appelle Valley, Regina, Maple Creek, Calgary, Fort McLeod, Pincher Creek, Edmonton, St. Albert, Fort Saskatchewan, Victoria, Fort Pitt, Battleford, Prince Albert, Batoche, Duck Lake, Forks of Saskatchewan, Fort à la Corne, Cumberland House, Moose Jaw and Willow Branch, in North-West Territories; also at Grand Rapids, in Keewatin, and Winnipeg and Griswold, in Manitoba, giving in each case the number of heads of families and minors: also the number of males and females; also copies of all the petitions filed in the Department of the Interior praying that grievances be redressed, with the names of such petitioners, distinguishing those who had their claims already settled in Manitoba and those who had not; also the number of Manitoba Half-breeds who proved their claims prior to the 20th of April last on the supplementary list, and those who have proved their claims since that date.—(Mr. Ross.)

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

Motion agreed to and the House adjourned at 6 p.m.

HOUSE OF COMMONS.

FRIDAY, 5th March, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

REPORT PRESENTED.

Annual Report of the Postmaster-General for the year ending June 30, 1885.—(Sir Hector Langevin.)

FIRST READINGS.

Bill (No. 17) to amend the Act respecting the North-West Central Railway Company.—(Mr. Beaty.)

Bill (No. 18) to incorporate the Midland Bank of Canada.—(Mr. Ward.)

ANIMALS CONTAGIOUS DISEASES ACT AMDMT.

Mr. MULOCK moved for leave to introduce Bill (No. 19) to amend the Animal Contagious Diseases Act. He said: The object of the Bill is to provide a more equitable system of compensation to owners of cattle that may be slaughtered under the provisions of the Act of last Session. No new principle is introduced by this Bill. It is framed substantially on the lines of the English Statute 41 and 42 Victoria, with one exception, namely, that in the Imperial Act no provision is made for extra compensation in the case of thoroughbred animals. In the Bill which I have the honor to introduce such a provision is introduced.

Motion agreed to, and Bill read the first time.

THE NORTH-WEST DISTURBANCE—TRIAL OF HALF-BREEDS.

Mr. BLAKE asked, How many half-breeds were committed for trial in connection with the North-West rebellion; how many were tried; how many were convicted; how many Indians were committed for trial in the same connection; how many were tried; how many were convicted; how many whites were committed for trial in the same connection; how many were tried; how many were convicted; and what are their names?

Mr. THOMPSON (Antigonish). The information which the hon. gentleman asks is prepared, but has not been verified in such a way that I would like to give it to-day. It will be ready, however, on Monday. I hope the hon. gentleman will find it more convenient to move for it.

Mr. BLAKE. After what was said the other day by the Minister of Interior, in answering a question put by the hon. member for York, I supposed that objection would not lie on that side of the House.

HON. SENATOR O'DONOHUE.

Mr. BLAKE asked, Was it arranged between Mr. O'Donohue and the First Minister or any member of the Government that the former should become a Privy Councillor or Cabinet Minister? If so, when? (2.) Was the office to be filled by Mr. O'Donohue agreed on? If so, what was the office? (3.) Was any communication addressed by the First Minister to any ecclesiastical dignitaries intimating Mr. O'Donohue's approaching accession to the Government? If so, when and to whom? (4.) Was any communication by His Excellency the then Governor General relating to Mr.

O'Donohoe's appointment conveyed to that gentleman; and, if so, when? (5.) For how long a time did the understanding continue that Mr. O'Donohoe should be a Privy Councillor and Minister, and when was it broken off?

Sir JOHN A. MACDONALD. If the hon. gentleman will renew that question next week, I will be able to revive my recollection of the circumstances.

INCREASE OF NET PUBLIC DEBT.

Mr. CHARLTON asked, What is the increase of the net Public Debt from March 1st, 1885, to March 1st, 1886?

Mr. McLELAN. The increase from the 1st March, 1885, to the 1st March, 1886, was \$15,856,422.

THE CASE OF LOUIS RIEL.

Mr. AMYOT asked, On what authority did Mr. Justice Richardson state, in pronouncing sentence upon Louis Riel, that he could not give him hope that Her Majesty would exercise mercy in his behalf? Was he authorised by the Executive to make that declaration?

Mr. THOMPSON (Antigonish). I have to say that the Government had no communication with Mr. Richardson on that subject. It is presumed that the intimation which Mr. Justice Richardson made, was made by him, as it occasionally is by other judges in similar cases, as indicating his own view of the case being one in which Executive clemency should not be exercised.

THE GROSS PUBLIC DEBT.

Mr. CHARLTON asked, What is the increase of the gross Public Debt from March 1st, 1885, to March 1st, 1886?

Mr. McLELAN. The amount is \$24,983,770.

BANKRUPTCY AND INSOLVENCY LEGISLATION.

Mr. EDGAR asked, Is it the intention of the Government to introduce any general Bankruptcy Law this Session? If such be not their intention, will any special committee be proposed by them, as was done last Session, to consider the subject of insolvency legislation?

Mr. THOMPSON (Antigonish). It is not the intention of the Government to introduce any Bill on that subject, and it is not deemed necessary to invite the House to appoint a committee on the subject, inasmuch as the committee seemed to have terminated their labors last Session, and their deliberations resulted in the bringing in of a Bill which any member can bring forward, without any further deliberations on the part of the committee.

THE CASE OF LOUIS RIEL.

Mr. AMYOT asked, What is the date of the Order in Council ordering the execution of Louis Riel?

Mr. THOMPSON (Antigonish). The date of the Order in Council to which the hon. member probably has reference, being the Order in Council directing that the law should take its course, was the 12th November, 1885.

Mr. AMYOT asked, What was the motive of the third respite granted to Louis Riel?

Mr. THOMPSON (Antigonish). In order to give time for the arrival at Ottawa of the report on the medical condition of Louis Riel.

BOUNDARIES OF ONTARIO.

Mr. MILLS asked, Whether the Government propose to invite any action by Parliament in reference to the bound-

aries of Ontario? If so, what action is Parliament to be invited to take, and when?

Sir JOHN A. MACDONALD. That subject is now under the consideration of the Government.

THE CASE OF LOUIS RIEL.

On the Order,

Resolution, That this House feels it its duty to express its deep regret that the sentence of death passed upon Louis Riel, convicted of high treason, was allowed to be carried into execution.

Mr. LANDRY (Montmagny). With the permission of this House I will postpone the consideration of this motion until next week. Some members are leaving to-night, and they have asked me to postpone the discussion of this question until next week; and if the House will permit me, I will allow it to stand.

Motion allowed to stand.

Mr. AMYOT moved for:

Copies of all commissions, letters, telegrams or instructions whatsoever, given, furnished or sent by the Government, by any Minister or Ministers, or any officer of the Department of Justice, to His Honor Mr. Justice Hugh Richardson, in relation to the trial of Riel at Regina, or to the counsel representing the Government at the trial; also copies of any instructions given to any person whomsoever on the staff of the court presided over by the said Judge, and to the counsel representing the Government at the said trial.

Mr. THOMPSON (Antigonish). I am not aware that there are any such documents as are enquired for in the first part of this Address, but if there are, they will be brought down.

Motion agreed to.

DISMISSAL OF THE POSTMASTER OF STRATHLORNE, N. S.

Mr. CAMERON (Inverness). As it has been reported in the public press in Nova Scotia that the Postmaster of Strathlorne was removed from office for efficiently discharging his duty, and as I doubt that the Postmaster-General would remove him for that reason, I beg to move for:

Copies of all correspondence relative to the dismissal of Isaac McLeod, Esq., Strathlorne, Inverness, from the position of Postmaster at that place, including the Post Office Inspector's report.

Sir HECTOR LANGEVIN. Every paper relating to the matter will be brought down.

Motion agreed to.

THE CASE OF LOUIS RIEL.

Mr. AMYOT moved for:

Copies of all letters, reports, telegrams and documents whatsoever relating to the several respites granted, on or without his application, to the late Louis Riel; also copies of the Order in Council directing the execution of Louis Riel; also, of any letters or telegrams transmitted by one of the physicians to enquire into the mental condition of Louis Riel, or by all of them collectively.

He said: As I understand that the question raised by my hon. friend from Montmagny (Mr. Landry) will come up next Thursday, I hope the Government will not delay bringing down the papers which are asked for, and which are anxiously waited for by the House. I need not say that we want to see all the papers concerning this important question.

Mr. THOMPSON (Antigonish). There is no objection to the motion, and the documents will be prepared as soon as possible, considering the large number that have been called for.

Motion agreed to.

POST OFFICE OF PICKERING, ONT.

Mr. EDGAR moved for :

Copies of all reports made by Inspector Sweetnam concerning alleged irregularities in connection with the management of Pickering post office, in the county of Ontario, and in particular of his report upon the investigation held by him at the village of Pickering in December, 1883; and copies of all correspondence between Inspector Sweetnam and the Post Office Department relating in any way to charges made against the management of said post office, and a copy of instructions to the Inspector given upon such report.

He said: In December, 1883, one John Logan was the deputy postmaster at Pickering post office. An investigation seems to have been held into the management of that post office in December, 1883, while he was deputy postmaster. I have here a copy of what purports to be the evidence taken at the time by a shorthand reporter for a local newspaper. According to the evidence, it seems that there were charges made and evidence given against the deputy postmaster of overcharges for postal material, of money letters going permanently astray from his office, of opening letters in that office, and of gross delays and mistakes of all sorts, and it is stated in the report that on the conclusion of the evidence the inspector told all those in the room who had complete confidence in Mr. Logan to stand up; 8 stood up and 42 remained seated. Then the inspector said he would report the matter to the Postmaster-General at once and take whatever action was necessary. It is very important that the report which Mr. Sweetnam made after this investigation should be made known, because since then the Government has actually appointed Mr. Logan to the position of postmaster in that place.

Sir HECTOR LANGEVIN. All the documents that the Government can control shall be brought down.

Motion agreed to.

CANADIAN PACIFIC RAILWAY AND NORTH SHORE RAILWAY COMPANY—CORRESPONDENCE.

Mr. LAURIER moved for :

Copies of all correspondence between the Government or any member of the Government with the Canadian Pacific Railway and the North Shore Railway Company, and between the two companies concerning the prolongation of the line of the Canadian Pacific Railway to the Harbor of Quebec; of all contracts between the said two railway companies in reference to the same; of all Orders in Council passed in reference to the same, together with a statement of all moneys paid by the Government, and of the names of the persons to whom such payments were made, also in reference to the same, and in conformity with the Acts 47 Victoria, Chapter 8, and 48-49 Victoria, Chapter 58.

Sir JOHN A. MACDONALD. All correspondence on this subject which is under the control of the Government shall be brought down.

Motion agreed to.

INTERNAL ECONOMY COMMISSION.

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

Mr. SPEAKER read the Message as follows:—

LANSDOWNE.

The Governor General transmits to the House of Commons, an approved Minute in Council, appointing the Right Honorable Sir John A. Macdonald, G. C. B., President of the Queen's Privy Council for Canada, the Honorable Sir Hector Langevin, Minister of Public Works, the Honorable Mr. McLellan, Minister of Finance, and the Honorable Mr. Costigan, Minister of Inland Revenue, to act with the Speaker of the House of Commons as Commissioners for the purposes and under the provisions of the Act 31 Victoria, Chapter 27, intitled: "An Act respecting the Internal Economy of the House of Commons; and for other purposes."

GOVERNMENT HOUSE,

OTTAWA, 5th March, 1886.

Mr. THOMPSON (Antigonish).

RETURNS ORDERED.

Copies of all correspondence with the Minister of Public Works, the Minister of Railways and Canals, and the Minister of Marine and Fisheries, relative to repairs of the Public Wharf at Port Hastings, Inverness, N. S.—(Mr. Cameron, Inverness.)

Copies of all correspondence with the Department of Public Works, relative to protection required to the north of Smith's Island, to prevent the total destruction of Port Hood Harbor, Inverness, N. S.; also a copy of the Engineer's report thereon.—(Mr. Cameron, Inverness.)

Copies of all letters written by the Provincial Secretaries of the late Provinces of Upper and Lower Canada and Canada, or any officer or officers charged with the proper authority on each of the following subjects: 1. Capital cases in which the Crown refused to exercise the pardoning power, not only in cases which verdicts when rendered were accompanied by a recommendation to mercy, but also in cases in which there were no such recommendations. 2. Capital cases in which the Crown did exercise the prerogative of pardon. 3. Capital cases in which the Crown refused to respite executions where applications had been made for that purpose, with a view towards appealing to the Lords of the Privy Council. 4. Capital cases in which the *fiats* for writs of error had been refused by the Attorney-General or the Minister of Justice for the time being.—(Mr. Mackintosh.)

Copies of all Orders in Council in relation to the Half-breed prisoners in the North-West, passed during the three months next preceding the 16th November, 1885.—(Mr. Desaulniers, Maskinongé.)

Copies of all documents forming the record in the cases of Her Majesty against the different parties tried in connection with the late rebellion, including the jury list, the names of jurors, the lists of jurors empanelled, the motions and affidavits filed, the evidence, the incidents of the trial, the charges of the Judge, the names of the Judges who tried the different cases, the names of the counsel for the prosecution and for the defence, the pleas entered, the verdicts and the sentences, and, in short, of every document whatever relating to the said trial.—(Mr. Laurier.)

Sir JOHN MACDONALD moved the adjournment of the House.

Motion agreed to; and the House adjourned at 4:5 p.m.

HOUSE OF COMMONS.

MONDAY, 8th March, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

REPORTS PRESENTED.

Report of the Minister of the Interior for the year 1885.—(Mr. White, Cardwell.)

Report of the Minister of Agriculture for the fiscal year ended 30th June, 1885.—(Mr. Pope.)

FIRST READING.

Bill (No. 20) to provide for the Punishment of Seduction, and to afford Protection to Women and Girls.—(Mr. Charlton.)

SUPREME AND EXCHEQUER COURT.

Mr. EDGAR moved for leave to introduce Bill (No. 21) to further amend the Supreme and Exchequer Court Act. He said: While the Supreme Court Act seems to make full provision for deciding controversies between the Dominion and any Province, or between one Province and another, it is more than doubtful whether a Province has the power to apply of its own motion to ascertain the opinion of the Supreme Court as to the validity of any of its own statutes; and it does seem to me to be not unreasonable that the Provinces should have the power. It looks hard that private parties should have to bear the expense, and very often losses of other kind, in testing the validity of Provincial Statutes in the courts, whereas we might, I think, by a very simple provision enable the Provincial

Governments themselves to obtain the opinion of the highest tribunal in the land as to the validity of their own statutes. There seemed to be two ways in which this might be done. One would be to enable the Lieutenant-Governor in Council to refer the question directly to the Supreme Court; but as that court is under Dominion jurisdiction, that might be objectionable. Another way would be to enable the Lieutenant-Governors in Council to do so by the intervention of the Governor in Council, and that is the plan adopted in the short Bill which I have laid before the House.

Motion agreed to, and Bill read the first time.

RATE OF INTEREST IN BRITISH COLUMBIA.

Mr. BAKER (Victoria, B.C.) moved for leave to introduce Bill (No. 22) respecting the rate of interest in British Columbia. He said: At present no rate of interest is specified by law in British Columbia as collectable on accounts recovered under judgments, and great trouble very frequently arises in arriving at the amount of interest which has been allowed with the principal which has been recovered. This Bill is simply to provide what shall be the legal rate of interest recoverable in British Columbia in that way, and also to specify the maximum rate which can be recovered, even where there is an expressed agreement.

Motion agreed to, and Bill read the first time.

THE NORTH-WEST DISTURBANCE.

Mr. BLAKE asked, How many half-breeds were committed for trial in connection with the North-West rebellion; how many were tried; how many were convicted; how many Indians were committed for trial in the same connection; how many were tried; how many were convicted; how many whites were committed for trial in the same connection; how many were tried; how many were convicted; and what are their names?

Mr. THOMPSON (Antigonish). Most of the prisoners taken in connection with the rebellion were not regularly committed for trial, but were taken for overt acts of rebellion and held for trial or discharged. There were, in all, 46 half-breed prisoners, 81 Indians and 2 whites; 18 half-breeds were tried for treason-felony, one for high treason, and one for murder; 11 were discharged on their own recognisance of \$400 each, to appear and receive sentence when called upon; 8 were discharged upon their own recognisance, to appear and take their trial when called upon; one, Adolphe Nolin, charged with treason-felony, was discharged by order of General Middleton. Two others who were held for trial and would have been tried in the course of the present month, were discharged on the proceedings being discontinued by my own direction. The 4 others were discharged, one having been acquitted. Of the Indians 44 were convicted of various offences, nearly all treason-felony; 1, however, was for manslaughter, 2 for arson, 5 for horse stealing, 1 for cow stealing, 1 for breaking gaol, and the others were convicted of treason-felony; 10 were discharged on promising to come up for trial when required. In the case of one Indian charged with treason-felony, there was no evidence against him at the time of the trial, but he was detained at Regina for further enquiry by the Indian Department, and has since probably been discharged. Three were acquitted. The remainder of the Indians, charged with various offences, were discharged. The two charged with stealing appear to have been discharged, but I am not in a position to say by whose order or on whose authority. Of the whites two charged with treason-felony were held for trial. One of them, William H. Jackson, was acquitted on the ground of insanity; the other, Thomas Scott, was acquitted.

HON. SENATOR O'DONOHUE.

Mr. BLAKE asked, Was it arranged between Mr. O'Donohue and the First Minister or any member of the Government that the former should become a Privy Councillor or Cabinet Minister? If so, when? (2.) Was the office to be filled by Mr. O'Donohue agreed on? If so, what was the office? (3.) Was any communication addressed by the First Minister to any ecclesiastical dignitaries intimating Mr. O'Donohue's approaching accession to the Government? If so, when and to whom? (4.) Was any communication by His Excellency the then Governor General relating to Mr. O'Donohue's appointment conveyed to that gentleman; and if so, when? (5.) For how long a time did the understanding continue that Mr. O'Donohue should be a Privy Councillor and Minister, and when was it broken off?

Sir JOHN A. MACDONALD. I will answer this question, in so far as I think the public interests are concerned. In 1882, negotiations were opened with Mr. O'Donohue with the view of his entering the Ministry, and the assent of the Governor General was obtained to his being asked to enter the Government. It was, however, found that Mr. O'Donohue could not, at that time, from various causes, bring the expected strength to the Administration, either generally or from his co-religionists; and, after consultation between Mr. O'Donohue and the Hon. Frank Smith, Senator, the former was appointed Senator, and Mr. Smith was appointed to the Privy Council, without, according to my recollection, any office being assigned to him.

IMMIGRANTS SETTLED IN CANADA.

Mr. MILLS asked, What is the total number of immigrants reported to have settled in Canada during the calendar year 1885?

Mr. CARLING. 79,169.

FRANCHISE BILL.

Mr. McMULLEN asked, Whether it is the intention of the Government to introduce any amendments to the Franchise Bill during the present Session?

Sir JOHN A. MACDONALD. That is under consideration.

AMNESTY IN THE NORTH-WEST.

Mr. BLAKE asked, Whether it is the intention of the Government to advise an amnesty in favor of persons against whom the Government has not instituted proceedings in respect of acts committed in the late rebellion in the North-West?

Sir JOHN A. MACDONALD. That is a matter of considerable delicacy, and is now under the consideration of the Government.

THE NORTH-WEST DISTURBANCE—TRANSPORT SERVICE, Etc.

Mr. CASEY asked, What are the total amounts paid to date, or now payable, on any claim recognised by the Government in connection with the suppression of the North-West rebellion, under the following heads, viz.:—Transport service; pay of officers and men; subsistence; equipment; arms and ammunition; medical and hospital supplies; horses; forage; commissions, if any, for payment of money or purchase of supplies; distinguishing payments made under any of these heads to the Canadian Pacific or Hudson's Bay Companies?

Sir ADOLPHE CARON. I must ask the hon. gentleman to move for the returns. It is quite impossible

to give the information sought for except by bringing down the papers connected with the different services.

THE CHINESE QUESTION.

Mr. BLAKE asked, Whether any communication has been received from the Government of the United Kingdom relating to the recent or proposed legislation of the Parliament of Canada on the subject of Chinese, and whether any such communication will be laid at an early day on the Table?

Mr. CHAPLEAU. No official communication has been received.

Mr. BLAKE. I did not say "official."

Mr. CHAPLEAU. But I say "official."

POST OFFICE SAVINGS BANK, MANITOBA.

Mr. ORTON asked, When is it the intention of the Government to establish branches of the Post Office Savings Bank at important points in Manitoba, and at what points?

Sir HECTOR LANGEVIN. They will be established as necessity requires.

BRITISH AMERICAN BANK NOTE PRINTING COMPANY.

Mr. LISTER asked: 1. Whether charges have been made against the British American Bank Note Printing Company for smuggling into Canada engravings, vignettes and other works of art from the United States without paying duty? 2. Whether charges have been made against the same company for having entered importations of a like kind under the proper value? 3. If such charges have been made, whether they have been investigated by officials of the Government, and whether these officials have submitted to the Government a report of the result of their investigation? 4. If such practices have been carried on by the company, over what period of time do they extend? 5. What is the value of such importations for the last three years, as well as the total value? 6. Whether any sum was found due by the company for unpaid duties, and if so, what was the total amount so found to be due? 7. Whether a less sum than the amount found to be due was accepted by the Government in settlement, and if so, what was the amount so accepted?

Mr. BOWELL. In answer to No. 1: Yes. 2. Yes. 3. Yes; the charges have been investigated by the Commissioner of Customs in the same manner as all other seizures, and the result reported. 4. The report is divided into two periods, the first prior to 1875, at which time the concessions which the Bank Note Company enjoyed were withdrawn, and the second subsequent to that date and up to January, 1886. 5. The value reported as illegally imported or undervalued for the last three years is \$599. The total value reported is \$15,517. 6. The sum found due by the company for unpaid duties is \$588.20. 7. A sum less than the amount found to be due was not accepted by the Government. The amount accepted by the Government was \$588.20, the full amount of unpaid duties; \$294.10 being 50 per cent. penalty as per section 102 of the Customs Act, and \$308 to cover costs. Total \$1,190.30.

INTERCOLONIAL RY—WORKING EXPENSES.

Mr. WELDON asked, What are the earnings and working expenses of the Intercolonial Railway for each month from July 1st, 1885, to February 1st, 1886?

Mr. POPE. If the hon. gentleman will put that in the shape of a notice of motion, I will bring down the papers without delay.

Sir ADOLPHE CARON.

THE CASE OF LOUIS RIEL.

Mr. DESAULNIERS (Maskinongé) asked, Whether the Government made enquiry with a view to ascertaining the intention of the jury in the case of Louis Riel, in recommending the prisoner to the mercy of the court?

Mr. THOMPSON (Antigonish). There was no means of making such an enquiry except by enquiring from the individual jurors who composed the jury, and that has not been deemed a constitutional mode of seeking the information.

Mr. DESAULNIERS (Maskinongé) asked, Whether the Government received any communication, letter or other document from one or more of the jurors in the case of Louis Riel, informing them that the intention of the jury in recommending the said Louis Riel to the mercy of the court was to exempt the prisoner from the death penalty; and if any such information reached the Government, what juror or jurors furnished the same?

Mr. THOMPSON (Antigonish). No such communication, letter or other document has been sent to the Government, so far as I am aware. If the papers contain any such, they will be brought down.

On the Order for the Resolution of Mr. Landry (Montmagny):

That this House feels it its duty to express its deep regret that the sentence of death passed upon Louis Riel, convicted of high treason, was allowed to be carried into execution.

Sir JOHN A. MACDONALD. I would ask my hon. friend to allow this motion to stand until Thursday. Wednesday is a holiday, and, as this may produce considerable discussion, we may as well set it down, with the consent of the House, as the first Order of the Day for Thursday, and I hope the discussion will be continued *de die in diem* until it is disposed of. In connection with this motion, I may say that it is considered by the Government of such importance that they will not go on with the Estimates or enter upon the Budget until they know how they stand on this motion.

Motion allowed to stand.

INDIANS UNDER THE ROBINSON TREATY.

Mr. DAWSON moved for:

Copies of all correspondence between the Government of the Dominion and the Government of Ontario, in reference to the amount due to Indians under the Treaty of 1850, commonly known as the Robinson Treaty.

He said: In making this motion, Mr. Speaker, I desire to draw the attention of the House, once more, to the case of the Indians affected by the Robinson Treaty. I have frequently taken occasion to refer to this matter, but I am sorry to say without any very encouraging result, further than to obtain from the Government a full acknowledgment of the justice of the claims made by the Indians. It is acknowledged on all hands that there is a very large sum due to them, and it is always given as a reason why they have not been paid, that there is a difference existing between the Government of the Dominion and the Government of Ontario, as to which of the two Governments should furnish the means wherewith to pay them. The Dominion Government claims that, by the wording of the treaty, the payments to the Indians were made a lien on the land, and that, as the Government of Ontario now possesses the land and derives the revenues therefrom, it is bound to meet these payments. On the other hand, the Government of Ontario holds that, by the British North America Act, the charge of the Indians and all matters relating to them, including the payment of their annuities, devolved on the Dominion Government. The Government of Ontario, however, while maintaining that it should not be called on either to pay annuities or

arrears, suggested—very properly, as I think—that the Dominion Government should in the meantime pay the Indians the arrears due them, leaving the adjustment of the matter, as between the two Governments, to future consideration. On the occasion of the visit of His Excellency the Governor General to Algoma in 1831, the Indians of Lakes Huron and Superior presented addresses to him, in all of which they drew his attention to the injustice under which they were suffering from the withholding of the arrears due to them, and His Excellency asked me to make out a memorandum showing how the matter stood. This I did, and as the memorandum I then made states the matter more concisely than I could give it in a speech, I shall, with the leave of the House, read a few extracts from it. The address of the Thunder Bay Bands—and all the addresses are much alike—ran as follows:—

To His Excellency the Governor General:—

"We, the Indians of the land of many waters, welcome Your Excellency to our country. Our loyalty to our Great Mother the Queen is steadfast and unalterable, and we beseech Your Excellency to convey to Her Majesty our respectful love.

"This great country through which Your Excellency is now passing, belonged, not long ago, to us. We inherited it from our ancestors; but the white man came, and all we now possess is confined to a few small patches in this vast territory.

"We should not trouble Your Excellency with our grievances on an auspicious occasion like the present, when Your Excellency has come, as the representative of our Great Mother, to visit our country, but we may, nevertheless, mention that, on our ceding this territory, certain promises were made to us which have never been fulfilled, and even a written agreement entered into, which has not been carried out; even the trees on our small reserves are being cut off without our consent.

"All this is known to the Government, for we have, year after year, sent in documents explaining our position and demanding simple justice, but so far without avail, and we pray Your Excellency to order that justice may be done to the Indians without further delay.

"Your Excellency, we are sure, will pardon the poor Indians for mentioning these matters, for we have done so with the greatest reluctance. We are but a remnant, and a feeble one, of the once powerful tribes who inhabited these shores. Our race is passing away, and the day is not distant when the land of our fathers will know us no more. In the meantime, the white man might afford to deal at least justly, if not generously, with a people who will soon cease to trouble him. He has our silver mines and our forests, and is extracting vast treasures from these. Yet the miserable pittance due to the Indians is withheld.

"But we have done with our grievances, and shall conclude by wishing Your Excellency a safe and agreeable journey to the lands of the setting sun.

"May God bless and preserve Your Excellency.

"JOHN BAPTISTE BINESI,

"LOUIS CAPTAIN,

"ALEXI DABAGAR,

"Chiefs of the Fort William Band of Indians."

On this I made a memorandum for His Excellency, from which I shall now make a few quotations:

"As the case of the Indians at Fort William is identical with that of all the bands on Lakes Huron and Superior, I shall endeavor to explain how they all stand in reference to the arrears of Indian annuities which have accrued under the Treaty of 1850, commonly known as the Robinson Treaty. By this treaty, it was stipulated as follows:—

"The said William Benjamin Robinson, on behalf of Her Majesty, who desires to deal liberally and justly with all her subjects, further promises and agrees that should the territory hereby ceded by the parties of the second part at any future period produce such an amount as will enable the Government of this Province, without incurring loss, to increase the annuity hereby secured to them, then and in that case the same shall be augmented from time to time, provided that the amount paid to each individual shall not exceed the sum of one pound Provincial currency in any one year, or such farther sum as Her Majesty may be graciously pleased to order."

"This language is clear enough, and on reference to the official correspondence it will be seen that it is nowhere denied, but on the contrary admitted on all hands, that from the time the payment of \$4 per head annually could have been made from the revenue of the ceded territory, without loss to the Government, the Indians were clearly entitled to have their annuities augmented to that amount; but for a very long period the matter seems to have received no attention, payments of \$1.49½ per head to the Lake Superior Indians, and \$1 per head to the Lake Huron Indians, being made annually.

"This state of matters continued until the fall of 1875, when, after a lengthened correspondence with the Ontario Government as to which Government should supply the funds, a payment of \$1 per head was first made to the Indians by the Dominion Government, but of the arrears, extending back over a very long period, they have not, up to the present time, been paid anything whatever.

"As to the amount of these arrears, it should, in order to conform to the treaty, be computed from the date at which the revenue from the ceded territories became such as to admit of the stipulated payment of \$4 per head being made to the Indians, without loss to the Government, and it cannot be very difficult to find that date, with an earnest desire to discover it. A proper search in the records of the Crown Lands Department of Ontario will show the yearly territorial revenue derived from the ceded territories and the cost of its collection, both before and since Confederation; but in the unfortunate dispute—still pending—between the two Governments, as to which should supply the funds to meet that portion of the arrears which has accrued since Confederation, and indeed the whole of the annuities since the ceded territories fell to Ontario, information has been but very sparingly supplied. From such as can be had, however, a statement, at least approximately correct, can be made, and in endeavoring to show how the matter stands I shall be careful, in estimating the arrears, to keep within the amount to which the Indians are justly entitled.

"In the first place, I would draw attention to the fact that soon after the treaty was entered into the territories ceded became productive. In 1854 and 1855 mining licenses were issued and lands sold on Lake Superior, the sales and license fees amounting in these and succeeding years, up to the date of the confederation of the Provinces, to \$110,000—a sum more than sufficient, after deducting all charges connected with its collection, to have met the payments to the Lake Superior Indians in full. (See memo. of Commissioner of Crown Lands of Ontario, page 32 of Return.) The amount realised during the same period from land sales, license fees and timber dues on Lake Huron was doubtless much larger, but the Commissioner of Crown Lands, in the communication above referred to, gives no statement, alleging as a reason for withholding it that the eastern boundary of the tract ceded had not been defined. He might, however, have given a closely approximate estimate, seeing that the lands from which any considerable revenue, if not the whole of the territorial revenue, had been derived were far within the ceded tract, and in localities where there could be no question as to the boundaries. From the date of Confederation up to the 1st October, 1874, the revenue arising from lands on Lake Superior (see memo. referred to) amounted to \$272,000, while on Lake Huron, within the same period, although no statement is given, I am in a position to say that the territorial revenue paid into the Treasury of Ontario could not have fallen short of three-quarters of a million of dollars—the sales of timber berths in one year alone exceeding \$600,000.

"Taking the whole period of twenty years intervening between 1855, when the ceded lands had become sufficiently productive to admit of the Indians being paid from the proceeds thereof the full amount stipulated in the treaty, without loss to the Government, and 1875, when they for the first time received \$4 per head, I believe I am within the mark in stating the total territorial revenue derived from the ceded tracts at \$1,300,000. It is therefore evident that the condition in the treaty making the annuity of \$4 per head contingent on the Government being able to pay it, without loss, from the revenues of the ceded tracts had been fully met, and the Indians were, consequently, entitled to the full benefit of the stipulation throughout the whole period named, that is, from 1855 to 1875.

"It remains to be seen how much of the stipulated amount has been paid to them and how much remains due. On reference to the accompanying return, it will be seen that the amount paid to the Lake Superior Indians was, as I have already said, \$1.49½ per head annually, while the Lake Huron Indians received at first \$1.10 per head, and latterly only 95 cents per head. The calculation made by the Minister of the Interior as to the difference between the sum actually paid annually and that which should have been paid will, I suppose, be accepted without cavil, and on reference to his report of 12th July, 1875, and the Order in Council of the 22nd of the same month based thereon (pages 24 and 25 of Parliamentary Return) it will be seen that the difference between \$4 per head, to which the Indians were entitled by treaty, and the sum they actually received is computed at the annual amount of \$10,484 and that to meet any probable deficiency in this estimate the sum of \$11,000 is allowed by the Order in Council for the payment to be made in that year (1875). Taking, however, the lesser sum as the correct amount, and applying this calculation to the period of twenty years intervening between 1855, when, as already stated, the full amount of \$4 per head should have been paid, and 1875, when it was for the first time actually paid, it appears that annual payments aggregating \$209,680, without reckoning interest, have been withheld from the Indians, but in any fair calculation the interest should be added, and at the moderate rate of 5 per cent, simple interest, it would amount to \$110,082 making, with the above stated aggregate of the sums yearly withheld from the annuities, \$319,762.

"The poor Indians are too often accused of being in a chronic state of grumbling, because in addresses and petitions, which are sometimes but little heeded, they tell of their grievances, but let an equal number of poor white men have a wrong like this to complain of, and it is needless to say that they would grumble in a much more audible manner than the Indians have done.

"The amount due to these poor people, if funded and the proceeds judiciously applied, as they doubtless would be under the careful management of the Indian Branch of the Department of the Interior, to the establishment and maintenance of schools, such as the Shingwauk Home at Sault Ste. Marie, the Orphan's Home at Fort William Mission and the Industrial Schools on the Manitoulin, would have an excellent effect in bringing the Indians to adopt the habits of civilised life.

"But the sum stated, although considerable, is not all that the Indians may claim or are fairly entitled to. A large number of the Lake Huron Indians do not participate in the annuities at all, although the ceded lands belonged as much to them as to their more favored

brethren officially known as Treaty Indians. The lands on Lake Huron were in fact ceded by a part and not the whole of the Lake Huron bands, although the territorial rights of all were equal, and there are now considerable numbers of Indians on Lake Huron who are treated as aliens and non-treaty Indians, and all this on grounds so flimsy that they would not bear a moment's investigation. The annual payment of \$4 per head should apply equally to all the Indian population. But the treaty stipulated not alone for \$4 per head, but for 'such further sum as Her Majesty may be graciously pleased to order' (see page 1 of Return). Now the Indians of the interior all get \$5 per head, besides carpenters' tools, twine for nets, farming implements and cattle. In view of all this, it seems singular that the bands on the Great Lakes have not been better treated, more especially as the Treaty, even if its provisions had been fairly carried out, was in itself, to say the least of it, illiberal and unjust, so much so as to have elicited from the Imperial Commissioners who in 1856 investigated the condition of these Indians, the following very pointed remarks: '*If we considered that it came properly within our province we would not hesitate to express our decided regret that a treaty shackled by such stipulations, whereby a vast extent of country has been wrong from the Indians for a comparatively nominal sum, should have received the sanction of the Government.*' What would these Commissioners say now if they could rise and see that, for a period of twenty years, less than even a third part of this 'nominal sum,' as they justly call it, was paid to the Indians.

"On further reference to the Return, it will be seen that in a memo. dated 14th Jan., 1874 (page 15 of Return) the Attorney General of Ontario remarks as follows:—

"The Dominion Government should settle with the Indians without question as to what Government ought ultimately to pay."

"No one will be disposed to question the propriety of this common-sense suggestion, and it is much to be regretted that it has not long ere this been acted on.

"It is the Dominion Government alone, as representing the old Provinces, that is liable for that part of the balance of the annuities remaining unpaid at the date of Confederation, and it forms a good deal more than half of the entire sum due.

"I see it is stated in an official memorandum dated 13th April, 1873 (see Return, page 11) that 'the amounts received in payment of portions of the lands surrendered in September, 1850, were realised chiefly from mining locations, up to the period of Confederation, and that an important part of the money paid in was absorbed in defraying the costs of surveys, and as the locations formed for the most part separate blocks of land the expense of survey was greater proportionately than under ordinary circumstances in township surveys.'

"This is very plausible as an excuse for the neglect of the Indian claims, but, unfortunately for any weight it was intended to have, it is incorrect. As regards the cost of surveys, the then existing rules of the Crown Lands Department rendered it necessary for parties leasing or purchasing mining tracts to have all surveys made at their own expense, so that those surveys were effected without any cost to the Government. It is also stated in the same memorandum that 'it was contended up to a comparatively recent period that the profits realised from those resources were so immaterial as to be inadequate to supply any appreciable increase in the annuities payable under the Robinson Treaties.' The territorial revenue at Lake Superior amounted to \$110,000 at the date of Confederation, and probably to about double that amount on Lake Huron, forming together quite an appreciable sum, sufficient at least to have enabled the Government to meet the stipulated payment without loss. As to the statement contained in the memorandum from which I have just quoted, that 'it was contended,' etc., I am afraid there was little or no contention in the case. The matter had, in fact, dropped out of sight, and the Indians, after 'grumbling' in vain for twenty years, had quietly, although reluctantly, accepted a situation for which, in their distant homes on the shores of the Great Lakes, they saw no remedy."

I have been particular, Mr. Speaker, in drawing attention to this most important matter, so that hon. members who have not had an opportunity of studying it, may be able, on reference to the *Hansard*, to see how it stands. I have said that the matter is an important one, and it really is so. It is of importance to the Indians, because many of them are in want and need the relief that would be afforded them by an adjustment of their claims; and it is of very great importance to us Canadians that the fair fame of the country, in dealing with the native races, shall not be darkened by our remaining passive while they are suffering from the non-fulfilment of a treaty solemnly entered into with them in Her Majesty's name. These Indians have a way of communicating intelligence among themselves, which but few white men are aware of, and during the troubles of last spring the Indians of the Saskatchewan found means of exciting the Indians in the western sections of Algoma. So much was this the case, that the people of Rat Portage became apprehensive of a rising among the Indians of Rainy River and the Lake of the Woods, and applied for arms and troops. These Indians, however, kept quiet, but they were well informed as to

Mr. Dawson.

the rising on the Saskatchewan. Last fall I was met by a deputation of Indians at Lake Superior, and they, after stating their long-standing grievance about the non-fulfilment of the Robinson Treaty, said: "Why does the Government always fail in attending to our petitions. We have been quiet and loyal, and yet our claims, presented as they have been every year for a very long period, are met with silence? Can it be possible that the Indian need not look for justice from the white man until he assumes a threatening attitude? Is it because we are weak and the Indians of the Saskatchewan strong, that we meet with neglect, while their demands, although not so well founded as ours, are promptly attended to? You say they are fed because the herds of buffalo on which they relied are destroyed, but has not the white man destroyed our fisheries and frightened away the game on which we relied for subsistence? We cannot see why we should be deprived of our just dues while they get more than theirs." I have sent many petitions from these people to the Government, and I really think that their claims should meet with some attention. Surely the Government of Ontario can have nothing to do with that portion of the arrears which accrued previous to Confederation; and I see nothing in the way of its being at once adjusted. The Treasurer of Ontario stated last year that the consideration of the claims of the Indians, under the Robinson Treaty, had been by mutual consent postponed. I would like to know under what authority the Deputy Minister of Finance, who was conducting the negotiations regarding accounts for the Dominion Government, consented to such an arrangement.

Motion agreed to.

Mr. DAWSON moved for:

Return of all statements and estimates made by the Department of Indian Affairs, of moneys due to Indians under the Robinson Treaty; also of all correspondence and documents whatever in relation to the same subject.

Mr. Speaker, I have said all I intend to say with respect to the Robinson Treaty; but there was another treaty made in the district of Algoma, and that was a treaty with the Manitoulin Indians. In 1836 Sir Edmund Bond Head entered into a treaty with them, by which the Manitoulin Islands should remain their property forever. Of course, it subsequently became very desirable that the islands should be thrown open for settlement, and in 1862 the then Superintendent-General of Indian Affairs went up there and made a treaty with the Manitoulin Indians. Of all the treaties which white men have made with Indians, I believe that was the very worst treaty as regards the Indians. It was a treaty most unjust in its provisions, and it has resulted in the downright robbery of those poor people. Why, Sir, after this treaty has been in operation for twenty-four years, what is the result? How much have the Indians got? The sum of \$1.79 per head per annum is all these poor people who were obliged to relinquish their land under this Manitoulin Treaty, which was carried out in the year 1862, now receive. I have had petitions from the Indians of Manitoulin which I have laid before the Government lately, and I have replies from the Government stating that their case would be very carefully considered, as I have no doubt it will be. I think that these Indians, now that they have ceded their territory, should be placed in the same position as the Indians under the Robinson Treaty, and be treated in the same manner as other Indians. This treaty was very hard and onerous in its provisions; it compelled them to make the surveys; and why these people should have been done out of the territory which was granted to them on such harsh, onerous, and I may say, heartless conditions, is more than I can conceive. The Indians themselves objected, and a portion of the bands stood out; they retained their own territory; they would not yield to the seductions of the then Superintendent-General of Indian

Affairs, but they held out for their lands. What is the consequence? They are flourishing and getting rich, while the others are in poverty and want. Their petitions are now before the Government seeking aid, and I hope the matter will receive the careful attention of the Government.

Motion agreed to.

COLONISATION COMPANIES.

Mr. EDGAR moved for:

Copies of: 1. Letters patent incorporating the Prince Albert Colonisation Company. 2. Agreement executed between the Prince Albert Colonisation Company and the Crown for the colonisation of Dominion Lands. 3. Letters or applications by John White or others, on behalf of the Trenton Colonisation Company to the Minister of the Interior, requesting that its name be changed to the Prince Albert Colonisation Company and all correspondence on the subject. 4. Correspondence between John White and the Department of the Interior respecting applications for lands either on behalf of the Trenton Colonisation Company or the Prince Albert Colonisation Company, and in particular all letters from Mr. Burgess to Mr. White in the year 1882. 5. Letters or applications by the Prince Albert Colonisation Company, or anyone on their behalf, for lands, timber limits, coal claims, or any other privileges in the North-West. 6. Correspondence between the Department of the Interior or any of its officers and J. C. Jamieson, relating in any way to the affairs of the Prince Albert Colonisation Company, especially copies of all such letters to J. C. Jamieson in 1883. 7. Statement of accounts to date between the Government and the Prince Albert Colonisation Company. 8. List of shareholders of the Prince Albert Colonisation Company showing names and numbers of shares, and whether held in trust or otherwise, according to allotment made by the Board in May, 1883.

He said: A motion was carried the other day asking for papers in connection with this same company, and I hope the Government will see their way to bring down those papers at an early day, as well as the papers which this motion asks for, if it is carried. I was told by the hon. member for East Hastings (Mr. White), who is not in his place in the House at this moment, that he would like to be present if any discussion took place on this motion, and I informed him that if I brought it on in his absence I would raise no discussion on the motion. For that reason I simply move it.

Motion agreed to.

HARBOR OF REFUGE AT PORT ROWAN OR PORT ROYAL.

Mr. JACKSON moved for:

Return of the report of E. W. Soare, Government engineer, in reference to the practicability of constructing a harbor of refuge at Port Rowan or Port Royal, in the County of Norfolk, Province of Ontario, the survey having been made during the season of 1885, giving his opinion in reference to the construction of said harbor, and giving the probable cost of the same.

Sir HECTOR LANGEVIN. There is no report as to the practicability of constructing a harbor of refuge at Port Rowan or Port Royal, nor has Mr. Soare given his opinion in reference to the construction of such a harbor. The only thing the engineer was entrusted with was to take certain soundings, in order that the Chief Engineer of the Department might ascertain from the data so obtained whether it would be practicable to have a harbor of refuge there. I would, therefore, advise the hon. gentleman not to insist on his motion.

Motion withdrawn.

LICENSES TO CUT TIMBER.

Mr. CHARLTON moved for:

1. The total number of Orders in Council or Departmental Orders, since 1870, recommending the granting of licenses or permits to cut timber in the Dominion of Canada, with the total area (actual or approximate) covered by such orders; 2. For each separate year since 1870, the name and address of each applicant in whose favor such order was made; the date of each order; the area covered by each order; the location of the land covered by each such order; the bonus, if any, in addition to cost of surveys, ground rent and Crown dues, in each case required, and the total area covered by such orders in each year.

He said: I presume, from the promptitude with which the questions asked by the hon. member for West York (Mr. Wallace) were answered by the hon. Minister of the Interior, that we may reasonably expect the House to be placed in possession of the information asked for in this order at an early day.

Mr. WHITE (Cardwell). I can assure the hon. gentleman that I am quite as anxious to have this information brought down as he can possibly be to see it; but, in order that it may be complete, I think it is necessary to amend his motion in one or two slight particulars—not to take anything from it, but to add something to it, to enable the public to see exactly what has been done in reference to timber licenses. I move that the motion be amended by omitting the words after "order" in the third line, second paragraph, and inserting instead: "Ground rent and Crown dues respectively paid in each case, and the bonus, if any, in addition to the cost of surveys in each case required; also the whole area covered by such orders in each year." And that the following paragraph be added:—

3. The total number of licenses issued under the authority of the several Orders in Council; the total area covered by each license, whether the area consisted of detached pieces of land or of compact blocks, and the period of time in each case during which the license was operative; and in the case of permits, the purpose for which the timber was required.

Mr. CHARLTON. I have no objection to the fullest information.

Motion agreed to.

RETURNS.

Mr. BLAKE. When can the hon. gentleman make any statement as to the papers he will bring down relating to the North-West Territories?

Sir JOHN A. MACDONALD. Looking at the various motions made by the hon. gentleman, they involve so great a mass of papers that I fear I do not know where to commence or to end. If the hon. gentleman will be kind enough to review his motions, and inform me more specifically what he wants, I will endeavor, as far as I can, to bring down all the papers that can be brought down without involving private affairs or affecting public interests.

Mr. BLAKE. Then the hon. gentleman does not propose to bring down any spontaneously.

Sir JOHN A. MACDONALD. I do not say that.

Mr. BLAKE. Does he?

Sir JOHN A. MACDONALD. Yes, I do.

Mr. BLAKE. When?

Sir JOHN A. MACDONALD. They are in course of preparation.

Mr. DAVIES. Last Session I asked for returns of a report made by the commissioners appointed to investigate certain fishery claims of Prince Edward Island. It was promised, and, I believe, is ready, but has not been brought down.

Mr. McLELAN. I will make enquiries about it. I was under the impression it had been laid on the Table.

RETURNS ORDERED.

Copies of all Orders in Council passed for the granting of the subsidy authorised by the Acts 47 Victoria, chapter 8, and 48-49 Victoria, chapter 58, "for a line of railway connecting Montreal with the harbors of St. John and Halifax by the shortest and best practicable route;" of all reports of engineers upon which said Orders in Council may be based, together with a statement of all moneys paid in connection with the same, and of all persons to whom such payments may have been made.—(Mr. Laurier.)

Reports made by persons not in the service of the Government to whom samples of flour for the Indians in the North-West were submitted for inspection during the years 1883, 1884 and 1885.—(Mr. Paterson, Brant.)

Statement of the names and post office addresses of all persons employed in taking the census of the North-West Territories; the amounts paid to each as salary and expenses, distinguishing between those who were already in the employment of the Government and those who were not.—(Mr. Landerkin.)

Return of the expenditure made by the St. John Bridge and Railway Extension Company on their railway and bridge connecting the Inter-colonial and New Brunswick Railway; together with a statement of the amounts advanced by the Government to the said Company and the dates of such advances.—(Mr. Weldon.)

Copies of all correspondence between the Government of Canada and the Government of Ontario in reference to proposed Imperial Legislation to confirm the decision of the Queen in Council upon the west and north-west boundaries of Ontario.—(Mr. Mills.)

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

Motion agreed to; and the House adjourned at 4:45 p.m.

HOUSE OF COMMONS.

TUESDAY, 9th March, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

ASH WEDNESDAY—ADJOURNMENT.

Sir HECTOR LANGEVIN moved:

That when this House adjourns this day, it do stand adjourned until Thursday next.

Motion agreed to.

TIME FOR PRESENTING PRIVATE BILLS.

Mr. IVES moved:

That the time for presenting Private Bills be extended to Wednesday, 31st March, instant.

Motion agreed to.

OFFICIAL REPORT OF THE DEBATES.

Mr. DESJARDINS moved:

That the First Report of the Select Committee appointed to supervise the Official Report of the Debates be now concurred in.

He said: The House will remember that last year the Committee reported in favor of changing the form of the report of the Debates from royal quarto to octavo, and changing the type from long primer to brevier for the main report and from minion to nonpareil for the quotations. It was expected then that some change would be adopted in the system of printing the departmental and parliamentary documents, so that the Committee thought it would be easy to make the change suggested, which was considered likely to reduce the expense of the publication of the Debates and to render the volume more convenient for handling. But no measure having been adopted by the Government, we had to try and make some arrangement with the printers who had the contract hitherto. Whilst they were ready to continue for one year the publication on the conditions of the former contract, they objected to the change proposed in the report, on account of the heavy outlay it would involve for one year only, while they had no guarantee that they would obtain another contract. The Committee felt that, under the circumstances, they should recommend the extension of the contract for a further year as the only practical way out of the difficulty.

Motion agreed to.

EVIDENCE IN CRIMINAL CASES.

Mr. CAMERON (Huron) moved for leave to introduce Bill (No. 23) further to amend the Law of Evidence in Criminal Cases. He said: The Bill is the same Bill I introduced last Session, and which received the assent of this House by a majority of 47, but failed to pass because the other branch did not see fit to acquiesce in the passing of the measure. I hope it will meet with better success this year.

Motion agreed to, and Bill read the first time.

MEMORANDUM OF SIR ALEXANDER CAMPBELL—
COST OF PUBLISHING.

Mr. LAURIER asked, What amount was paid to various newspapers for distributing to their readers the memorandum of Sir Alexander Campbell on the Riel matter, the names of the newspapers, and the sum paid to each?

Mr. CHAPLEAU. The accounts will be put before the House. I would have brought them down to-day, but one was missing between the printing department and the correspondence department of my office.

SECOND READING.

Bill (No. 14) to reduce the Capital Stock of the Bank of New Brunswick.—(Mr. Weldon.)

RETURNS.

Mr. BLAKE. I beg to draw the attention of hon. gentlemen opposite to the fact that, although the Government have fixed Thursday for the discussion of the motion of my hon. friend from Montmagny (Mr. Landry), they have not yet brought down the papers, the propriety of bringing down which they admitted by consenting to the various motions for their production, nor have they yet fulfilled their obligations of bringing down further papers promised in connection with the North-West troubles, although those papers are intimately connected with the question we are called on to debate.

Sir RICHARD CARTWRIGHT. I do not think as yet any detailed return of the expenditure of \$2,300,000 voted last year for the North-West troubles has been laid upon the Table. It was to have been laid upon the Table within 15 days, which will expire next Thursday.

Mr. McLELAN. I will make enquiries into the matter.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to; and the House adjourned at 3:40 p.m.

HOUSE OF COMMONS.

THURSDAY, 11th March, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FIRST READINGS.

Bill (No. 24) to incorporate the Kingston and Pembroke Mutual Aid and Insurance Co., Limited—(Mr. White, Renfrew.)

Bill (No. 25) respecting the Northern and Pacific Junction Railway Co.—(Mr. McCarthy.)

Bill (No. 26) to incorporate the Tecumseh Insurance Co. of Canada.—(Mr. Macmillan, Middlesex.)

Bill (No. 27) to amend the Act to incorporate the West Ontario Pacific Railway Co.—(Mr. Macmillan, Middlesex.)

CRIMINAL LAW AMENDMENT.

Mr. ROBERTSON (Hastings) moved for leave to introduce Bill (No. 28) to amend the Criminal Law of Canada. He said: This is a Bill similar to one which I introduced last Session. Owing to the multiplicity of legislation, and the very many able, elaborate and interesting addresses which we had on the Franchise Bill, we did not succeed in reaching it. It is intended to amend the criminal law so far as it relates to a notorious class of offenders known as burglars. From what comes under our immediate notice and observation, I am satisfied that the crime of burglary is rather increasing than diminishing. Besides appropriating our valuables and our goods and ourselves, it has led to incalculable injury to our property; besides almost frightening out of their lives our wives and children. If burglars are frustrated in their design in any way, they do not hesitate to commit murder. Our merchants and bankers have been put to a great deal of expense in placing coverings over their safes with a net wire and a telegraphic attachment, in order that, when an attempt at burglary is made, an alarm may reach the police station; but even this is not always found successful, and the criminals manage to evade the vigilance of the police. Another reason for amending this law is, that many of these men who are incarcerated are only sent to prison for a very short time, and, as soon as they are released, they proceed to ply their avocation as assiduously as ever. In fact, it is no punishment or warning to them whatever to receive those short terms of punishment. I might give an instance of this. In the city in which I live, a couple of burglars were in the act of breaking open the safe in the office of the Burrell axe factory. The men who work in that factory go there early in the morning, and they discovered these men in the act. Finding they were caught, they ran off and they ran a distance of half a mile, pursued by the factory hands, and then managed to get through a broken window in the basement of a church—no doubt, a very painful operation—and then climbed up a stairway and secreted themselves in the steeple. The men who were following them despatched a messenger to the police station while they kept watch; the chief of police came, and, when the men were commanded to come down, they did so reluctantly. I suppose they did not aspire any higher. They were taken to the police station, and their names were placed upon the list; not the list which has given so much anxiety to the hon. member for West Huron (Mr. Cameron). I was going to say—but I do not see him in his place—that I do not know what sort of constituency sent him to the House, but as these were young men and of a style unknown to us from their peculiar shaped visages I would not be surprised if they came from the riding of that hon. gentleman, they certainly did not come from the 50 square miles of timber limits which he has falsely and maliciously referred to in his flaming and lying declamations in the west as received by me from the Government to support Sir John A. Macdonald. These men were tried by the judge who was holding the court of assize, the Hon. Mr. Justice Armour, were found guilty and were sentenced to the penitentiary for a period of seven years. They were found to be old gaol birds. One of them had already served five years. I mention this to prove the fact that the punishment they had received was no warning whatever to them, and that as soon as they got out of prison, they resumed their old calling as vigorously as before. I propose to amend this law in this way: The Act, chap. 21, sec. 50, states what shall constitute the crime of burglary.

The next section, sec. 51 of chap. 21, 32 and 33 Vic., makes it discretionary with the judge to send these men to prison for any term he may choose. Now, I do not intend to ask the House to take away that discretion, because I think that it would scarcely be fair that a woman who may break into a laundry and steal a few articles of clothing, or a man who may break into a grocery and steal candy, should be sent to the penitentiary for life, but I propose adding a clause which shall read as follows:—

But when it shall be found that such person, at the time of committing such offence, had in his possession any implement known as a burglar's tool, or any murderous weapon of any kind whatsoever, he shall, when convicted, be sentenced to imprisonment in the penitentiary for life.

Then I would add another clause to it to this effect:

Where any person is convicted of the crime of burglary who has already or previously been found guilty, or convicted of, or served a term of imprisonment for a similar offence, he or she, upon such conviction thereof, shall be sentenced to imprisonment in the penitentiary for life.

Then there is another clause in the Act which I propose to amend—that is, section 59, which provides that in the case of parties being armed or disguised, etc., who intend to break in or enter any house, at any time he may please, I intend to ask the House to amend that clause, by adding after the word "penitentiary" the words "for a period of seven years." In clause 60 of that Act, instead of leaving it discretionary with the judge, I would substitute after the word "imprisonment" the words "for a period of ten years." Then there is another clause which I think it advisable to add, allowing to the senior, junior or deputy judge to try these cases summarily, in any county or united county where the offence has been committed, or the arrest has been made, and the powers of the judge shall be the same as those given to other judges under the Act. I hope, Mr. Speaker, that the Act will commend itself to the House, and will receive the support of hon. members and the countenance of the Minister of Justice.

Motion agreed to, and Bill read the first time.

DOMINION ELECTIONS ACT AMENDMENT.

Mr. McCARTHY, in moving for leave to introduce Bill (No. 29) to amend the Dominion Elections Act, 1874 said: The object of the Bill is to extend the hours of polling in cities. At present the hours of polling are from 9 o'clock in the morning till 5 in the afternoon; I propose to amend it as far as cities are concerned by making the hours from 9 in the morning until 8 in the afternoon.

Motion agreed to, and Bill read the first time.

MEMORANDUM OF SIR ALEXANDER CAMPBELL— COST OF PUBLISHING.

Mr. LAURIER, in the absence of Mr. LANGELIER, asked, What amount was paid to various newspapers for distributing to their readers the memorandum of Sir Alexander Campbell on the Riel matter; the names of the newspapers, and the sum paid to each?

Mr. CHAPLEAU. The memorandum of Sir Alex. Campbell was first published in English on a large fly-sheet, copies of which were sent to most of the papers in the Province of Quebec. We have received, I think, but one account from those newspapers who published it, which was from a paper in the Eastern Townships, of \$510. The two newspapers who published the memorandum in French, were the *Monde* and the *Minerve*, of Montréal. Each of them have accounts varying between \$300 and \$400; neither of them has been audited or verified, but \$125 have been paid upon them; no other payments have been made.

MAJOR-GENERAL LAURIE AND GENERAL STRANGE.

Mr. CASEY asked, Was Major-General Laurie on the list of the Active Militia when he went to the North-West, and was he ordered to proceed there on duty? Was he gazetted as an officer of the Active Militia during the campaign? If so, when, and to what rank? In what capacity did he serve, and at what rate of pay? Was Major-General Strange on the Active Militia list on March 27th, 1885? If not, when was he gazetted, and to what rank? What command did he hold during the campaign? By whom appointed, when, and at what rate of pay?

Sir ADOLPHE CARON. I would ask the hon. gentleman to allow the question to stand, as I have not yet got the answer in writing.

MR. HUGH McDONALD.

Mr. BLAKE asked, Whether Mr. Hugh McDonald was in the Pilotage Commission for North Sydney, and between what dates? Whether he is still in the Pilotage Commission, and if not, what are the reasons for the change?

Mr. FOSTER. Mr. McDonald was in the Pilotage Commission for Sydney—not North Sydney—between March 3, 1879, and June 19, 1885. At the latter date it was thought better, in the public interest, to abolish the Commission for Sydney, and erect in its place two Pilotage Authorities, on neither of which Mr. McDonald's name appears.

ROBERT STATHER.

Mr. WELDON asked, Has any order been made for the removal of Robert Stather from the penitentiary at Dorchester to the penitentiary at Kingston, and of what date? Has the said Robert Stather been removed from the Dorchester Penitentiary, and when?

Mr. THOMPSON (Antigonish.) A warrant was made for the removal of that prisoner from the penitentiary at Dorchester to the penitentiary at Kingston; it bears date 19th February last. Robert Stather has been removed from the Dorchester penitentiary, about the 24th or 25th of that month.

SUBSIDIES TO RAILWAYS.

Mr. CHARLTON asked, 1. The total amount of money paid by virtue of requirements, of 47 Victoria, chapter 8, intituled: "An Act to authorise certain subsidies and grants for aid in respect of the construction of the lines of railway therein mentioned," and the separate amounts paid up to 1st March, 1886, by virtue of the requirements of the said Act, to each Province, railway company, corporation, &c., mentioned in the same; 2. The total amount of money remaining to be paid by virtue of the requirements of the said Act, and the separate amounts payable to each Province, railway company, corporation, &c., mentioned in the same.

Sir HECTOR LANGEVIN. In the absence of my colleague, the hon. Minister of Railways, I must ask the hon. gentleman to make this a notice of motion, because it is too complicated to be answered in the way he wishes it. If he makes a motion we will bring down the papers.

JOSEPH A. WOODRUFF.

Mr. SOMERVILLE (Brant) asked, What amount was paid to Joseph A. Woodruff, returning officer for the county of Lincoln for the Scott Act election, held last June?

Mr. CHAPLEAU. Four hundred and fourteen dollars and ninety cents.

Mr. CHAPLEAU.

THE RIEL MEDICAL COMMISSION.

Mr. AMYOT. Though I gave no notice, I would like to enquire into a few facts regarding the medical commission: 1st. When were the reports of Drs. Valade and Lavell received by the Government? 2nd. Were the medical reports of Drs. Valade and Lavell which were brought down, made by telegraph or by letter? 3rd. Were there any reports, telegrams or letters as to the mental condition of Louis Riel sent to the Government by either Drs. Valade or Lavelle, other than those already brought down, and if so, when will they be laid before this House? I make this enquiry before the discussion begins, because I think the points are essential.

Mr. THOMPSON (Antigonish). I am not in a position to answer from memory the questions of the hon. member.

EXECUTION OF LOUIS RIEL.

Mr. LANDRY (Montmagny)—(Translation)—moved that it be resolved:

That this House feels it its duty to express its deep regret that the sentence of death passed upon Louis Riel, convicted of high treason, was allowed to be carried into execution.

Mr. Speaker, on the 16th of November last, a man, convicted of high treason before the courts of the country, ascended the steps of a scaffold at Regina, and paid by his life the part he had taken in the rebellious uprising in the North-West. On the 16th of November last, the hand of the executioner tightened the fatal knot around the neck of a political convict, and Louis Riel was launched into eternity. What is called human justice was satisfied. The announcement of this great event was flashed out throughout the country with all the speed of the electricity which carried it. It was received with various feelings. And let it be recorded as a disgrace to mankind, there were men who organised public demonstrations to celebrate, in the face of a sorrowing public, this dismal end of the drama of Regina. On the other hand, a portion of the population stood up in its indignation and solemnly protested against an execution which circumstances seemed to condemn, and against the Government who had ordered it. Since this ill-fated date the social body, as a whole, has undergone violent and painful convulsions and a whole class of our people is kept in an agitation, which, although perfectly constitutional, weakens our strength and has, for a moment, threatened to bring us a war of races. And, wherefore, this uneasiness? Wherefore, on the one hand, this manifestation of a delirious joy? Wherefore, on the other hand, this explosion of deep sorrow, of a real disappointment, of a disapproval which has loudly and solemnly asserted itself in the face of a whole country? More than once, heretofore, men who had been condemned by the laws of the country and the verdict of their fellow creatures have left the prison cells for the scaffold. More than once heretofore the sentence of death has received its terrific though just sanction without causing, in the community, that strange commotion which has been caused by the announcement of the execution of the chief of the half-breeds. But the death of Riel has been surrounded by circumstances of such a nature that it is looked upon by some as the gratification of a long-sought vengeance, by others as a provocation flung at the face of a whole nationality; by several as a breach of the laws of justice itself; by several, also, as a weakness on the part of the Government, as the wanton sacrifice of the life of a man who has been immolated to sectarian hatred and prejudice. This execution has caused a great commotion, and owing to the circumstances under which it has taken place, this simple question of justice has at once become a political and a national question. As such it has forced itself upon the attention of

the people of our Province, as such it has also been looked upon by the people of other Provinces, and if Ontario wishes to upbraid Quebec for its popular agitation, for its indignation meetings, Quebec, on the other hand, can point out the incendiary articles published by the great Ontario newspaper, and ask the country at large and the members of the Government in particular, what is to be thought of the acrimonious criticisms of the *Mail*, of its inflammatory appeals, of its insulting articles, where the deepest ignorance goes hand in hand with the most blind fanaticisms. Since an opportunity is offered, it is my most imperative duty to protest, as a member for the Province of Quebec and as a Conservative, against these unfair attacks, these insulting threats; and I do it without any reserve, convinced as I am that this protestation on my part will find a faithful echo in the hearts of all those—to whatever nationality or Province they may belong—who sincerely wish that their country may grow prosperous in peace and harmony. It is very unfortunate that the contest between those who condemn the execution of Riel and those who defend the action of the Government should have been placed in Ontario as well as in Quebec on this dangerous national ground. Consequences much more serious than the hanging of a man or the overthrow of a Government might be the result of the strange position taken by the combatants. Let us thank God who has saved them, and let us bear in mind that great and noble causes have no need of either the vain calculations of politics or the passionate appeals to sentimentalism to prevail and to escape triumphantly from the claws of computing selfishness or blind hatred. Mr. Speaker, it is precisely because I wish to avoid this double danger, it is because I am deeply convinced of the rightfulness of the cause now submitted to the free deliberations of the representatives of the people, that I am determined to present my motion under the humble garb with which I have clothed it, convinced as I am that nothing in its form will clog its movements or impede its progress. It is not a national question, a question of pure sentiment, which I am about to discuss in this House; it is not a political question as regards party interests; no, it is a question of simple justice, a question of public right. Placed on this ground, the only true ground in my humble opinion, my motion will, I hope, receive the greatest possible number of votes. What does it ask? The pure and simple expression, unexplained as to the motives, of the condemnation of an act of the Government—the execution of Louis Riel. By not giving in my motion any motives for the regret which I ask this House to express, I leave to each one full liberty to support this motion for whatever motive he may deem sufficient, and by this means I ensure for its adoption every chance of success. Is that working in favor of the Government, is that serving their cause as has been asserted in certain quarters? No, indeed, since my motion is so worded as to unite against the Government the strongest possible vote. It would be otherwise, and I would then understand the charge brought against me, had I followed the policy suggested by one of the large newspapers of Montreal and had I coupled with my motion a declaration approving the general policy of the Government in their administration of the affairs of the North-West. In that event, all the Opposition would have refused as one man to vote for my motion, and the country would see to-day the sad spectacle of a handful of members being crushed in a ridiculous contest. I did not want such a result. For the same reason, and in order to be consistent with myself, I did not deem it necessary to wait until the Opposition would be ready or to agree with them on the policy to be followed. And I believe I am perfectly right. Indeed, what good could have been reasonably expected from such an agreement? One of two things: either the Opposition would have introduced a motion similar to mine, asking the pure and simple

condemnation of the execution of Riel, or the Opposition would have introduced a complex motion wherein, besides the condemnation of the Riel execution, would have been found a condemnation of the general policy of the Government in the administration of the affairs of the North-West. In the first case, the motion of the Opposition being similar to mine, who could have pretended that their vote would have given a different result? No one, assuredly. Consequently, Mr. Speaker, that being the case, who could blame me for my action to-day? But let me suppose the case of a complex motion in which the Opposition would have asked for both the condemnation of the Riel execution and also of the administration of the Government in the North-West. What would be the result of the vote asked for? There is no need of being a prophet to foresee it; and I may affirm, without fear of being mistaken, that such a motion would not certainly have had the support of all those who are ready to vote against the Government on the simple question of the execution of Riel. Such a motion would then gather against the Government a less number of hon. members than those who will support the motion now laid before the House. At all events it is my firm conviction that from all points of view my action of to-day bears the stamp of the strongest logic, and as my motion is worded in its present form it is worthy of the most serious attention of this House, and it is the only one which can unite against the Government all the available forces of the Opposition and the Conservative faction which opposes the Government at the present time. Such is my justification. I owed it to the House and the country, and I give it stripped from all artifice. I give it entire, without any mental reservation, with the strongest conviction that it will dispel the doubts which may exist and will convince my friends of the excellence of my intentions and of the righteousness of my actions. Men who have never been my friends, men who have always worked against me ever since I entered politics, journalists—I mean such writers as those of the *Free Press* and the *Globe*—who do not know me at all, and who are completely ignorant of the manner in which I have acted recently, have manufactured quite a fanciful story in order to create for themselves the easy task of uttering their high sounding tirades. I have too much contempt for such nonsense and such malevolent insinuations to meet them with anything but a general denial. But if any hon. member will take upon himself the task of repeating these absurdities in this House, I am ready to overthrow this frail scaffolding and to prove once more the notorious bad faith of these ignorant scribes. The House will allow me not to insist any further and to come back without any transition to the motion I now make. I have said that this motion was made without stating the motive, that it does not involve in its wording the enumeration of the motives for which I invite the representatives of the nation to express by their votes the condemnation of the execution of Riel. I have explained this prudent reserve on my part, which leaves to each and every one the most complete facility to condemn the Riel execution for whatever motives they may deem sufficient. These motives are not wanting, and, for my part, I have no hesitation in stating mine. In my opinion they are more than sufficient to justify my having introduced my motion. Some few weeks ago the Government has caused to be distributed a pamphlet which contains the report of the case of the Queen vs. Riel charged and convicted of the crime of high treason. The House will allow me to read a short extract from that pamphlet. Here is what I find at page 154:

“Sitting held on Saturday, 6th August, 1885.

“The court assembled at 10 o'clock a.m.

“On the jury returning, after having retired to consider their verdict, the clerk of the court asked: Gentlemen, are you agreed upon your verdict? How say you?

“Is the prisoner guilty or not guilty?

"The jury find the prisoner guilty.

"Clerk.—Gentlemen of the jury, harken to your verdict as the court records it. You find the prisoner, Louis Riel, guilty, so say you all.

"The jury answered: Guilty.

"A juror.—Your Honor, I have been asked by my brother jurors to recommend the prisoner to the mercy of the Crown.

"Mr. Justice Richardson.—I may say in answer to you that the recommendation which you have given will be forwarded in proper manner to the proper authorities."

That verdict returned by a jury whom no man in this country suspects of having sympathised with the unfortunate half-breed; this recommendation to the mercy of the Crown, which the judge promised to forward to the proper authorities, have, in fact, been forwarded here at Ottawa, and left in the hands of the Minister of Justice. The Executive met. On the table of the Council, in that room where the fate of a poor convict was to be decided, were, together with the verdict of the court, a bundle of petitions from all parts of the country, not only from the Province of Quebec, but from Ontario, from Manitoba; not only from Canada, but from the United States and from the old countries in Europe. All of them prayed for a commutation of the sentence of death; all of them asked, in the name of justice itself, that the recommendation of the jury should be hearkened to. And long before the popular agitation had commenced, fourteen days before that which was to be Riel's last day, the man who has now the honor of addressing this House, joined his feeble voice to that of all the friends of clemency and justice, to pray with them that the verdict of the jury might be respected in all its integrity. Here is the letter which I wrote on the subject:

"VILLA MASTAI, 2nd November, 1885.

"Hon. Sir HECTOR L. LANGEVIN, K.O.M.G., O.B., M.P.C.,
Minister of Public Works, Ottawa.

"HONORABLE SIR,—As a representative of the people, speaking in the name of my county and I might add as expressing the general feeling in the Province of Quebec, I now fulfil the most imperative of duties while praying the Executive, through your mediation, the commutation of the sentence of death pronounced against Riel.

"In all unprejudiced and serious minds there exists a real doubt as to the mental condition of the poor convict. His actions are really those of an insane man and nobody can be unaware of the fact that this man has on two different occasions been locked up in a lunatic asylum. The jury has invoked the clemency of the Crown in his favor.

"It is this clemency which I crave and which in my opinion the Government ought to grant under the present circumstances. The execution of Riel would certainly be considered as an act of Draconian severity not to say a barbarous act; the people will hold the Government responsible for it and will call them to account for it.

"If the Government have nothing at all to reproach themselves as regards the half-breeds and the administration of the North-West; if all their employés have scrupulously done their duty and have in no way whatever contributed to the uprising of those who, however, have suffered, then, let them tie the rope around the neck of this unfortunate man.

"But I do not wish to discuss the question. In the name of my constituents, I ask the exercise of the royal prerogative, an act of high and beneficent policy.

"Believe me, honorable Sir,

"Your very devoted,

"PH. LANDRY."

How did the Government answer these numerous requests, these appeals to mercy? The hon. Minister of Justice in answer to a question put last Friday by the hon. member from Bellechasse has told us. On the 12th of November, 1885, an Order in Council was passed directing that "the law should take its course." Such is the official information which we have received. That is to say the Government have laid aside the recommendation of the jury, and refused to consider the numerous petitions to which that recommendation had given rise and which came to them from all parts. In other words, Mr. Speaker, and this is my firm conviction, the Government have ignored the verdict returned, and, by ordering that the law should take its course, they have made a most positive act and they have assumed a responsibility which the jury themselves had not dared to assume. And, nevertheless, that jury, if we consider its composition, if we bear in mind the circumstances of time and place in which they had to move and

Mr. LANDRY.

give their opinion, less than any one the jury could have been supposed to lean towards clemency. Their position was one of the most peculiar which could be. Before them appeared the man who, in their opinion at least, had raised the standard of rebellion. For these men of the North-West, Riel was the source, the principle, the fomenter of the insurrection, and he must have appeared to them as carrying the incendiary torch everywhere, stirring up the Indians, sowing devastation and death under his footsteps, the footsteps of an agitator and a false prophet. They had to decide his fate. They had to declare by their verdict, whether the chief of the half-breeds was or was not guilty of the crime of high treason of which he was accused. To declare that Louis Riel was not guilty, was to bring about an acquittal, the consequences of which these men had reason to fear; it was to set the chief of the half-breeds at full liberty; it was to prepare for themselves—such at least must have been their opinion—all the inconveniences, all the disappointments, all the miseries from which they had just issued; it was to leave the country in a continuous agitation and perhaps the prey of a new insurrection. Of course they could not desire all these consequences, and nothing short of the death of Riel could avert them. On the other hand they had before them a man who sought to justify the uprising of which he had been the heart and soul, who held the various Government, who have held power for the last fifteen years, responsible for a disastrous administration of the affairs of the North-West. They had before them a man whose ways were peculiar, who had already been twice locked up in lunatic asylums, a man who pretended to be in direct and constant communication with the Spirit, who dreamed of a new division of the North-West into seven distinct parts, which parts his own fertile and generous fancy gave to I forget which nations of old Europe. He was a monomaniac. His antecedents gave an undeniable proof of it, and this proof was corroborated by his actions and pretensions at the time. The jury were convinced of this, and if they could not find him "not guilty" they felt that, before God and man, they could neither find him simply "guilty" without invoking at the same time in his favor the benefit of extenuating circumstances. This is what they did, and while returning against Louis Riel a verdict of "guilty" the jury have added to it this recommendation to the mercy of the Crown, which is no less, under the present circumstances, than the supreme declaration that in their opinion Louis Riel ought not to be executed. This was overridden by the Government for reasons unknown to me. They have offended all the notions of a wholesome administration of justice, they have taken the law into their own hands, they have overlooked all precedents, and, let it be said without hesitation, they have deserved the blame and condemnation which my motion asks this House to inflict upon them. The motive which I invoke is sufficient in itself to justify the conduct which I have always followed until this day from the date of the 16th of November last, notwithstanding the statements to the contrary which have been put forward by certain newspapers which speak without any knowledge of the facts. If the motives which I invoke are sufficient in themselves to obtain the condemnation of the Government, do not think, Mr. Speaker, that there are no others. It will be sufficient to point out some of them, and I will leave to other hon. gentlemen who will speak after me the duty of developing them with a great deal more science and ability than I could do it myself. There is a very certain fact, which nobody has ever denied and which the Government themselves have acknowledged, and it is that there has always existed a very serious doubt as to the question whether he had the full and entire enjoyment of his intellectual faculties. This doubt, which, according to all probability, existed in the minds of the jury at Regina, and which was the motive of their recom-

mentation to mercy, this doubt has been shared by all the classes in the community, and it exists in a still higher degree in the minds of those who, from near or far, have had occasion to follow the various stages of Louis Riel's agitated career. Those who do not share this doubt are precisely those who are convinced of the insanity and of the irresponsibility of the half-breed chieftain. It was the duty of the Government to fully dispel the darkness which had surrounded this question; they owed it to themselves, and they owed it to the country, to throw the brightest light on this question of the most vital importance, and to prove, beyond cavil, that the man they were sending to the scaffold was not a madman. What did the Government do in such an emergency? They appointed a medical commission, composed of three physicians, Drs. Jukes, Valade and Lavell. I regret that at a time when such great excitement prevailed, when the whole country was ablaze, that the Government did not deem it proper to choose outside of the Mounted Police, which had taken such an active part in the suppression of the rebellion, and even outside of the country which, as a whole, waged war against Louis Riel. I regret, I say, that the Government did not deem it proper to choose elsewhere, in England, in France, or in the United States, for instance, men who are considered as authorities on such matters; real specialists, men who devote their lives to the study and treatment of these diseases of the human mind which are so delicate. In the face of such a decision, in the face of such a choice, the critics would have laid down their powerless shafts, and all through the country unanimous applause would have greeted the action of the Government. I have nothing to say against the doctors I have just named. I am personally acquainted with Dr. Valade, and I hope and trust that his two colleagues are like himself, perfect gentlemen, honest men and good doctors. And yet—who would dare to deny it?—there is one weak point, one extremely weak point in the composition of that commission from the standpoint of public opinion. It was said at the time—at least it was said by those who did not know any of these doctors—it was said: The Government have appointed an English doctor from Ontario, and a French Canadian doctor from Ottawa, that is to say, two men, one of whom will decide in favor of Riel, and the other against him. I know, Mr. Speaker, that this preconceived opinion does not give justice to the perfect impartiality of those who were chosen, but at all events this was an opinion which, if it was not entirely reasonable, was nevertheless public opinion, and it is for that reason that I regret that the Government should have run counter to it. And they have run counter to it, it cannot be denied, they have shocked it violently by choosing as a third commissioner one of their own employés, a surgeon from the Mounted Police, from this armed corps which has been through the campaign of the North-West and which has left several of its members on the prairie where they had fallen under the bullets fired by the half-breeds under the command of Riel. As regards its composition, the medical commission appointed by the Government cannot therefore offer to the public that guarantee of impartiality which would have been offered by a commission composed of strangers and of specialists. But there is still more than that, and I maintain, with all the authorities, with all those who have made of mental diseases their special study, that the medical commission has not had time enough to study the Riel case, and that therefore it has been impossible for it to have given a satisfactory judgment on the question submitted to their investigation. To declare that a man is insane is not quite the same thing as to declare that he is not insane. The reason of this is obvious. As a general thing, when a doctor is called upon to give his opinion on a case of insanity, the case is well characterised, because, as a rule, the disciple of Esculapius is only called when the patient is undergoing a crisis, so

that the doctor may at once give a certificate according to the facts. Or else the case submitted will present no doubt: as those of acute mania, of madness, of general palsy, of idiocy, or imbecility. In all these cases any doctor may in a few minutes certify the insanity and give the motives of his judgment. Quite different is the question when one has to certify that a man is perfectly sound in mind, that he is responsible for all his actions. Take a monomaniac, for instance, or a maniac having lucid intervals. It will require a deep study, a constant observation, sometime of long duration, to discover a disease which often only manifests itself by intermissions, at periods more or less remote, or which only discovers itself when you have succeeded in touching the sensible part of this wandering intellect. And yet, in the present case, the Government have accepted the declaration of a medical commission which certainly has not had the time which was necessary to be able to certify in all certainty that Riel was not insane. The Government have acted with undue haste, and they have opened the door to the just recriminations which are made to-day. The doubt which existed on the question whether Louis Riel was in the full possession of his mental faculties has not therefore been cleared. Nay, it exists stronger than ever, and even the report of the medical commission, which report was brought down by the Government, establishes beyond contradiction that Louis Riel was suffering from "partial delirium." What does Dr. Jukes say? I quote his own words:

"I cannot escape the conviction that except on purely religious questions relating to what may be called divine mysteries, he was, when entrusted to my care, and still continues to be, sane and accountable for his actions. * * * I therefore record my opinion that, with the reservation above made, Riel is a sane, clear-headed and accountable being before God and man."

Drs. Valade and Lavell even go further. Here is the opinion of Dr. Valade:

"I am of opinion that while Riel suffered under hallucinations on political and religious questions, on other points he was quite sensible and could distinguish right from wrong."

Dr. Lavell thus expresses himself:

"I am of the opinion that although Riel held and expressed peculiar views as to religion and general government, he was an accountable being and capable of distinguishing right from wrong."

Riel, says Dr. Jukes, is sound in mind, except on religious questions. He suffers from hallucinations, adds Dr. Valade, on political and religious questions; he entertains and professes peculiar ideas, peculiar views as to religion and general government, adds in his turn Dr. Lavell. We have therefore a triple deposition stating that, on religious questions, Riel is unbound in mind, and out of three doctors two of them declare besides that the half-breed chieftain is not sound in mind as regards political questions. In one case the unanimous statement of the medical commission, in the other the majority of the commission declaring really that Louis Riel suffers from partial delirium. Such is the question of facts elucidated by the report of the commission. What does science say? I will quote an authority, Lelorrain, doctor in law and doctor in medicine. Here is what he writes in his work entitled: *L'aliéné au point de vue de la responsabilité pénale*, page 20.

"The monomaniac, he says, is the madman who, in a certain order of ideas, if we are to judge from appearances, speaks and acts like a man whose mind is sound, but whose reason is haunted by special delirious ideas, always the same as a rule, and frequent hallucinations, which, in most cases, may be considered as having created them. * * * The partial delirium is, as Falret expresses it, expansive or expressive. In the first case we will retain for it the name of monomania; in the second, we will give it that of lypemania, which was given to it by Esquirol."

"In the case of the monomaniac, the fixed ideas bear the stamp of boldness and pride. The individual is over-excited beyond all expression, he believes he has been charged with a high mission, called upon to dictate laws, or command an army; he has both power and fortune. It is the megalomania which sometimes takes a religious character, and then constitutes theomania; the madman is prophet, Messiah, God Himself."

Is not that, Mr. Speaker, the most minute and the most faithful description of that partial delirium from which the unfortunate chief of the half-breeds was suffering? Now, the question is, to what extent Riel was responsible for his acts. What is the jurisprudence established on such matters, and what light does science throw on this subject? I am quoting Lelorrain, page 57:

"In the case of partial delusion the following is the system adopted by the English law: When, while considering as in accordance with reality the delirious ideas of a madman, he has done a lawful act; when believing he was attacked for instance, he has killed to defend himself, the law declares him irresponsible. But if he has committed a murder outside of the case of self defence, to avenge himself for simple defamation or an insult, then he has been guilty of murder." (Maudsley, page 93.)

That is to say, for those who believe in partial responsibility, there is in the monomaniac two entirely distinct men: one who is insane, and the other who is perfectly sound in mind; the first alone is irresponsible for his crimes or misdemeanors. He is impelled to commit them by an hallucination, a delirious idea, a delusion. If the fact with which the accused is charged is foreign to his delirium, the insane man then becomes responsible. But in truth, on what ground says with reason Judge Ledd, quoted by Maudsley, one of the most remarkable authorities as regards mental diseases, on what ground can it be held that an act inspired by a delirious idea has at the same time taken its motive in a determination of that part of the intellect which remains sound. And the celebrated English specialist adds:

"In fact, it is mere chance which always decides whether an insane man will be punished or relaxed." (Maudsley, p. 93.)

Well-meaning men have at all times protested against this doctrine of partial responsibility, which was accepted reluctantly, as will be seen by English jurisprudence.

"In vain," says Broussais, in his work intitled: *De l'Irritation et de la Folie*, volume 2, page 378, "In vain are we told that a few monomaniacs are perfectly reasonable on all subjects which are foreign to their prevalent ideas, still they may reason correctly on simple questions as regards their physical wants and all ordinary topics. But to the best observers, none of them are able to hold a serious conversation requiring attention to deal with a question of morals or philosophy without falling more or less into inconsistencies; no Don Quixotte is perfect."

Brierre de Boismont, is still more explicit. Here is what he says in the *Annales Medico Psychologiques*, volume 5, page 368:

"Is it possible to limit the field of action into which a prevalent idea may exert its influence? What physiologist would assert that such an idea is foreign to such another, and could not in any case be associated with it in the mind of a sound man, much less in the brain of an insane man?"

Falret states:

"That he has never met with a case of real monomania." (*Des maladies mentales*, page 436.)

Tardieu thus expresses himself on the subject of the so-called monomaniac. See *Etudes Medico-légales sur la Folie*, page 200:

"The prevalent idea stands out in relief on a ground generally and originally altered and the partial delirium is only the highest note of the greater clash which exists between the various intellectual and moral functions."

I know, Mr. Speaker, that to these authorities quoted by me other authorities may be opposed. Let them be quoted and the only conclusion to be drawn will be that on so serious a question the learned men do not agree. Therefore, a doubt exists. Who is to benefit from it? The accused, answers all the established jurisprudence. There is one last author whom I would like to quote, because he perfectly summarises all the question and solves it in a very clear and satisfactory manner. I allude to Dr. Lelorrain in his *L'aliéné au point de vue de la responsabilité pénale*. He thus expresses himself on page 24:

"The insane man, whose delirium is partial, may reason sensibly outside of his fixed ideas, and to a certain extent, even on these subjects. He may, believing his ideas to be true, draw from them logical conclusions."
Mr. LANDRY.

sequences, except in cases to be hereinafter mentioned. Far from us the idea of denying the existence of this dualism which is to be met not only in monomania but in all forms of insanity—one must, however, know how to interpret it. In fact, madness in every form is a *dédoublement* of the individuality, and this word which has been applied to a special condition is one of the characteristics of madness.

"But the understanding of the monomaniac is not composed, as the theory which we are attacking would have us believe, of two distinct parts: one diseased and the other sound.

"However limited the delirium may be, it is impossible to determine, no matter how shrewd the examination may be, in what proportion it has altered the mental faculties; even when apparently it is limited to one false idea, it could not be inferred from that, that all the other ideas are sound. In fact, however elementary a thought may be, it is, to a certain extent, the synthesis and the resultant of several others; its formation as such must have required the concurrence of factors, sensations, remembrances, partial judgments, association of primary ideas, and all a series of more or less conscious operations.

"Thus when we are in presence of delirious conception, however limited it may be, we must forcibly infer from it that many springs have been warped, and even that the whole organism is defective; otherwise the good working of one of them would be sufficient to correct the error. In order that a delirious idea may take hold of the mind, there must be a participation of all the faculties."

And the author ends a whole dissertation on this interesting subject by the following conclusion, to which I call the special attention of all my hon. colleagues:

"Justice, reason and science agree to condemn that theory of the responsibility of the insane man called monomaniac, when he is supposed to act outside of his delirious ideas. In truth, monomania does not exist, or at least, the partial delirium is nothing but a momentary systematisation of the general delirium and must involve the irresponsibility on the same grounds as mania."

As it will be now readily seen, this grave doubt which has entered the mind of a whole people, when the question was raised whether Riel had or had not the full enjoyment of his intellectual faculties, has not been dispelled. The composition of the medical commission was not of such a nature as to tend to dispel it, and its report put into our hands confirms our idea that Riel was suffering from partial delirium, and consequently raises the controverted question of the responsibility of the convict, increases the doubt in his favor and justifies us in saying with Shakespeare, in scene ii of Act V of Hamlet:

"If Hamlet from himself be ta'en away,
And, when he's not himself does wrong Laertes,
Then Hamlet does it not, Hamlet denies it.
Who does it then? His madness."

I have just given you, Mr. Speaker, the second motive which I invoke to ask from this House an expression of regret that the sentence of death pronounced against Louis Riel should have been carried out. Taking into consideration the antecedents of Riel, knowing that this man has been twice locked up in a lunatic asylum, the Government, after having received the medical report of a commission appointed under rather suspicious circumstances, had only one duty to fulfil, and that was to commute the sentence of the doomed man. Not having done that, having ordered the execution of a monomaniac, they have deserved the condemnation involved in my motion. And should it be necessary to give an additional motive in support of that motion it is to be found in the fact that Gen. Middleton, the representative of Federal authority in the North-West during the last rebellion, has treated with Louis Riel by asking him and accepting his surrender. On the next day after the capture of Batoche, when the half-breeds, beaten and dispersed, laid down their arms and surrendered to the victorious General, the latter, seeing that he had been unable to take Riel, fearing undoubtedly a continuation of the hostilities, the uprising of the Indians, whom Riel, being at liberty, could at any time muster up on the war-path, took a sheet of paper and wrote the following letter to the chief of the half-breeds:

"BATOCHÉ, 13th May, 1885.

"MR. RIEL,—I am ready to receive you and your council and to protect you until the Government shall have decided as regards your respective cases.

"FRED. MIDDLETON,
Major-General, Commanding Troops in N. W. T."

This letter bears date the 13th of May, but it was sent on the 14th, as stated in a telegram sent to the hon. Minister of Militia by General Middleton himself. I will now quote the words of the commander himself. Here is what he tells us in his official report, page 15 :

" May 15th. I sent detachment of mounted men under command of Major Boulton to patrol the woods. In the afternoon, two scouts, Armstrong and Hourie, who had been sent with Boulton and who had strayed themselves from the troops, met Riel, who surrendered—

And the General adds the following significant words :—

"and produced the letter which I had sent him and in which I summoned him to surrender and promised to protect him until the Dominion Government had decided on his case. The scouts brought him to my camp, and, as you are aware, I made him a prisoner."

It is therefore proved by the avowal of the General himself, that he had treated with Louis Riel by asking of him and accepting his surrender. Now, this action was never disavowed by the Executive. Hence the Executive share the responsibility of it, and instead of ordering the execution of the half-breed chief, after having treated him as a belligerent, they should at least have spared his life, which he had confided to the manliness of a soldier and to the generosity of his country. For this third motive, I ask this House to condemn the execution of Riel. This execution is, moreover, condemnable because it shocks all the notions which have been accepted and put into practice for a great number of years, whenever a sentence of death is to be applied to an offence of a purely political character. The crime of high treason, of which Louis Riel has been accused, necessarily belongs to this class. Were there any precedents which the Government might have invoked to justify this clemency which the jury asked in favor of the chief of the half-breeds? they could be found by merely crossing the frontier and asking the Americans how they have treated Jefferson Davis and all those gallant Southern generals who fought against the eagle of Washington, how they have treated Sitting Bull and his savage hordes? If we enquire of the Mother Country to know how were treated those who have raised the standard of rebellion against her, our attention will be drawn to Catewayo escaping from the scaffold, and Arabi Pasha leading a peaceful life in that terrestrial paradise known as the Island of Ceylon. And how did France act towards Abdel-el-Kader who killed her sons in the burning deserts of Algeria in the deep passes of Kabylia. Abdel-el-Kader, the rebel, being a prisoner became an honest citizen, and like the ambassador of a great country he had his residence in Paris, his box at the opera and his drives at the Bois de Boulogne. Capital executions for political offences are no more in the habits of our times, and in the present case neither the safety of the state nor the maintenance of order in the North-West required this excessive severity shown by the Government when they ordered the execution of a man convicted of a political offence. And for this fourth reason I ask this House to simply express regret for the condemnation and execution of Riel. There are still other motives which will undoubtedly be developed during the present debate. For my part I think that those I have given are sufficient to justify my vote. I regret to be in the painful obligation to part with those with whom I have always agreed. I do it nevertheless, without any hesitation, as on the day after the execution of Riel, I took, without any hesitation, towards my country and the country at large, a position exactly similar to that which I now occupy. I have been charged with motives which I repudiate. It has been loudly stated in some parts that there was an agreement between myself and the Government with regard to this motion. I deny the assertion.

Some hon. MEMBER. Well done!

Mr. LANDRY (Montmagny). The assertion came from men who have corrupted their ways and who, to-day, in order to serve mean party interests, do not know whether they ought or they ought not to regret the execution of the chief of the half-breeds. What do I care for these hesitations, these calculations of the last hour? What do I care for the insults which an ignorant and intoxicated pen pours out in the columns of a certain press which belies its title and styles itself free. Those only are truly free, who know how to place their duty above all, and who, obeying the dictates of their conscience, work sincerely for the glory and honor of their country, and ask the people in an undesigning and disinterested manner to repudiate the bloody act which threatens to soil the pages of our history.

Sir HECTOR LANGEVIN. Mr. Speaker, I must say that during the last four months it has sometimes been very hard for me, as a Minister of the Crown representing, with my two French colleagues in the Cabinet, specially the French population of the Province of Quebec, to remain silent. I thought, however, that it was not before the crowd, it was not at the church door, it was not in public meetings I should meet the accusers of the Government, and especially the accusers of the Ministers of the Province of Quebec—I thought the proper place to meet our accusers was on the floor of Parliament, in the House of Commons, where we could meet face to face our accusers, where our trial was to take place, where we were to be arraigned, and where our peers were to be found. Mr. Speaker, I say that at times it was hard for us to remain silent, when we saw in so many places in the Province of Quebec especially—I should say entirely in the Province of Quebec—some of our friends, with our opponents, denouncing us as traitors to our race, as traitors to our nationality, and as traitors to our country. I thought that after having been twenty-nine years in public life, having had the confidence of my countrymen of all origins, not only in my own Province, but also in other Provinces, I might have been spared the title of traitor. But, Mr. Speaker, thank God that word traitor has not been pronounced even by the majority of my Province, and I know it has not been pronounced by the country at large. No; we are not traitors to our country, or to our blood, or to our nationality. We have done our duty to our Queen and to our country. We were not, as were our accusers, without any oath of office. We had responsibility as Ministers of the Crown, we had responsibility as a Cabinet, we had responsibility as the advisers of the Queen's representative, and we had a duty to perform to ourselves, to our Queen and to our country, and that duty we believe we have performed properly, and we believe that this House, when we have been heard and have explained, and that history as well, will say that we acted rightly and did only our duty. These attacks, these insults that have been heaped upon our heads have passed away. Now the sober thought, the sober reflection of the people has come back and we can be heard, whilst three or four months ago only passion, sentiment, hatred, would be heard; but to-day here before the representatives of the people, before our peers and judges that are to give their verdict either for or against us, we can be heard, and we intend to be heard, and we intend to explain the position of the Government, and show what we have done, why we did it, and also why we should be sustained by this House. First, what we have done. Last Session, when Parliament was sitting, we heard from day to day the report of the events that were passing in the North-West. We heard that some of our best men in the North-West, settlers and others, had been made prisoners by the chief of the Metis, Louis Riel; that he was there with bands of armed men and was defying the authorities, and intended to have his authority established there against that of the Queen. We heard

that, not content with having the half-breeds in arms, he had also called to his help the Indians, the savages of the North-West in order to secure for himself a footing in the country, and that then, as we saw afterwards by the trial that took place at Regina, he sought to go through the country destroying it and establishing the rule of the half-breed and the Indian. That was one of the crimes which were committed at that epoch. Those things were known to us, and to our consternation we heard that, not only had peaceful settlers been made prisoners, not only had peaceful settlers been murdered, not only had a number of our North-West Mounted Police been killed, but that two peaceful missionaries, who had never done anything to those savages but good and good works, had also been murdered after Louis Riel had called upon the Indians to rise and come to his help. This news coming from the far west to this part of Canada, coming to the authorities here, had this effect, that of course we at once ordered the militia of the country to come to the relief of the settlers of the North-West and put down the rebellion. What was the result of the appeal made by the Government to the militia of the country? Did they hesitate? No. Mr. Speaker, we could have had three times, five times as many volunteers and militia as we had. The difficulty was to choose amongst them, and to injure as little as possible this portion of the country by taking from their ordinary avocations men who were enrolled and wished to go to the front. Well, Mr. Speaker, amongst the men who volunteered or were called upon to volunteer and come to the help of the Government and the help of the authorities of the country, and put down the rebellion, were two French Canadian battalions from the Province of Quebec, one from Montreal and one from Quebec, both of them commanded by members of this House, one sitting on this side and the other sitting on the other side of the House. And why were those battalions sent to the west? Were they sent only for the purpose of showing we had a militia in this country? Did these battalions go simply to make a promenade? They knew perfectly well, and it was according to their wish, that they were called upon to maintain order, to meet the rebels, to fight them and to kill them if necessary. That is the unfortunate state of things in war, but it is a necessary state of things. Those men knew it; they had patriotism enough to go, and I never doubted, and there is no one in this House who would doubt for a minute, that the militiamen, whether English, French, Scotch or Irish—no matter to what nationality they belong—that even one of them would hesitate in assisting to put down rebellion. These men went to the west; these battalions went there; the cavalry, artillery and infantry, with the worthy, courageous and brave General Middleton at their head. That fight was the first in this country where a force of militiamen, entirely composed of Canadians, had to be put in the field to put down a rebellion without the help of British troops, and the operation was complete. The rebellion was ended. These men found the half-breeds and Indians entrenched; they fought them and carried their entrenchments. At Batoché Riel was present with his half-breeds and Indians, and for four days they fought the Queen's troops, the militiamen of Canada, and the result was that the rebels were defeated and the authority of the law was made supreme. After that, Riel was arrested. He had not the glory of falling on the battle-field as a soldier, but he was made prisoner three days after the battle and brought to General Middleton. We are told by the hon. gentleman who made this motion, and whom I must congratulate on the quiet and moderate tone of his speech—

Some hon. MEMBERS. Hear, hear.

Sir HECTOR LANGEVIN. Yes; I always recognise in an opponent a good or a proper act, and I must say—

Sir HECTOR LANGEVIN.

Some hon. MEMBERS. Hear, hear.

Sir HECTOR LANGEVIN. Hon. gentlemen seem to think that my using the word "opponent" is a laughable expression. The hon. gentleman has put himself in the position of an opponent to-day, and for that reason I have no doubt he will not object to my calling him so. The hon. gentleman says that General Middleton wrote to Riel and told him that he was ready to receive him and his council and keep them safe, or words to that effect, until the Government of Canada had disposed of them or decided upon their fate. Mr. Speaker, the General never told him that he and his council, by giving themselves up, were not to be tried or that by that act their crime of treason was to be condoned. He told them—and he kept his promise—that they were safe, and he delivered Riel into the hands of the authorities at Regina, where he was perfectly safe—as safe as he was in the camp of General Middleton. But, Mr. Speaker, the military operations were complete; they were over, and in so far as our militia was concerned, we must be proud of the way that the militia of Canada behaved under these trying circumstances. We must deplore the loss of life that occurred at that period; we must regret exceedingly the death of these good men and brave that were sent to the front to defend their country. But these losses were inevitable under the circumstances, and I know that the country will always take care of the widows and children of these men who fell on the battle field. Their names will go down to posterity, and our children and great-grand-children will say that so-and-so was at that battle, that he fought the battles of his country and died the death of a soldier. The trial of Riel took place at Regina. We have been told that that trial was not a proper, legal, or constitutional one. I might avoid going into that portion of the subject when I remember the decision of the full court at Winnipeg, and afterwards Her Majesty's Privy Council in England with regard to that tribunal. But it is as well to remind hon. gentlemen that the trial of Louis Riel took place under a law which was then the law of the land—a law which had been passed at the time hon. gentlemen opposite were in office. They thought then, and the Parliament of Canada thought with them, that a jury of six men and a stipendiary magistrate and another magistrate were a proper tribunal before which to try all crimes in that country. That tribunal had already tried several parties, and some of them had been sentenced to death and hanged accordingly under that tribunal. In this case, we did not create a new tribunal to try Louis Riel; he was not tried by a court-martial, but he was tried by a court established by the law of the land as any other man would have been tried, whether he was called Riel or called by another name, whether he had French blood in his veins or English or Scotch or Irish blood. It was not a question of nationality—it was a question of an accused prisoner put upon his trial for the crime of high treason. He was tried before that tribunal; every opportunity was given him to defend himself; his own counsel admit that these opportunities were as great as could be expected. The delays required in order to bring his witnesses before the court were granted, and even the expenses of his own witnesses were paid by the Crown; and after a just and impartial trial the jury found the prisoner guilty of high treason. The stipendiary magistrate, Mr. Richardson, who was presiding in that court, had then a duty—a most painful duty, I am sure—to perform; but it was a duty of his office, it was a duty that the law imposed upon him, that is to say, to pass sentence upon the prisoner. That sentence was the sentence provided for by the Act of 1868, passed in this House with the consent of both sides, passed unanimously; and the punishment for high treason under that Act of Parliament, is death, and therefore Mr. Richardson had nothing else to do than to

pass the sentence of death upon the prisoner. Knowing him as I do, I am sure he must have felt very much grieved to be obliged to pass that sentence, because it is always a most painful duty for any man to have to condemn one of his fellow creatures to the punishment of death. He was so condemned; and I am told by the hon. gentleman who made this motion that the jury recommended the prisoner to the mercy of the Crown or the mercy of the court. It is true that the jury coupled their verdict with a recommendation to the mercy of the court. But the jury—an intelligent jury—knew perfectly well that the verdict of guilty of high treason conveyed with it, and was to be followed immediately by the sentence of death. Therefore when they recommended the prisoner to the mercy of the court, they knew perfectly well that that was not a recommendation that could change the sentence.

Some hon. MEMBERS. Hear, hear.

Sir HECTOR LANGEVIN. The sentence of death was the sentence of the law, and if hon. gentlemen will allow me to proceed, they will see that if the jury had any doubt about the sanity of the prisoner or about the evidence that had been given at the trial, they could not bring in a verdict of guilty, but could only bring in a verdict of not guilty. If they had any doubt, the benefit of that doubt should be given to the prisoner, and no matter what might be their convictions, their verdict should be not guilty. But that was not their verdict; their verdict was guilty, and we have to take their verdict as it was. This is not the first time that a verdict which carries with it the sentence of death is accompanied by the jury's recommendation to mercy. We know perfectly well the feeling of juries. Like all of us, they feel grieved to see a fellow creature hanged and paying with his life the penalty of the crime he may have committed; and we very frequently find them coming down with a recommendation to mercy. It seems to be a solace to their feelings. But in this case we had to take the verdict as it was; we had to take the evidence as it was. But before the matter came before us, the counsel of the prisoner took further proceedings. According to the law that was passed by hon. gentlemen opposite, they very properly appealed to the full Court of Queen's Bench at Winnipeg to have the verdict set aside; they wished to have a new trial; they wished to show that the prisoner was insane; they wished, in fact, to save their client, and no one can blame them for that—it was their duty to save him if they could. But, Sir, what happened before that court? The judges were unanimous in declaring that the trial had been a just and legal trial, and that the court was legally constituted, and therefore they refused to change the sentence of the court below, but confirmed it. One of the judges, Mr. Justice Killam, speaking of the sanity of the prisoner, said:

"Mr. Lemieux laid great stress upon the fact that the jury accompanied their verdict with a recommendation to mercy, as showing that they thought the prisoner insane. I cannot see that any importance can be attached to this. I have read very carefully the report of the charge of the magistrate, and it appears to have been so clearly put that the jury could have no doubt of their duty in case they thought the prisoner insane when he committed the acts in question. They could not have listened to that charge without understanding fully that to bring in a verdict of guilty was to declare emphatically their disbelief in the insanity of the prisoner. The recommendation may be accounted for in many ways not connected at all with the question of the sanity of the prisoner."

This was not the first time these judges had capital cases before them; they knew perfectly well that it was not an unusual thing with juries to couple their verdict with a recommendation to mercy, and they knew that in this case, if the jury thought the prisoner was insane, they should not have brought in the verdict of guilty, but a verdict of not guilty. Now, the case stood thus: the prisoner had been condemned by the court at Regina; the full court of Queen's Bench at Winnipeg had declared unanimously that the trial

had been a fair and constitutional one; and then the counsel for the prisoner thought that they should try *en dernier ressort* to obtain an appeal to the Queen's Privy Council. They petitioned the Queen's Privy Council:

"That Your Majesty will be graciously pleased to order that your petitioner may have special leave to appeal, and be at liberty to enter and prosecute his appeal from the aforesaid sentence and judgment respectively, and that the said stipendiary magistrate and justice may be ordered to transmit forthwith the transcript of the proceedings and evidence in the matter to the Privy Council Office, or that Your Majesty may be graciously pleased to make such further or other order as to Your Majesty in Council may appear just and proper."

Well, this matter went to the Queen's Privy Council. The Lords of the Judicial Committee of the Privy Council met, and after hearing the counsel for the prisoner, and without hearing, if I am not wrong, the counsel for the Crown, rendered this judgment, which I think the House should be put in possession of, as it is the *finale* of the legal proceedings in this case:

"This is a petition of Louis Riel, tried in July last at Regina, in the North-West Territories of Canada, and convicted of high treason, and sentenced to death, for leave to appeal against an order of the Queen's Bench of Manitoba, confirming that conviction.

"It is the usual rule of this committee not to grant leave to appeal in criminal cases, except where some clear departure from the requirements of justice is alleged to have taken place. Whether in this case the prerogative to grant an appeal still exists, as their Lordships have not heard that question argued, they desire neither to affirm nor to deny, but they are clearly of opinion that in this case leave should not be given.

"The petitioner was tried under the provisions of an Act passed by the Canadian Legislature, providing for the administration of criminal justice for those portions of the North-West Territories of Canada in which the offence charged against the petitioner is alleged to have been committed. No question has been raised that the facts as alleged were not proved to have taken place, nor was it denied before the original tribunal, or before the Court of Appeal in Manitoba, that the acts attributed to the petitioner amounted to the crime of high treason.

"The defence upon the facts sought to be established before the jury was, that the petitioner was not responsible for his acts by reason of mental infirmity.

"The jury before whom the petitioner was tried negatived that defence, and no argument has been presented to their Lordships directed to show that that finding was otherwise than correct. Of the objections raised on the face of the petition two points only seem to be capable of plausible or, indeed, intelligible expression, and they have been urged before their Lordships with as much force as was possible, and as fully and completely in their Lordships' opinion as it would have been if leave to appeal had been granted, and they have been dealt with by the judgment of the Court of Appeal in Manitoba with a patience, learning and ability that leaves very little to be said upon them.

"The first point is that the Act itself under which the petitioner was tried was *ultra vires* the Dominion Parliament to enact. That Parliament derived its authority for the passing of that statute from the Imperial Statute, 34 and 35 Vic., chap. 28, which enacted that the Parliament of Canada may from time to time make provision for the administration, peace, order, and good government of any territory not for the time being included in any Province.

"It is not denied that the place in question was one in respect of which the Parliament of Canada was authorised to make such provision, but it appears to be suggested that any provision differing from the provisions which in this country have been made for administration, peace, order and good government cannot, as matters of law, be provisions for peace, order, and good government in the territories to which the statute relates, and further that, if a court of law should come to the conclusion that a particular enactment was not calculated as matter of fact and policy to secure peace, order, and good government, that they would be entitled to regard any statute directed to those objects, but which a court should think likely to fail of that effect, as *ultra vires* and beyond the competency of the Dominion Parliament to enact.

"Their Lordships are of opinion that there is not the least color for such a contention. The words of the statute are apt to authorise the utmost discretion of enactment for the attainment of the objects pointed to. They are words under which the widest departure from criminal procedure as it is known and practised in this country have been authorised in Her Majesty's Indian Empire.

"Forms of procedure unknown to the English common laws have there been established and acted upon, and to throw the least doubt upon the validity of powers conveyed by those words would be of widely mischievous consequence.

"There was indeed a contention upon the construction of the Canadian statute, 43 Vic., chap. 25, that high treason was not included in the words: "any other crimes," but it is too clear for argument, even without the assistance afforded by the 10th sub-section, that the Dominion Legislature contemplated high treason as comprehended within the language employed.

"The second point suggested assumes the validity of the Act, but is founded upon the assumption that the Act has not been complied with. By the 7th sub-section of the 76th section it is provided that the magistrate shall take or cause to be taken in writing full notes of

evidence and other proceedings thereat, and it is suggested that this provision has not been complied with, because, though no complaint is made of inaccuracy or mistake, it is said that the notes were taken by a shorthand writer under the authority of the magistrate, and by a subsequent process extended into ordinary writing intelligible to all. Their Lordships desire to express no opinion what would have been the effect if the provision of the statute had not been complied with, because it is unnecessary to consider whether the provision is directory only, or whether the failure to comply with it would be ground for error, inasmuch as they are of opinion that the taking full notes of the evidence in shorthand was a causing to be taken in writing full notes of the evidence, and a literal compliance therewith with the statute.

"Their Lordships will, therefore, humbly advise Her Majesty that leave should not be granted to prosecute this appeal."

Therefore, the trial, which had begun at Regina, was continued by the appeal at Winnipeg, and finally was brought on a petition before the Judicial Committee of the Privy Council in England. These tribunals declared that the sentence passed on the prisoner at Regina was the sentence of the law. The case then had to come, as do all other capital cases, before the Governor General in Council. Every such case is examined into attentively by the Council, every member of the Council reads the evidence, the reports, the charges and judgments, and the petitions for or against the evidence; the Council weigh the whole and have to decide whether in all these documents there is anything to warrant the interference of the Governor in Council. We have not, as has the Judicial Committee of the Privy Council, to try the case again; the prisoner has been tried before the regular tribunals of the country, and we have only to see whether anything has occurred since which would warrant our intervention. For example, should a material witness, who was away and could not be had during the trial, come forward, whose evidence, had it been given before the court, would have perhaps secured the acquittal of the prisoner, the Governor in Council would have to consider seriously that fact and decide whether it was of sufficient importance to justify interference. But in this case no such allegation was made. The sole allegation of the counsel for the prisoner, contained in the petition, was with reference to the sanity or insanity of the prisoner. That petition, among other things, said:

"That this insanity has been so much proved that the jury had been impressed by the proof made of it, to such an extent that they recommended Riel to the clemency of the court. That your petitioner has been informed in a credible manner that since the verdict was given, the insanity and mania of Riel have considerably increased, and that he is actually insane and uncontrollable. Your petitioner therefore humbly prays that Your Excellency be pleased to appoint a medical commission composed of specialists and alienists whose duty it will be to examine the said Louis Riel, actually detained at Regina, in the Mounted Police military camp, and to ascertain the state of mind and mental condition of the said Louis Riel, and to report to the authorities accordingly."

That was the petition of the counsel in this case. They did not say that the trial had been unfair, that the prisoner had not had all the delays necessary, that he had not brought his witnesses, and had not been condemned legally. No; the only thing they alleged was that he was insane. The Government, in considering this matter, could not go back to a period anterior to the verdict and the sentence of the court. If insanity existed previous to that, if it existed at the time Louis Riel came back to the country, at the request of some of the half-breeds; if it had existed whilst he was at the head of the half-breeds and the Indians and was fighting the Queen's troops in the North-West—if insanity had existed at these times, the jury before whom he was tried were bound to decide whether he was insane or not, whether he could know right from wrong or not; and if they thought not, they had but one duty to perform, namely, to declare he was not guilty of high treason, but was simply insane. They did not do that, and, therefore, so far as we were concerned as Ministers of the Crown, as men who had to decide and to examine the case, we had only to see whether, from that period down to the time the medical men were sent up, the man Riel was really insane, was an unaccountable being, was a man who did not distinguish right from wrong. We

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had had already before us a number of documents; we had seen them; hon. gentlemen had seen them all through the press, had seen them published and read everywhere. There was the letter of Louis Riel to his mother, there was the letter of Louis Riel to his sister, there was Louis Riel's last will and testament, there was Louis Riel's history of the half-breeds, and there were other documents of that kind. We knew how the prisoner was behaving in his cell, we knew how he was receiving visitors who were there either to comfort him or for pure curiosity, we knew how the prisoner had received the authorities when they announced to him the position of his trial and the position of the appeals; and then, nevertheless, on this petition and other petitions that had been sent to the Government, we thought it was a proper thing to send medical men to examine the prisoner, so that there might be no doubt in the minds of the Government and of the country about his sanity. Therefore we sent Dr. Lavell and Dr. Valade, and we called upon Dr. Jukes, the senior surgeon, the medical man who had attended on Riel all the time for five months he had been in gaol at Regina, to go and examine the prisoner and tell us whether they found him sane or insane. These medical men reported. The reports have been laid before the House; but, as they have not been read in full, I think it is only a proper thing that I should read them now for the benefit of hon. gentlemen, and in order that they may take their place where they should before the public. Dr. Jukes' report is dated Regina, 6th November, 1885. This is addressed to the Hon. Edgar Dewdney, Lieut. Governor of the North-West Territories. Dr. Jukes says:

"SIR,—In compliance with the request contained in the communication received by you from the Right. Hon. Sir John Macdonald, that I should report without delay upon the mental condition of the prisoner Louis Riel, now under my medical care, and how far I consider him accountable and responsible for his acts, I have the honor to report as follows:—Louis Riel has been under my special care, medically, as surgeon of this force, for upwards of five months, since his arrival here as prisoner. During that time I have visited him, with few exceptions, every day, have studied him closely, and conversed with him long and frequently. I have personally a strong aversion to punishment by death. I believe that, failing to establish his insanity, his death is near at hand; but, after careful and continuous examination of him, under varying circumstances, from day to day, I cannot escape the conviction, that except from purely religious questions, having relation to what may be called the Divine mysteries, he was, when first entrusted to my care and still continues to be, perfectly sane and accountable for his actions. Under these circumstances my duty, though a painful one, is clear, and my opinion, not hastily formed, equally so, namely, that Riel's peculiar views upon religious subjects, which so strongly impress the ignorant and unreflecting with an idea of his madness, cannot rightly be regarded as interfering with, or obscuring in the slightest degree, his clear perception of duty or as rendering his judgment less sound in the affairs of every-day life. I therefore record my opinion, that with the reservation above made, Riel is a sane, clear-headed and accountable being, and responsible for his actions before God and man.

"I have, &c.,

"A. JUKES,

"Senior Surgeon."

Then comes Dr. Valade's report, dated Regina, 8th November, 1885:

"SIR,—After having examined carefully Riel in private conversation with him, and by testimony of persons who took care of him, I have come to the conclusion that he suffers under a hallucination on political and religious subjects, but on other points I believe him to be quite sensible and able to distinguish right from wrong.

"F. X. VALADE, M.D."

Then follows Dr. Lavell's report, dated the 8th November:

"SIR,—I have the honor to report that, having given conscientious consideration to the case of Louis Riel, now confined here under sentence of death, and fully appreciating the trust committed to me and the consequences involved, I am of the opinion that the said Louis Riel, although holding and expressing foolish and peculiar views as to religion and general government, is an accountable being and capable of distinguishing right from wrong.

"I have, &c.,

"M. LAVELL, M.D."

Mr. Speaker, these reports were laid before the Privy Council; and, after weighing all the circumstances, looking into the case fully, considering our duty towards the prisoner,

our duty towards society, our duty towards our Queen and country, we came to the conclusion, though reluctantly, though with great pain—because it is always a painful duty to allow a fellow creature to go to the scaffold,—to allow the law to take its course; but we could not close our eyes to the fact that our duty called upon us to allow the law to take its course. The result of this decision has been the agitation that followed in November and the following months, and we have been, for our action in this case, insulted and blackened as no men in the world have been. Our say has come. We are now to see whether our action is to be found wrong or whether it is to be found right. The reason why we allowed the law to take its course has been given already, but there is this to be added, that in this matter we had to deal with a case which affected a large portion of the country, which affected a wild portion of the country; and, if the same action had taken place, if the same crime had been committed in the other parts of the country, we would have acted as we did; and therefore we put to ourselves this question: Is it a reason, because this is in a wild part of the country, far from the strong arm of the law, that this prisoner should escape the punishment which is fixed by law? We thought not; we had to direct us in that fact—and there I know that some of my friends may not agree with me, but, if they allow me to continue my remarks, they will see the reason why I allude to it—we had this before us, we had the fact that Louis Riel had, 15 years before this, committed an act which was considered at the time one that should have been punished in the most severe way. The prisoner, Louis Riel, at that time was not condemned to a severe punishment; he was allowed to remain out of the country for five years, and he was not brought before a tribunal to be tried, and punished or absolved, for the death of Thomas Scott. I know I shall be told that at that time Louis Riel was at the head of a *de facto* Government, that it was the Government for the time being, and that, therefore, the Dominion Government had no right to put him to death for the execution of Scott. I leave that question for the hon. gentlemen to discuss; but if we are not to say a word about the death of Thomas Scott, and if we are met by the reasoning that Louis Riel had a right to put him to death, under circumstances no matter how cruel, then, I ask why should the established Government of this country, the Government that exists here by the Queen's will and by the Constitution of the country—why should we be called to account for having done—what? Not for having condemned Riel to death, but simply for having allowed the tribunals of this country to execute the law of this country. I do not know how hon. gentlemen can get out of this dilemma. Even though Riel may have been justified in putting Scott to death when he was at the head of that *de facto* Government, even with all the cruelty that attended the execution, even though he may have been justified in doing that, we cannot be condemned here for allowing the law to take its course in November last. We are the Government of the country; we had no revenge against this man; he had done us nothing personally; but he had attacked the authority of the Queen; he had revolutionised that country; he had called the half-breeds to his aid and had deceived them in a most shameful way, as the missionaries of that country have all testified; he had destroyed their faith; he had destroyed their religion to establish one of his own, and my friends from the Province of Quebec call that man a compatriot, a man of their race! No, Mr. Speaker; the sober, second thought of the people will not be so. They will say that whether that man had French blood in his veins, or whether he had English or Irish or Scotch blood, the Government had only to consider whether he was guilty or not. For my part, I am not only a representative of the French Canadians, in the Government, but I, along with my

colleagues, am a representative of the whole people of Canada, of all origins; and, therefore, when a case of this kind comes before us, though it may be especially painful for me to see one suffer death who speaks my own language, and who also may have French blood in his veins, nevertheless, I have only one duty to perform, and that is to give even justice to all. Mr. Speaker, I might go further and continue to answer some other remarks made by the hon. gentleman, and other attacks against the Government made during the last four months; but I think that I have shown you and this House that the prisoner had a fair trial; I have shown that the courts of the country so declared; I have shown that the Privy Council in England had confirmed that decision; and I have shown that we, as a Government, have taken all the pains and trouble necessary to find out whether the Government of Canada could interfere and should interfere in this case. We found, to our regret, I must say—because it is always a regret for us to see one of our fellow creatures going to his last account—we found, to our great regret, that we could not interfere. We have been blamed for that, and the hon. member for Montmagny (Mr. Landry) has thought proper, under the circumstances, to put in your hands a motion censuring the Government, declaring the regret of this House that the sentence of death against Louis Riel was carried into effect. I hope, Mr. Speaker, that the large majority of this House will not agree with that motion. I hope this House will remember that we did only our duty in the matter, and, though we did it reluctantly, we did it. We do not deny that we did it; we say boldly that we did it; and in order that there may be no misunderstanding about this matter; in order that there may be no false issues or side issues about this motion, and that we may have a direct vote upon it, I move, seconded by Sir Adolphe Caron, the previous question.

Mr. AMYOT. I am sorry to be forced to undertake this important debate without having before me the necessary documents. When, on the 6th of November last, there was an immense agitation all over the Dominion, we heard many voices coming directly from the Ministry and saying: Wait till we meet in the House of Commons, with all the papers before you, and then you will pronounce upon the question; wait till then. But to-day do we know any more about the papers than we knew then? We had then seen in the newspapers a short account of the proceedings before the jury; we had seen some altercations between the prisoner and his lawyers; we had seen the names of a few jurors; but about the charge of the judge to the jury, which is a most important fact, about the petitions for and against commutation, about all the important documents which have been asked for by this House, about the telegrams, about the reports of the medical commission—we have nothing. In fact, Mr. Speaker, a few minutes ago I asked one of the Ministers at least to tell us if the report of the medical commission was made by telegram or by letter. Why did I ask? Because I wanted to know when the Minister was informed. For we do not know it. The Ministers, however, say they do not remember; they cannot tell, although the life of a man is in question; they cannot remember whether they were informed by letter or telegram. They do not remember the dates; they do not know whether there was more than one letter or telegram; they do not know if letters or telegrams have been offered subsequently to them! We are to be kept perfectly in the dark, although this is a question involving the whole rebellion—a question affecting the life of a man and the life of an Administration; the country though wants the North-West to be properly administered, and justice to be properly administered, and desires its representatives to be in possession of all the papers on which the Government arrive at their opinion

when they decide to hang a man. It is rather humiliating to find that the Government persistently refuse those papers. What is the reply offered? Why does the Government not put before the House and the country all the papers after so many months of promising? Why have they not even answered the question I put to them a moment ago? Perhaps it is like the medical commission. They prefer darkness; they desire that the papers may not be laid before the House—may not be known. It has been argued that all the Government had to do was to determine as to whether the verdict of the jury had to be carried out or not. I beg to differ from that opinion. When in the ordinary courts, based upon common law, a jury of twelve men under the direction of an ordinary judge of the land has rendered a decision, and when the judge has pronounced the death sentence, then the only question for the Executive is as to whether it will interfere or not, interfere to grant a pardon or commutation of sentence. But in the North-West such is not the case. It is provided under the laws applicable to the territory that, as there were so few people resident there, six jurors should be sufficient; and as there were few judges, one ordinary magistrate should be sufficient with the help of a justice of the peace. But the law provided that the whole of the record should be sent to the Administration, for the Administration to decide yes or no on the question as to whether the verdict should be carried out. So the Government had this obligation imposed on them, and they cannot deny that they were bound to go over the whole of the record, to consider the whole of the circumstances of the case, the whole of what occurred before arriving at a decision. They have not done that. They say that all they had to do was to decide either to interfere or not interfere. They shirked their responsibility. But the country—I do not care to what creed, or religion, or race, the people belong—will ask justice and fair play for every British subject of Her Majesty. It has been said that the trial was a fair one. I beg to deny that; and if we had here the papers of the trial we could prove that it was not a fair one, although the Government have been declaring through its officious press, which is disinterested according to some and not disinterested according to others, that the trial was a fair one, and that the costs of the defence were paid by the Administration. There must be an end made to that statement. I hold in my hand a document which, by the kind permission of the House, I will read. It is the answers given by one of the lawyers for the defence to questions put to him concerning the trial; and, if this be not looked upon as sufficient proof, I will take the testimony of a paper which is the organ of one of the Ministers of the Crown. The first question put to Mr. Lemieux, one of the generous lawyers for Riel, was this:

"Q. The ministers and their defenders make it appear that you are of opinion that Riel's was a fair trial. Will you kindly say if this is correct, and what we ought to think about it? A. I formally deny having said such a thing. The most correct answer to give is what is written on the subject by the reporter of *Le Monde* of Montreal, written from Regina itself, and published in the editions of August and September last."

It would be too long, perhaps, to read that paper.

Some hon. MEMBERS. Read.

Mr. AMYOT. I speak of the statements made by the reporter of the paper itself.

Some hon. MEMBERS. Read, read.

Mr. AMYOT. I will read those statements after six o'clock, as I have not the papers now at hand.

"Q. When you asked for a delay, in order that the necessary witnesses might be forthcoming, was this delay granted you?"

The House will remember, we have been told constantly that all possible delay was given to Riel. I know the North-

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West a little—I happened to go there—and I know what delay there means:

"A. No; we asked for a month and obtained but ten days."

Can the Minister of Public Works deny that, if hon. members would look at the records, they will find that a motion was made by the lawyers for the defence for a month's delay. They were many hundred miles from the requisite witnesses; Riel was far from the place where the offence was committed, far from friends and family, and therefore Riel, or rather his lawyers—because Riel pretended all the time that he wanted no witnesses and denied his insanity—declared that they could not procure the witnesses and doctors and papers needed within ten days. They wanted thirty days, as the shortest possible time. No, said the Crown, we will give you ten days; and yet the Minister speaks of the fairness of the trial!

"Q. Were you able to have the witnesses whom you wished to be heard?"

"A. No; the Crown refused to furnish the necessary funds for bringing Doctor Howard, a specialist, who had attended Riel at the Longue Pointe Asylum; Major Mallette, who was acquainted with all the circumstances of Riel's confinement and madness at Washington."—

He had known Riel for a long time; he knew his character, and he knew what Riel would do or should do if he was still insane. They refused also the funds to bring Major Mallette. I hope that the Minister of Public Works will not use his great talents, great experience and great eloquence to throw discredit upon Major Mallette, as he seems determined to do now on his own Province. I hope at least those who have left the Province of Quebec will be respected by the hon. gentleman, and that his political needs will not force him to throw dirt on them.

Some hon. MEMBERS. Oh, oh.

Mr. AMYOT. Some hon. members may laugh, but the time will come when the applause will be on our side. When Major Mallette's good name is wanted to carry a political election he is thought much of and respected.

"Major Mallette, who was acquainted with all the circumstances of Riel's confinement and madness at Washington; the Rev. Monsignor La'iberte, his spiritual director during his confinement at Beauport; Dr. Grey, of Utica, United States, one of the greatest specialists of mental alienation in America, the same who had given his testimony in Guiteau's case; and the employees of the different Departments to show what were the causes of the insurrection; and for the production of a number of documents, such as requests and petitions of the half-breeds, letters from the Bishops and missionaries."

All those documents have been refused. Delay in order to get the witnesses needed has been refused; the money to procure their attendance has been refused. The Crown selected two witnesses from the list furnished by the lawyers for the defence, and they said; Those two we will have; one of whom was sick and perhaps the Crown hoped he would not go, and I do not know about the other going. But they excluded all the others; they gave no time to get them, and yet they come here to-day and say: We were right in hanging Riel, because we gave him a fair trial. I say, no, it is not correct; and you did not give him a fair trial, under the circumstances. There was this poor man, many hundreds of miles from his friends and his family, without money. He was not able to guide his defence, and you refused his lawyers the few hours or days which were absolutely necessary in order to procure witnesses and papers.

"Q. Had you all the documents you asked for?"

I suppose they had the documents there as we have the documents now.

"A. The documents containing the grievances of the half-breeds, which we had asked for, were refused us. They are mentioned in Riel's affidavit of 21st July published in the Blue Book.

"Q. Had you a competent translator of English into French? A. No; so much the contrary, that the court had to change translators three or four times; that the evidence given in French is mutilated, in-

correctly reported, given in the lump, specially that of Dr. Roy and that of the Rev. Fathers Fourmond, André, and the others. Finally, no one would act as interpreter, and there being no interpreter the advocates began to translate, till, at length, the examination of a witness had to be suspended whilst another translator was being sent for, who, on his arrival, proved to be as incompetent as his predecessors."

This shows the great desire of the Government to give Riel a fair trial—their great desire that no reproach should fall upon them. They did not even take the trouble of procuring a competent translator. I suppose it would have cost too much; there would not have been left enough money in the public purse to pay for those sheets and papers containing the abbreviated and incomplete defence of the Government. When it was a question of spending hundreds or even thousands of dollars for the purpose of making their own actions appear favorable, they did not hesitate; but when it was a question of supplying translators, a question of life and death for the unfortunate man who was on his trial, something told the Ministers that it would cost too much, and they did not do it. It is my duty, a painful duty, as one of the representatives of the people, to protest against such conduct and to tell the Government that they did not give Riel, the madman, half of the justice and fairness in his trial to which he was entitled.

It being six o'clock, the Speaker left the chair.

After Recess.

Mr. AMYOT. The next question that was put to one of the lawyers is this one:

"Q. Was this court conducted with decorum? A. With none at all. There was no room for it; we were one at top of another; the auditory applauded Astley's replies, and murmured audibly during Riel's discourse. There was no appearance of its being court at all, neither a picture of the Queen, nor the Royal Arms.

"Q. Were there any half-breeds or Catholics on the list of the jury given by the judge, and were they selected? A. There was one Irish Catholic whom the four Crown advocates challenged simultaneously and with such eagerness that one of us could not keep from saying: "No Irish need apply!" There was also a French Canadian named Limoges, who was present at the opening of the trial, but who had a fall from his horse and could not be present when the names of the jury were called over. The jury was entirely composed of English Protestants.

"That there may be no mistake about this list of jurymen, let it be well understood that there was no list, as is the case here. In an urn there were pieces of folded paper, each bearing a name. The judge took one out at hazard and the name inscribed was the one called.

"Q. Would it have been possible to have had French-speaking jurymen? A. Certainly, there were several French Canadians at Regina and many surrounding places; half-breeds also could have been had.

"Q. Does the Blue Book which has been published contain all the documents and important incidents of the trial? A. No. It does not contain the jury list, the motion for adjournment, Riel's interference in the conduct of the case, against the will of his advocates, our pleadings on the question of law right, and various incidents.

"Q. Is Jackson, Riel's secretary, a French Canadian (because that has been asserted)? A. No.

"Q. Was his trial carried on with the same rigor as Riel's? A. No; it lasted but a few minutes; it was a mere matter of form. It was the Crown that undertook to prove his being mad.

"Q. Were your expenses paid by the Government? A. No. The only Minister who rendered us any assistance was Sir Hector, and he only obtained for us, from the C. P. R. Company, free tickets for our first journey to Regina.

"Q. After the sentence had been confirmed in England, what steps did you take with the Government? A. What appears on the Blue Book. A petition, asking for a medical commission, was presented to the Executive, and no reply was given."

It seems pretty hard to get answers when the half-breeds are interested. Riel should at least have received through his attorneys the same delicacy that is generally shown for the greatest scoundrels.

"The Crown never informed us that Riel was to be executed. November 13th, 1885, the following telegram was addressed to the Hon. J. A. Chapleau, Secretary of State:

"The Government must now have arrived at some decision as to the fate of my client, Louis Riel. Have the kindness to inform me what this decision is, for in case of his being executed Monday, I would wish, as his advocate, to know about it at once, for most important reasons."

"No reply to this telegram ever reached me."

"Q. Why did you not summon Bishop Taché as a witness? A. Monseigneur Taché was begged of by us all conjointly to appear as

witness to prove Riel's madness, but through the grave reasons explained at length in a letter replying to our request, we thought it right not to insist on his appearance."

Later on the real reason why Monseigneur Taché did not think it fit or opportune to appear will be told. I do not think we should tell those reasons now, because I am afraid of injuring the case of the half-breeds. Now, Sir, we do not contend that the trial was not a legal one, and there is no use in reciting here the decisions of the court at Winnipeg or of the Privy Council. We admit there has been a legal trial, but we say the trial has not been a fair one—has not been one in which, considering the peculiar circumstances in which the prisoner stood, he was treated fairly as he ought to have been treated. We say that the law provides that the Government shall look over the case, as a jury in the box, and shall then pronounce the verdict, and decide whether the execution shall take place or not. The question is now before this honorable House as upon an appeal, and we have to decide whether in the record of Riel's case there is enough to convict him, whether his madness is proved, and whether there was any provocation, which is not denied. But to come before this honorable House, when we are sitting as a court upon the case, and to say: You shall have such part of the record, but you shall not have the rest, and to move the previous question so as to prevent the production of all the circumstances of the case—that is not asking our fair and impartial decision and judgment on the case, but it is making an appeal to partisanship. It is saying to the members of this House: You belong to our party, you have supported us up to the present; now we will shut off the evidence, we will put aside all the material points of the case, we will give you what we think is not injurious to us, and you will vote as partisans. That is an insult to this House and to this country, and it is a declaration on behalf of the Ministry that they believe they have before them a House so corrupt and so subject to intimidation that by the mere spirit of partisanship they can control it. This is the position before the country; we have to judge the trial; we have to look over the evidence as every one of the Ministers had to look over it in their Council room; we have to look at what the witnesses said, and what the judge said when he charged the jury; we have to look at all the petitions for and against the execution, and upon that examination we have to decide. But all that is taken away, and only an appeal to party interest is made. I say it is not fair or loyal to the House, and it will not be satisfactory to the public. If we refer to 40 Victoria, chapter 7, we find that it provides:

"4. The procedure of trials under sub-sections 2 and 3 of this section shall be as far as possible similar to the procedure upon summary trials: but the Stipendiary Magistrate shall, upon every such trial, take, or cause to be taken, in writing, full notes of the evidence and other proceedings thereat."

Where are they? The court at Winnipeg had not them; it had not the charge of the judge; and yet it pronounced upon the sanity of the man, and to-night we have to pronounce upon the case, without the charge of the judge and without the other proceedings.

"And all persons tried under the said sub-sections shall be admitted, after the close of the case for the prosecution, to make full answer and defence by counsel learned in the law.

"5. When any person is convicted of a capital offence, and is sentenced to death, the stipendiary magistrate shall forward to the Minister of Justice full notes of the evidence with his report upon the case, and the execution shall be stayed until such report is received and the pleasure of the Governor thereon is communicated to the Lieutenant-Governor."

I make these quotations to show that the execution is not left by the Government to take its course, as in ordinary cases, but must be ordered by them; and to order the execution they must be fully satisfied that the prisoner found guilty deserves the utmost penalty of the law. So, they

are responsible to us for the verdict they gave in this case, as we are to the country for the decision we shall give upon it. The hon. Minister of Public Works—who, I suppose, will not compliment me as he did the mover of the resolution—says that after so many years of service it is impossible to believe that they have betrayed their duty, and he complains of the word treachery. I can say that neither myself nor any of my friends in this honorable House have used that word. We complain of this: We say that after the examination of the record in Riel's case, the Ministry ordered the hanging, in spite of the record, in spite of the recommendation to mercy by the jury, in spite of the madness of Riel, which was admitted and proved, in spite of the petitions which they received; and we go further—we say that they did it after mature deliberation, in order to please a certain section of the country, not caring about offending the other. We are sorry to have to leave old friends, who generally led us in the past, but we must be guided by the facts as we find them. My learned friend from Montmagny (Mr. Landry), in support of his motion, brought up four points. I am happy to be able to join him in regard to those four points, and to say that in my opinion he is perfectly correct. He has discussed the question of Riel's madness from a legal point of view, and has quoted authorities and brought forward very satisfactory arguments on that point. I will try to establish from the record that Riel was insane; but before entering into that question I must say this: The hon. Minister of Public Works made allusion to the fact that two of the members of this House went to the North-West, and he says we were ready to kill Riel if we had met him. He seems to be possessed of the idea that on that account we have no possible right to discuss the verdict of the Ministry in Riel's case; but I think he is greatly mistaken. For my part, when I was called on as a soldier to lead the 9th Battalion to the North-West to help to suppress the insurrection, though exposed to shedding the blood of French half-breeds, I did not hesitate; I obeyed the voice of duty and honor which called on me. As a citizen of Canada and a soldier of Her Majesty, I gave my humble aid in the maintenance of the law and in the protection and safety of the citizens. During the whole time of my service I did my best, in conjunction with my trustworthy officers and men, to execute the few orders, sometimes very extraordinary ones, which I received, and, in the absence of such orders, to judge by myself what line of conduct to adopt. If that conduct has not been deemed worthy of official recognition, it has at least gained for us considerable complimentary notice from the public, not only in the various places in which we were scattered in the North-West, not only in the Province and city of Quebec, but also—and I am proud and happy to acknowledge it—in the great Province of Ontario, in the cities of Owen Sound and Toronto, where we were received like brothers, wherein we felt that we were all citizens of a large and intelligent country, forming one people under one flag, and capable of living amicably together, though of different races and creeds. Let the people of Ontario, who showed us so much sympathy during the whole of our passage through their Province, accept our most sincere thanks for their courtesy and brotherly behaviour. If ever their worthy battalions visit their sister Province of Quebec, I trust that the hearty reception that will be offered them will prove to them that we reciprocate fully their kindness and friendship, that between the two Provinces there exist ties of sincere friendship, that the fanaticism of a few sectarians is not able of breaking asunder. But when I was in the North-West as a soldier, had we met Riel and had we to fire on him, of course we would have done so. We went there as soldiers, and as such had to obey orders. What is there so extraordinary in that? It is true that, after having served in the North-West, I came to the con-

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clusion that the hanging of Riel was illegal and most unjust and barbarous, and that since then the admiration of some of my friends on the other side has suddenly become changed, and I now meet with all sorts of accusations. It is true that one of the Ministers of the Crown thinks proper and fit to take up part of his most valuable time in seeking, from Quebec and Montreal, by means of spies, all sorts of information. It is true he is engaged in hunting up records and records, and amongst about a quarter of a million of dollars I have signed for in the North-West, is trying his best to find something against me. All that is true, and he is at liberty to do what he can. Let him try and form a court, with his dude officers, somewhere that will condemn me, if he wants to do so; but I warn him I know all about it, and will be able to defend myself before this honorable House. The fact of my being a soldier did not take away my quality of member of Parliament or of the most humble citizen, and when my military duties are over, as a citizen and a member, I have the right to judge the acts of the Administration, and will do so fearlessly, without being at all moved by all the low means to which the Ministry resort. As a soldier I was not afraid in the dark, we were not afraid when surrounded by the most dangerous Indians in the North-West, and as a political man I am not afraid of the men who take such means to try and dishonor one of the two battalions of French Canadians who served in the North-West. The whole time I was there, I never heard a word of blame uttered against me or my battalion, nor when I came back did I hear any blame. Now, however, hon. gentlemen resort to all sorts of means to destroy me, and they go so far even as to try and destroy the honor of the 9th Battalion—in order to prove that they were right in hanging Riel. I do not want to diverge from a question personal to myself or that of the honor of the 9th Battalion. I have put in the minutes of our proceedings a motion with reference to the latter, and I will do my best, so long as I will be at the head of that battalion, to protect its honor, dignity and usefulness. To-day, however, another duty devolves upon me, which, disagreeable though it be, I shall not flinch from performing, any more than I flinched from offering my life for my country's sake in the North-West. I have to judge to-day the acts of political friends and leaders for whom I have fought for many years; I feel all the gravity of the circumstances; I foresee the consequences that will follow; I foresee the bitterness of the attacks I will be subjected to; even more than that, the friendship I have felt for many years to my leader of the past makes my position a difficult one. But before what I consider a duty to the public, I cannot hesitate. The events of 1869-70 have been spoken of. I do not intend to bring back the question now under discussion to that first phase, which it underwent before this honorable House as far back as 1875, nor to the insurrection of 1869-70. An hon. Minister of the Crown has just thought fit to couple the hanging of Riel with the events of 1869-70 by calling Riel a backslider. He said: If you find—and that with a most eloquent movement, I thought,—if you find that Riel was right in killing Scott, are we not right in killing Riel? I felt rather humiliated when I saw a Member of the Government, headed by an old gentleman who for such a long time has led the country, comparing that Government to a man they refused to pardon after they had solemnly promised to pardon him. They compare themselves to Riel when he killed Scott; how can they now hold up their honor as Ministers of the Crown after that comparison? You remember, Sir, when the question of amnesty came up, the Grit party proposed a partial amnesty. They were not bound to propose it at all; they were not bound to grant an amnesty at all; there was no promise on their part binding them. But the other party had promised the amnesty. They had obtained

the North-West through that promise; they had brought Monsigneur Taché from Rome, through that promise; and when they got possession of the country, they put aside their promise of amnesty. They were not brave enough to grant it. Why? For the same reason that they hanged Riel. The Grit party came into power, and proposed an amnesty. What then did they, who compared themselves to Riel the murderer do? They voted against the motion of amnesty, because they pretended that Riel was a murderer—and now they say: If Riel was right in killing Scott, we were right in killing Riel. Their record must be very bad, when they have to resort to such arguments and comparisons. Riel a backslider! That is not the proper name to give him. In 1869-70, we sent troops to the North-West, and we issued a proclamation, though we were not yet legal possessors of the territory. We were attacking that people without right, against the right of nations. It is true we had sent out surveyors, with instructions to survey the land of the half-breeds, the lands of that little people against which it will be soon demonstrated, there was a premeditated design of chasing them from this continent. It is true these land surveyors went there with military clothes in their trunks, and told the English half-breeds that very soon they would put on the uniform of soldiers and chase the French half-breeds out of the country. But that did not give us the right to attack them. If Riel with the half-breeds rebelled against those acts, they were right and we were wrong. As to the killing of Scott, that was one of those unfortunate incidents due probably to his madness. But there is one thing to be remembered: there has never been a trial of that case, there has never been a jury who declared Riel was guilty of that murder; and by the laws of this country, which must apply to half-breeds as well as to others, Riel must be presumed innocent until proved guilty. Those events of 1869-70 are now of the past. History cannot now judge them safely. How could I convince the hon. the Premier and some of his colleagues that their employees had committed blunders and had been guilty of illegal aggression against Manitoba by over-hasty and offensive proclamations; that their officers had threatened the half-breeds who were in peaceful possession of their homes; that the restoration of peace and order in that country was due to the exertions of that most distinguished prelate whom they afterwards treated as an unauthorised agent; that they sacrificed him and their formal promises of amnesty to party necessities; that they had not the courage even to join the Grit party in redeeming their promises; that they would not acknowledge the fact that to Riel was mainly due, as was admitted in the official proclamations of the Queen, the maintenance of the North-West under the British flag? But it would be useless for me to attempt any such task. When the present generation shall have passed away, with all its living interests and its present wants, history will judge righteously. To its future unbiassed judgment let us leave the verdict. But there is a point which it is important to settle before entering into the events that now occupy us. No witnesses were ever heard against Riel on the fact of the murder of Scott; no jury pronounced him guilty. As I said a moment ago, by the laws he is presumed to be innocent, because by the laws, which are the digest of the wisdom of many centuries through which they have been transmitted to us, and which are eminently conformable to Christian charity, he is to be presumed innocent until he is found guilty. And more than that, if the first promise of amnesty was anterior, and did not cover the shedding of blood in the North-West, at least the granting of the conditional amnesty did, and if Riel was guilty of crime, he has been punished, and it would be illegal, unjust and criminal to seek a second punishment for the same offence; it would be unworthy of the great people of Canada to punish twice for the same offence; not that I

desire to excuse or palliate the killing of Scott any more than those of Goulet, Pariseau and Sutherland; nor do I intend discussing the rights of the people of Manitoba, when organised as a Government to protect themselves against the aggression of illegal forces, but simply to state that, as far as law and justice are concerned, we cannot call Riel an old offender; that subsequent to the rebellion he saved his country from being alienated from the British flag, and he underwent a punishment and received a partial amnesty or pardon for any possible offence committed in 1869-70. If I may be allowed here to quote a classical author on the point raised, I will quote Blackstone, vol. 4, p. 494. Speaking of the pardon, he says:

“To him (the King) therefore the people look up as the fountain of nothing but bounty and grace; and these repeated acts of goodness, coming immediately from his own hand, endear the Sovereign to his subjects, and contribute more than anything to root in their hearts that filial affection, and personal loyalty, which are the sure establishment of a Prince.”

Then, page 449:

“We may observe that a pardon by Act of Parliament is more beneficial than by the King's Charter.”

And lastly, page 500:

“The effect of such a pardon by the King, is to make the offender a new man; to acquit him of all corporal penalties, and forfeitures annexed to that offence for which he obtains his pardon.”

So was Riel a new man, in the eyes of the law, when this second insurrection came. It is most important that we, ourselves, should understand each other on that point. I have very often heard those words “an old offender.” Well, it has never been proved, first, by trial that he was an offender; it has been proved that he saved the North-West from being alienated from the Crown—that is admitted by the Lieut.-Governor of the North-West in public documents—and I do not see why we should go back and call him a second offender. I understand that, before that amnesty, the question was altogether different. Those who pretended, who had reason to believe that Riel was a murderer, I could understand that they should have done their best to catch him and to bring him to punishment; and I understand that, taking that point of view, taking that stand, the hon. member for West Durham (Mr. Blake) could, for the sake of bringing a man whom he thought to be a criminal to justice, offer a sum of money to arrest him. There were two parties in the Dominion; some contended that Riel acted in legitimate defence and that he was not a guilty party and could not be brought to conviction on that question, and, besides, that the amnesty provided covered the case, and those always sought the amnesty. There was another party who thought Riel was guilty, that the murder of Scott was an atrocious one, and that the flight of Riel was to be stopped in some way, and they offered a sum for his arrest. I understand that, but afterwards the partial amnesty was granted by the House of Commons, and to come after this partial amnesty, this exclusion from the country for five years, and say, about the second insurrection: We will punish you for the first offence, I say is cowardly, is an abuse of power, is unfair, and is not worthy of a country that respects itself. Well, this time I contend that we have to deal with an entirely new case. After a regular trial in this new case, Riel has been found guilty of high treason and he has suffered capital punishment for that offence. The question now before the country is: Have the Executive acted wisely, justly, in ordering the sentence of death passed upon Riel to be executed? In my humble opinion, such is now the question before this House. It is not a question of legality or technicality, it is a question of justice and of wisdom. It is not a question of creed or race, it is a question of the just application of the laws of this country. It has been contended by a press from which the Ministers derive much of the public support, that the acts of the Executive in deciding about the prerogative of pardon

should not be discussed, that a blind acceptance of their views is forced by the constitution, that the criticising of their views or their motives would endanger the majesty of the law. I beg to protest most energetically against such a denial of the people's rights. The Executive is nothing but a committee of Parliament, and Parliament is responsible to the country. Any one of the acts of the Executive is amenable to examination, approval or disapproval by the country. That in a matter of capital punishment, the Minister of Justice may be presumed to act without fear or prejudice in such delicate matters as the taking away the life of a human being, I admit, but those who have interfered to ask for blood, can hardly blame an interference in favor of commutation, clearly recommended by the jury. Besides, Riel's case is an extraordinary one; it relates to matters of public interest, it directly concerns the Government of the country, the administration of public affairs, and all the circumstances that surround it make it imperative upon us to enquire into all its details and to ascertain if justice, fairness and humanity reigned, or if a man has not been sacrificed to partiality, prejudice and party interest; if a grave has not been intentionally dug between the faults of an Administration and the people. It is not only our right, it is our duty to enquire minutely into the details of the whole affair, and this without fear or prejudice, without reference to party ties, and without the threats of sectarians. I do not believe in peace and harmony that are based upon the renouncement of sacred rights; that which is founded upon injustice and cowardice, cannot long resist the storm of public and general reprobation and contempt. Let us enquire, first, what were the causes of that rebellion, and let us see if Riel was the author and cause of it. Riel was quietly and inoffensively occupied teaching in Montana when he was sent for—not by the clergy, as one of the Ministers of the Crown insinuated in one of the Quebec papers, which paper has suddenly changed its opinion of that Minister into great admiration. Riel was sent for, not by the clergy, but by his own fellow countrymen, assisted and encouraged by the whites of Prince Albert. I do not know, Mr. Speaker, if everybody has forgotten that; I have not. Let us see what was asserted here by the hon. Premier last Session. Here are his own words:

"Sir, an agitation arose, and the hon. gentleman has rung the changes on Riel being brought into that country. Who brought him into the country? Not the Indians; not the half-breeds. The half-breeds did not pay the money. The white speculators in Prince Albert gave their money to Gabriel Dumont, and gave it to Lepine, and gave it to others. They had all got their assignments from the half-breeds; they had all got in their pockets the script of the assignment, and they sent down to bring Riel in as an agent to be the means of attaining their unhallowed ends. It is to the white men, it is to the men of our own race and lineage, and not to the half-breeds, nor yet to the Indians that we are to attribute the war, the loss of life, the loss of money and the discredit this country would have suffered had it not been for the gallant conduct of our volunteers. Now, Mr. Speaker, I am able to prove that there has been a deep-laid conspiracy. I am able to establish that the cry of the half-breed grievances was merely a pretext. I am able to show that white man after white man has entered into it."

That, Mr. Speaker, is a statement by the leader of this House as to the cause of the rebellion. It does not explain why white men have not been hanged and why Riel has been. Had it not been for that delegation to him, Riel would still be exercising the modest life of teacher in the States, where he had been driven by the conditions imposed upon him by the terms of his pardon. He did not, then, of his own accord, meditate and prepare the rebellion. The terms of his answer to the delegation proved that beyond doubt. I am obliged, Mr. Speaker, to take them from the press, as we have not the advantage of seeing those documents officially. They should be here, officially certified, and forming part of the records of the country, but they are somewhere else, withdrawn from the discussion. All that we asked and that would have formed part of a legitimate defence, has been refused.

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But it does not amount to much, it is only the half-breeds that are in question! Why give up the papers, why give up documents that might destroy Ministers? To produce letters of priests and to try to bring against the clergy the charge that they incited the rebellion, well and good! But to furnish documents in favor of Riel, who was an old offender, oh, no! Well, here is Riel's answer:

"GENTLEMEN,—You have travelled more than 700 miles from the Saskatchewan country, across the international line to make me a visit. The communities in the midst of which you live have sent you as their delegates to ask my advice on various difficulties which have rendered the British North-West unhappy under the administration of the Ottawa Government. Moreover, you invite me to go and stay amongst you, your hope being that I, for one, could help to better in some respect your condition. Cordial and pressing is your invitation, you want me and my family to accompany you; I am at liberty to excuse myself and should say, no; yet you are waiting for me; so that I have only to get ready, and your letters of delegation assure me that a friendly welcome awaits me in the midst of those who sent you.

"Gents, your personal visit does me honor and causes me great pleasure; but on account of its representative character, your coming to me has the appearance of a remarkable circumstance, which I record as one of the gratifications of my life—an event which my family will remember, and I pray to God that my assistance will prove so successful to you as to render this event a blessing amongst the many blessings of this, my 40th year. To be frank is the shortest way. I doubt whether my advice given to you on this soil concerning affairs in Canadian territories, could cross the border and retain any influence. But here is another view of the matter: I am entitled, according to the 31st and 32nd clauses of the Manitoba treaty, to land, of which the Canadian Government have directly or indirectly deprived me, and my claim to which is valid notwithstanding the fact that I have become an American citizen. Considering, then, that my interests are identical with yours, I accept your very kind invitation, and will go and spend some months amongst you, in the hope that by petitioning the Government we will obtain the redress of our grievances.

"Manitoba has a population of which the native half-breed element constitutes a considerable portion, and if we include those white men who, though being connected by marriage, or in other ways, have a personal interest in their welfare, I believe that this element is a pretty strong one. I am just getting acquainted with them, and I am one of those who would like to unite and direct its vote for the furtherance of their best interests; moreover, I have made friends and acquaintances amongst whom I like to live. I will go with you, but I will come back in September.

"I have the honor to be, gentlemen delegates,

Your humble servant,

"LOUIS RIEL."

Mr. Speaker, did Riel come into the country with the intention of raising a rebellion? I will not take up too much of the time of this House in discussing that point, but I cannot refrain from quoting from some of the witnesses in the abbreviated record which we have. At page 11, Dr. John H. Willoughby was asked:

"What did Riel say? A. Well, he told me the time had come for the half-breeds to assert their rights."

And at page 12 he says:

"He said: I and my people have time and again petitioned the Government to redress our grievances, and he said the only answer we received each time has been an increase of police."

Then, on page 19, Thomas MacKay says:

"They wanted to redress their grievances in a constitutional way."

Page 26:

"Q. Did he have any conversation with you as to the object of the rebellion?—A. He said they wanted their rights."

Page 57. George Ness:

"Q. What were you speaking about?—A. He was talking of trying to assist the people in their grievances—to have their grievances righted.

"Q. Speaking of getting up an agitation?—A. Yes; an agitation or a Bill of rights."

The witness Kerr, at page 68:

"Q. Were any speeches made at the table?—A. Yes; Riel proposed the health of our Sovereign, Queen Victoria

"Q. Riel did that?—A. Yes."

At page 76:

"Q. Give us the material part of it?—A. He spoke of having taken up arms; that he had done it in self-defence; and in talking about the Duck Lake fight he said he had gone there in person; that after Major Crozier had fired the first volley he replied, and he urged his men to fire, first in the name of God the Father, secondly in the name of God the Son, and thirdly in the name of God the Holy Ghost, and repeated his commands in that manner throughout the battle."

At page 82 :

"Q. He stated he wished the movement to be entirely a constitutional movement?—A. Purely a constitutional movement. He said if they could not get what they agitated for in five years, for to agitate for five years more, that constitutional agitation would get what they wanted."

At page 109, Father André ;

"Q. What were the claims of the half-breeds?—A. Since when : you must distinguish ?

"Q. From 1884 till the time of the rebellion? | A. Since the arrival of the prisoner in the country?

"Q. Yes?—A. It would be difficult to tell that ; they changed from time to time since the arrival of the prisoner.

"Q. Before his arrival?—A. They demanded patents for their land, demanded frontage on the river and the abolition of the taxes on wood, and the rights for those who did not have scrip in Manitoba.

"Q. In what way did the half-breeds put forth their rights before the arrival of the prisoner?—A. By public meetings at which I assisted to several times myself.

"Q. Did you take part yourself?—A. Yes, at all those meetings.

"Q. Were communications made with the Dominion Government, resolutions and petitions?—A. I remember three or four times that there was.

"Q. Did you get any answer to your communications?—A. I think we received an answer once ; perhaps we received an answer once.

"Q. Was the answer favorable?—A. No, it was an evasive answer, saying they would take the question into consideration.

"Q. That was the only answer to a number of communications?—A. Yes ; I know of another communication made by Mousigneur Grandin to the same effect.

"Q. Did he get a favourable response?—A. No ; I don't know of any.

"Q. Do you know if there was any answer sent to Charles Nolin, in regard to a petition sent to the Government?—A. It was in regard to those meetings, I was making reference ; I only know as to one answer.

Q. "Finally after these petitions and resolutions had been adopted at the public meetings and sent to the Government, was there a change in the state of things that existed then?—A. The silence of the Government produced great dissatisfaction in the minds of the people.

"Q. To-day are the people in a better position than they were before in regard to the rights they claim?—A. They have not yet received the patents for their lands on the South Saskatchewan.

"Mr. Osler. I must object to this class of questions being introduced."

We are now discussing what took place during the trial. We find that when the lawyers for the defence endeavored to bring in the causes of the insurrection one of the advocates for the Crown rose and said : "I must object to this class of questions being introduced." "My learned friends have opened a case of treason justified only by the insanity of the prisoner, etc." And the discussion going on the Justice said : "It would be trying the Government!" I now quote from page 145. The witness is Pitblado :

"Q. Did he give you his plans, his schemes, what he hoped to get by the rebellion.—A. Yes, his general scheme was this : He hoped to induce the Government to make a treaty with him or with the half-breeds of the North-West, similar to the treaty they had made with the half-breeds in Manitoba. That was what he stated to be his chief object."

We see by these quotations that up to the time the first shot was fired, Riel's agitation was a constitutional agitation. This is proved even by witnesses for the Crown—that up to that time nothing was done by Riel except in a constitutional manner, that he thought the half-breeds had much ground for complaint against the Government, and he wanted in a constitutional way to obtain their redress. In August following the arrival of Riel in the country there was a great meeting held at Rivière du Loup in honor of the Premier. I was not present and was not invited, but generally the Conservative members were invited. The press told us what was said by the Minister of Militia in the presence of his chief and of the Conservative members. Here are his words, and they prove that Riel's intention in coming into the country was not to bring insurrection, but was to agitate constitutionally. I quote the words of the Minister of Militia :

"The presence of Riel in the North-West does not make us uneasy. On the contrary, it favors our views. The half-breed chief is endeavoring to conciliate the interests of the population with those of the Crown. He deserves gratitude rather than blame."

That is what the hon. gentleman stated. Those were his ideas at that time, and though he was in possession of a letter which I shall quote as to the probable insurrection

or agitation, and was in possession of many letters, petitions and documents from the North-West, yet the matter did not give him the least anxiety ; indeed he thought that Riel was doing their business and promoting the interests of the country. Let me now consider the reason which induced the whites and half-breeds to send for Riel. I have quoted the words used by the Premier last year. Let it be remembered that none of the guilty whites have been prosecuted. I understand well that last year when it was said—the papers asked for not being then nor now produced, and which we have not now—that the rebellion was due to bad administration, it was necessary for the Ministers to deny the alleged bad administration, and they wanted to find some excuse for or explanation of the insurrection. They turned towards the whites of Prince Albert, and without there being anyone here to defend them, the Government accused those whites of being the authors of the rebellion. It was their plain duty, after making that assertion and affirming that the whites of Prince Albert were the guilty parties, to have taken action and prosecuted them as being guilty of high treason, too. I say now that by not prosecuting the whites of Prince Albert the Ministers have admitted that they have grossly insulted and maligned them ; and the proofs of this we easily obtained now that communication with the North-West is more easy. Abundant proofs have been received that the insurrection was due less to the whites of Prince Albert than to the bad administration of the affairs of the North-West, to the most unfair and unjust treatment by the Government of the half-breeds and their preconcerted plans of driving away the half-breeds from the North-West and giving their lands to strangers. The half-breeds had grievances. I am sure that other speakers will take charge of that part of the case and enumerate the divers grounds of accusation against the Government on that point. I believe, Sir, from what I know and have read, that the half-breeds were honestly seeking for a redress of their grievances, and that they had grievances has been repeatedly admitted by the Ministerial organs. The list of their grievances is very long. We find some of them in the *Mail*, some in the *Globe*. I hold here in my hand a book, in which about one-fourth part of their grievances are enumerated, and these number seventy-six ; but I will leave that part of the question to some speakers who are more experienced than myself. The point I wish to make is that the half-breeds had grievances and that they were entitled to seek redress for them. I want to establish that the Government knew it ; that they were cognizant of the fact that public employees in the North-West were treating the half-breeds harshly as if Sir Garnet Wolseley had been right when he said that they were cowards ; that the Government knew that a rising of the half-breeds would bring about a similar rising of the Indians, with all the atrocities accompanying an Indian war, and that their negligence in taking preventive measures was thoroughly inexcusable, and amounted to criminal neglect in the administration of public affairs. A great point is made of the assertion that Riel tried to incite the Indians to a general insurrection. I do not think the record proved that any of his stupid writings on that point ever reached Poundmaker or any of the other Indians. Riel himself was one of the half-breeds ; he was only a poor fool and a madman, but the Ministers here are sane men, experienced men, men of talent, and was it not their duty to foresee that the insurrection in the North-West would bring about an insurrection of the Indians with all the atrocities of Indian war, when they neglected the case of the half-breeds, when they provoked the half-breeds into a rising ; and for that reason I say they are the first parties responsible for the blood of all the priests and other white people murdered by the Indians in the North-West. There is no way of escape from that conclusion. The civilised and the ruling part of the country is here ; the Government

is the ruling part of the country; they knew that there were half-breeds and Indians there; they knew what was going on; they knew all about these depredations, these speculations in the lands of the half-breeds, the orders that were given; they knew that these half-breeds were being deprived of their lands, and that these lands were surveyed otherwise than they had taken them, and the fact that having this knowledge they neglected these matters makes them the first parties responsible to the country for all the atrocities of Indian war, and not a poor fool and madman like Riel. That is the way I think history will judge their conduct. It is all very well to come and say that the Grits have done the same. It is not proved that the Grits have done the same, and besides, that is not the question. Let us leave alone the past issues. When the country put these gentlemen in power it was in effect equivalent to saying that the people were not pleased with the Administration which then expired, and in taking power the new Administration undertook to do better. To-day having done worse, they say, oh, well, the others were not good. I say that is no excuse. For seven long years they have been letting the poor half-breeds suffer, they have been depriving them of their property and interfering with the peace of that country, they have been doing injustice to the half-breeds, and to-day they are amenable and responsible to the country for their conduct. For that conduct they cannot escape by saying, our adversaries have done the same as we have. They will not, as we say in French, "catch the fly in that way." That the Government knew of those claims, that it slept and snored over them, appears by letters received by them. I suppose that this snoring will be understood, and I hope those who have told the country at large that that snoring was so long and deep, will stand by their sayings of the past; that they will come with us, will come to the help of the minority with every right-thinking man of the country. I will quote a letter sent to the Prime Minister and the Minister of Public Works on June 4th, 1884. It was, therefore, received early enough to enable any Administration anxious to do justice and to bring about peace in that country, to foresee and prevent the danger, expense and sacrifice of life which are necessarily attendant on war. That letter was sent by an eminent prelate, Mgr. Grandin, whose whole life has been devoted to works of charity and promoting Christian civilisation amongst the Indian tribes, as well as to the happiness of the whites living in the wide prairie. How it failed to move the heart of the Ministers, I cannot conceive; unless it was a fixed policy on their part to let the wrong continue; to allow the complaints and bad feelings to accumulate; to expose the country to a costly war; to imperil the interest of emigration; to diminish the value of the lands; to delay the settlement of the West; to endanger even the progress of the Canadian Pacific Railway, and to finally grant, under cover of redress to strangers, the lands belonging to the half-breeds. I translate the letter *in toto*, trusting that this honorable House will, considering the importance of it, forgive me the time I take:

June 13th, 1884.

"The Honorable, Sir Hector Langevin,
Minister of Public Works,

"Sir,—I take the liberty of addressing to your Honor the accompanying letter to the Hon. Premier containing the cause of complaint communicated to me by the half-breeds of the district of Lorne on the occasion of my journey to Prince Albert. I cannot express to you the pain I felt on learning that they had sent a message to Louis Riel, and that they had given so unbecoming a reception to the Hon. Governor of the North-West. On seeing their state of excitement and discontent, amounting almost to revolt, I perceived them to be under some baneful hostile influence. I was even convinced of this by communications made to me by certain most respectable persons of Prince Albert. I blamed them soundly, and from some of the principal leaders I obtained a sort of act of contrition for what they had done. They then detailed their sources of discontent and grievances to me. Whilst not approving some, I must acknowledge that there are many with which I heart-

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ily sympathise. I deeply deplore the scornful way in which the Government has a fashion of treating the native half-breeds. The gentlemen of the Government cannot be ignorant of the fact that the half-breeds, as well as the Indians, have their national pride; they like to meet with attention, and are greatly irritated by the contempt with which they, rightly or wrongly, believe themselves to be treated. Once irritated and driven to extremity, neither priest or bishop can easily make them listen to reason, and they may run into great extremes. I therefore earnestly beg of you to use all your influence, that whatever is just and right in their demands may be accorded to them.

"Before going on board the steamboat I would have liked to have learned the result of Father Lacombe's visit to Ottawa. I hope the promises made to me a year ago have been at length fulfilled. I cannot forget your good offices and good will in my behalf."

In dealing with a Government, and especially a Government of the kind indicated by the acts of the Minister of Militia, we have to be polite, we have to pay compliments, we have to be submissive, and we have to be careful what we say. So the honored Bishop says he does not forget their good offices and the promises they made a year ago. Then, Monseigneur Grandin writes to Sir John A. Macdonald as follows:—

"To Sir J. MACDONALD,
On board of the steamboat for Cumberland and

"PRINCE ALBERT, June 13th, 1884.

"Sir,—Your Honor must have heard of the discontent felt by the half-breeds of the district of Lorne, of the message sent by them to M. L. Riel, and of the inhospitable reception made by them to Honorable E. Dewdney, Lieutenant-Governor of the North-West. I arrived in the district after all these events had taken place, and could not help regretting them.

"I have seen the principal half-breeds of the place, those who may be called the leaders, and I have become quite convinced of their state of discontent with everything. They are altogether embittered, and this may lead them to any extremities. I was deeply grieved to find that it is not they who are the guiltiest. They are excited and urged on, not only by the English half-breeds, but also by residents of Prince Albert—people of consideration, it is said—who are opposed to the Government and who doubtless hope to profit by the regrettable steps taken by the poor half-breeds. They must have been much worked upon for them to have acted thus, unknown to their priests, who have been represented to them as sold to the Canadian Government. Surely it would be easy for your Government to bring to naught this species of revolt, which may, however, have certain painful results, for the half-breeds can do what they like with the Indians. These things are already to be regretted, and should the consequence of them be but one gun fired at the humblest of Her Majesty's subjects, you can but acknowledge that even that would be too much.

"I blame the half-breeds and have not spared them reproaches, but I must be allowed respectfully to inform your Honor that the Canadian Government is not blameless either, and had I the same influence over its members as I have over the half-breeds, I would tell them so perhaps more respectfully, but certainly as frankly. How many petitions and complaints have not these half-breeds addressed to the Government without having been even vouchsafed a reply. How many times, both by word and writing have I myself addressed your Honor, without obtaining anything but kind words in reply. I beseech you not to take amiss what I am so frankly saying. I have only the good of the country and of our citizens in view. From their dictation I have written down the grievances of the malcontents and the steps they have taken. I enclose them to you. I entreat your Honor not to remain indifferent, and to take such action as will prevent the evil from becoming aggravated.

"I remain, very respectfully, &c., &c."

These are the reasons given me by Messrs. Charles Nolin and Maxime Lépine, as to the causes of the excitement and discontent of nearly all the half-breeds:

"1. We consider the transactions of the Hudson Bay Company with the Government as unjust, and we protest with our whole souls against the immense reserve of lands granted to that Company.

"2. In the second place, we protest against the manner in which the Government took possession of the North-West, without its inhabitants being informed or consulted."

I am sure, Mr. Speaker, if there had been there some personal friends of some of the Ministers, if there had been there a population for whom they would have had some respect, they would have taken the trouble to have sent at least one delegate to tell them: Gentlemen, you are going to have a change of Government; you are going to be hereafter under the control of the Dominion Government, and not under the control of the Hudson Bay Company. But they did not take that trouble. We are too great, I suppose, in this country to show anything like politeness and justice towards half-breeds.

"3. We protest against the manner in which the Council of the North-West was constituted, especially at the beginning; all its members being strangers to the country, with the sole exception of one who would have been put aside if they could have done so.

"4. We protest against the tax on wood, and this without our rights being recognised. A treaty was made with the Indians, but we were less considered than they.

"5. We complain that no employment or office of trust is confided to any one of our nation. There is none, not even that of first instructor, which the half-breeds, generally speaking, could fill better than any foreigner, since they know the Indians and speak their language; yet they are kept away from them."

Common sense tells us that those half-breeds should have been employed to instruct the Indians and to act as their guardians. Is there any good reason why none of them were selected for such offices? We have been living in prosperity for 20 years, but if we have been treating the half-breeds harshly and unjustly our prosperity is very little to boast of.

"6. We claim the same advantages as have been granted to our fellow-countrymen of Manitoba, we consider we have the better right to this, since the North-West Territory is of greater extent and fertility.

"7. We protest with all our strength against the Government's obstinate refusal to do justice to our demands; all our petitions are looked on as if they had never been sent."

Could anything be more shocking than for a poor little people like the half-breeds to be met with the constant refusal of the Government to answer their letters? Here we feel strong with the influence the people give us, though we feel in our hearts the injustice the Government are showing us in refusing us the papers to which we are entitled. But these poor fellows who have no one to protect them, write to the Government and are refused an answer. They are spoiled of their lands and their timber, and when they send their priests, their bishops and their delegations to the Government to protest, they receive no answer; the Government in its dignity remains silent. Is there not enough in that circumstance to account for the insurrection? If a Government of a civilised country has a right to do that, we are not better than if we lived in Russia.

"8. We do not desire that L. Riel should come among us as a rebel or to lead a rebellion, but we wish to have him at our head, looking on him as one capable of rendering valuable services to his country and his fellow-countrymen, and for this reason we would like to see him with some office in the Government, either as a member of the North-West Council, or as a member of the Senate.

"There followed an article from the more moderate party, but it has gone astray, and I cannot, therefore, give it here. I myself add to this list of demands. Evidently among all these complaints and protestations, several are exaggerated and unreasonable, but it cannot be denied those of the moderate party, more particularly, *i. e.*, Nos. 4, 5, 6, 7 and 9 are anything but just and reasonable. As for the others, they are, at any rate, a powerful weapon in the hands of an opponent to the Government to excite the half-breeds and lead them on to foolish acts."

But this was not an isolated warning, though of itself it should have been sufficient to awake the soundest sleeper. I might quote similar advices given in 1878 by Col. Dennis; in 1879 by Archbishop Taché and Bishop McLean; in 1880 by Col. Richardson; in 1881 by Col. Richardson; and in every year since 1878 by Mr. Lawrence Clarke, Father André, Father Leduc, Mr. McDonald, Mr. Maloney, *Le Manitoba*, the *Saskatchewan Herald*, the *International Emerald*, Major Crozier, the *Winnipeg Sun*, and many other newspapers, besides the many petitions numerously signed and various delegations sent here. But all was useless, and the insurrection came. How it was led by Riel, again become insane, I shall explain in a moment. The half-breeds organised a provisional Government. In that I see the intention of a rebellion. It is a question to know if it was justifiable or not. Some have quoted authorities, as St. Thomas d'Aquin, in favor of the half-breeds. I do not intend nor do I want to go into the merits of that part of the case now, to say whether the rebellion was justifiable or not. There are occasions in which an insurrection or rebellion are justifiable. Whether this one was justifiable or not I do not want to discuss at present. The beginning of an insurrection having been provoked by the negligence of the

Government and the injustice of its employees, what was the duty of the authority? I affirm that its duty was to take all possible means to satisfy the half-breeds, to avoid the shedding of blood, to heal the wound, to prevent and avoid having it to cure. Instead of that, what has been done? We are told by the *Mail*, which has challenged me to discuss that fact before this honorable House, that:

"Riel grossly deceived the Metis in concealing from them the fact, known to him on 8th February, nearly seven weeks before the collision with the police at Duck Lake, that a commission to enquire into their grievances had been appointed."

The facts are not correctly given by the *Mail* on that point. If we take Sessional Paper 116 of last year we find that, on the 26th January, an Order in Council was passed stating:

"The undersigned submits that in his opinion it is desirable, with a view of settling equitably the claims of the half-breeds of Manitoba and the North-West Territories who would have been entitled to land had they resided in Manitoba at the time of the transfer, and filed their claims in due course under the Manitoba Act, and also of those who, though residing in Manitoba and equitably entitled to participate in the grant did not do so, to ascertain the number of half-breeds, and he recommends that he be authorised to obtain an enumeration of them, and to employ three persons to make such enumerations."

Was this Order in Council conceived for the settlement of the half-breed claims? Was it conceived for the redress of their grievances? No; it was to make a census to prepare a settlement. Well, for over five years the half-breeds had been receiving such promises and had been favored with such dilatory means of settlement, and that Riel did not feel justified in allowing himself to be deceived this time, I can very easily understand. It was not an Order in Council to settle their claims, it was an Order in Council to appoint a commission to make a census. What time it would have taken to prepare a census, we do not know. It would have taken months, perhaps years, and the settlement of the claims could not have advanced one step more. Besides, where was the necessity for making a census of the North-West, for the settlement of those claims? Did not the Government know exactly where those half-breeds were? The North-West is not a region in the clouds. These half-breeds had houses and churches, and it would have been very easy to enquire from house to house what their claims were. In a week or two the commissioners could have gone through the whole district, sent in their report, and a settlement could have been made shortly after. What was the use of spending thousands of dollars in getting a census of the whole North-West, when all that was wanted was a settlement of claims in a certain district? The Government should have some respect for the common sense of the people at large. I am sure that on this point the country will see that the Government was wrong and Riel was right. Having waited for months and years for an answer to their applications, the half-breeds were told that bayonets were coming for them. They thought, from what Sir Garnet had said, that they were to be looked upon as outlaws and cowards, and they met the police. I do not want to justify their course, but if they had been met by somebody who understood them and had a particle of sympathy for their sufferings, am I not right in presuming that there would have been no bloodshed and that satisfactory arrangements would have been come to? The Crown did not think fit to ask Major Crozier, when examined as a witness, who fired the first shot at Duck Lake? He was only asked if his force had been fired at? Strange to say, neither did the defence put the question to him as to who fired the first. But it results from the whole enquiry that our forces fired first, without the reading of the Riot Act, thereby accepting the adverse troops as a regular fighting army. The result was a defeat for our police, and an opportunity to the half-breeds of showing their humanity in inviting Major Crozier to come and bury his dead. I do not now want to blame or criticise

the conduct of Major Crozier, but I state that if the Government had done something towards satisfying the half-breeds, if they had appointed some friends of the half-breeds, if they had behaved justly towards them, rebellion and its horrors and expenses would have been avoided. The very moment that the first shot had been fired by Crozier, and that blood had been spilt, the harm was done. The danger became immense. The Canadian Pacific Railway not being completed, the North-West was isolated, and we were exposed to a general Indian rising in the North-West, a rising which has been stopped and prevented by the exertions of the clergy more than by the fear of the army. Troops had to be sent to relieve the North West, the time has not come yet to speak of their glorious journey through ice, snow, and water, and across mountains, with bacon and beans as food, with all the discomfort and suffering inherent to a long journey through a savage country at the worst season of the year; nor is it time to discuss the merits of the divers battalions, nor to whom is due the honor of the victory of Batoche. Sufficient to say that Batoche was taken after a few days' fighting by our army against a few half-breeds in their rifle pits; and that Riel, after having escaped, surrendered to the General on the faith of a letter saying that if he, Riel, surrendered himself, he would be protected "till his case was decided by the Canadian Government." Has the case been decided by the Canadian Government? Not yet. Is the promise redeemed? It has been if we consider that Magistrate Richardson was an officer of the Government; but such construction cannot fairly be put upon the meaning of the letter. The case has been decided by a court, and not by the Government. The Ministers have confirmed a decision, but have not decided themselves. At least such is the construction to be put on the speech delivered to-night by the hon. the Minister of Public Works. This is an important feature of the case in the eyes of many. The General talked pretty freely with Riel: a man who was going to be hanged! Then Riel was sent to goal. Irons and chains became the first fruits of the promised protection. A jury of six was empanelled, from whom a Catholic juror was excluded. We do not find that fact in the printed record, but I think the proof found in the organs of the Minister of Public Works is sufficient. The composition of the tribunal, the place of the trial, the number of jurors, are all of an exceptional nature which is far from giving complete satisfaction to the public who only look for British fair play and justice. But I take the law as it stands, and, for the sake of discussion, I take it for granted that the trial has been legal. We cannot say, though, that it was fair, or possessing the conditions it should have possessed. Riel was found guilty with a recommendation to the mercy of the Crown. What was the charge of the court? We do not know. We are also ignorant of the reasons of that recommendation to mercy. Appeals went on, two respites were granted. The courts pronounced against Riel, specially on the question of jurisdiction. But, after all that, a third respite was given without being asked for. A great banquet was given at Winnipeg on the day first fixed for the hanging; great rejoicings took place when the hon. the Minister of Militia announced that he had no sympathy for the traitors. His words, if they were correctly reported were: "I hate the traitors," and the "traitors" were the half-breeds, and he was a member of that Government which surely hated the half-breeds, because they had proved it long enough; and he announced that justice would be done, and the applause lasted for over five minutes. Oh, it was a grand sight; it was a great moment; when, after having sent his troops up there, and exhausted, annihilated nearly, that little people, a man covered with honors and medals by Her Majesty, with the same blood in his veins as the half-breeds, should go there and rejoice at the hanging, and, with a glass

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of champagne in his hand, should say: "I hate the rebels," and then the sectarians around him raised big hurrahs. That is the way to bring harmony and peace into this Confederation. I heard the Premier on the first day of this Session accusing the hon. the leader of the Opposition of destroying the harmony of the Confederation; but, when we push the hatred of rebels so far as to drink to the health of these poor fellows who were to be hanged and who were then in gaol, insulting their mothers and their wives and their children and the pains of their hearts, and when we see that this Minister has the same blood, and that he knows that the applause that he will receive is given to him because those who are to suffer are of his race, and because he is the instrument of the humiliation of his own race, he may boast of it if he likes, but the people of the country at large, of any creed or nationality, have not taken that view. Remarks have been passed by people of all nationalities and of all creeds deploring the fact that human vanity and blindness should go so far as to lead a man to deny his own blood, and to court insult to his own blood because it is his own blood. He knew that the result would be that. We do not know what he wrote or what he telegraphed from up there. There is something at the bottom of all this which is wrong, which the Government do not dare to bring before the country, but enough is seen to show by what spirit they were acting and by what motives they were moved. When the hon. gentleman was made a great baronet or something like that, he may have received piles of telegrams and congratulations on his appointment, but let him find some congratulations since he was drinking to the health of the poor man who was going to be hanged, and chose for the theatre of his eloquence on that subject the very place where he was sure to meet the mortal enemies of that man who was going to be hanged. It must have been so agreeable to him to see his fellow-countrymen snubbed for the sake of Orangeism; and he has since confessed that he then knew that Riel was to be hanged, that his case had been decided before he left Ottawa. He procured even a certificate to that effect from his chief, evidently wanting the insult to us to be complete, and desiring not to have a leg left to stand upon. Finally Riel was hanged, and an immense agitation followed, and it has not yet subsided. Why? Sir, I contend that the agitation is entirely due to the Ministers themselves, and that in hanging Riel they have hanged deliberately a madman, in spite of the recommendation to mercy and after cruel delays, and that they have done so because some Orangemen made it a condition of their political support—the said Orangemen being moved by their hatred to Riel's race and creed. Such is the true position. We never said—or we would be as mad as Riel—that Riel should not have been hanged because he was a Frenchman. No; we never talked such nonsense. But we complained of his having been hanged because he was a Frenchman, and in spite of his madness, of the respites, of recommendation to mercy, of the fact that the Government had been the direct and immediate cause of the rebellion. The Government have but themselves to blame for the intense agitation that took place in many parts of the Dominion. It is proper that my hon. colleagues, who do not read or understand French, be informed of what took place in our Province, and how the question presented itself there. The discussion in the press made it known that the half-breeds had numerous complaints, and a natural sympathy for them was felt. Then, as his madness became more and more conclusive, one of the Ministers promised that a medical commission would be appointed. Every day some of the organs of the Ministry published violent articles in favor of pardon. The Liberal and Conservative press joined in their efforts to save Riel's life. Public opinion was soon formed and grew very excited. Public meetings

took place, petitions were signed, and a universal voice was raised in favor of pardon. I will quote from the organ which is looked upon as the direct mouthpiece of the Minister of Public Works. Doubtless the responsibility of the Government will be denied; but I speak of the opinion of the public; since the same paper has returned to its blind allegiance. I will quote from that paper, as it is important in the grave crisis through which we are passing that the country should know exactly what we are doing and why we do it. It is a known fact that this paper I speak of cannot live by its own revenues, and that it lives from the revenues which come from parties not far from this room. It is that very paper which is the cause of any difficulty there may have been at Ottawa between the Orangemen and the Catholics. If there have been petitions in favor of mercy, if there has been agitation in the Province of Quebec, it is due to that paper. When these petitions came in, then the Orangemen presented their petition, and there was a fight between the Orangemen and the Catholics before the Ministers, and if the Catholics were snubbed it was due to the organs of the Ministers, and I will prove it. If to-day you see many of the Quebec members breaking party ties, and if there is a national movement among French Canadians, it is due to that press again. And how can the Ministers dare, after that, say to us: You are wrong—in the face of the indignation which they have aroused? But, Sir, are we obliged to change like weathercocks whenever they wish? When we form an opinion are we not, as men, to stand by it, or are we to deceive our people, are we to lose their confidence by saying one thing to-day and the opposite to-morrow? Are we going to be as low and as cowardly as the ministerial press, which says one day a thing is white, and the next day say it is black? No, Sir; there is a certain sentiment of dignity, I hope, in those who have supported the Ministry so long. I will quote from *Le Monde*. I am sorry I shall have to translate it into English, but I had not time to prepare a translation beforehand. On the 3rd of August, 1885, this paper said:

"As the jury has recommended Riel to the clemency of the court, it is the desire of everyone that he should not be hanged. There is only one cry of protestation against the magistrate who, against all rules and even all decency, has taken upon himself, to announce in the name of the Government, that there would be no respite nor clemency."

On the 25th of August:

"English and French, Catholics and Protestants, are all agreed. It is a question of justice and humanity; this is the real ground upon which the question should be put. The declarations which the Hon. Sir Hector Langevin has just made concerning the Riel affair, authorise us to believe that the Government has already taken into consideration this question and that it has come to the conclusion to appoint a commission with the object of ascertaining the mental condition of Riel. There is no question now about discussing the remote or immediate causes of the late rebellion, nor the share of the responsibility of whites, half-breeds or Indians. There is a time for that. Our representatives will have ample time from now to next Session to study that question thoroughly and to put themselves in a position to judge correctly and throw the responsibility on the proper shoulders. The duty of the moment is more pressing. The question is to find out if the accused, if a man already condemned to death, is mad or not, or is responsible or not for the crime of which he has been found guilty. Our duty is to obtain that proof as soon as possible. We ask it in the name of society, in the name of humanity, in the name of justice. Let us put aside the passion of politics, always interested; let the jealousy of party spirit stand aside. Political parties are too narrow-minded and too tyrannical to be trusted with the honor and life of a citizen. We hope that the Government will appoint without delay a medical commission, and that it will be composed of expert doctors, of a reputation for science and skill, which will inspire confidence in the public."

On the 10th September:

"However, the Government will yield to the desire of the Province of Quebec in granting the nomination of a medical commission, which will enquire into the mental condition of the prisoner. The decision of that commission will be worth more than the judgment of the tribunal at Regina. The sentence of death will not be executed. The Government will grant a respite which will allow an appeal to the Privy Council."

I will quote from an article of the 27th of October, and the articles will grow stronger and stronger as I proceed:

"But happily all is not done. The Liberals have not succeeded in destroying irrevocably the cause of the prisoner of Regina."

"We began by saying that the work of the committee of David Phaneuf is over, but our own work continues. Those who calumniated us and insulted us for months back, will, we hope, have the good sense now to keep quiet. They may not do it, but if they do not, we will go on with our work, we will do our duty, and the people will know before long on which side are the real friends of Riel. At this late hour we still ask what we asked in the beginning, a commission of alienist doctors who shall pronounce upon the mental state of Riel. This commission, we believe, will be granted, and if this decision confirms our expectations and our hopes, Riel will not be hanged. We do not hang madmen on the free soil of Canada."

On the 24th October:

"The opinion given by the *Monde*, day before yesterday, concerning the good dispositions of the Ministers towards Riel, is based on the fact that the Government has always been determined to give full and entire justice to the accused."

"The Crown has furnished the greater part of the costs of the defence and has done its best to facilitate the different appeals made in the interest of Riel. So far as our opinion of the nomination of the medical commission of enquiry into the state of the prisoner is concerned, it has for its basis, the innumerable petitions asking for a commission, which petitions were addressed to the Governor General in Council since July last. Long ago the papers of Quebec and Montreal have published the names of doctors who should compose that commission."

Le Monde of 13th November said:

"We have received the following despatch from Ottawa: 'Ottawa, 13. The execution takes place on the 16th. We venture to affirm that the sentence will not be carried out on Monday next.'"

What the object of making that statement was I do not know. On 14th November it said:

"Last night at 5 o'clock the following despatch, which we doubt not will receive to-day the attention of all our parliamentary representatives, was sent to Sir John A. Macdonald. It exactly reflects the public opinion of the French Canadians on this question: 'To Sir John A. Macdonald. Under the circumstances the execution of Louis Riel will be actually criminal and we reject responsibility for it. Signed, Coursol, Desjardins, Girouard, Vanasse, Massue, Dupont, A. L. Desaulniers, Daoust, Bergeron, Bain, Benoit, Guilbault, Sigault, Labrosse, L. L. L. Desaulniers, Dugas, Hurteau.' Besides that communication another despatch written in the same sense has been addressed to the Premier by Messrs. Quimet, Fortin, Macmillan, Taschereau, Landry (Montmagay), Lesage and Hurteau."

Then *Le Monde* said:

"There are only two days before the execution of the prisoner at Regina, and yet no official information has been received of the decisive action of the Government on this point. However, everything seems to indicate that Riel will be hanged on Monday. The Government will assume by that act its rightful responsibility. The people are not in possession of facts sufficient to approve such a decision. The general opinion in Lower Canada is, that Riel is not in possession of his mental faculties and that under the circumstances his execution would be an act of cruelty and would cast dishonor on society. It must be a contrary decision at which the Executive has arrived, and it must be upon clear reasons established that Riel is entirely in possession of his mental faculties. His execution will be an atrocious crime which we will never forgive on the part of those who will be responsible for it. In Canada we do not hang half madmen. Our opponents in Upper Canada have been surprised at the efforts we have made to save Riel from the scaffold. We make the question of Riel a national one. We acknowledge all the faults of Riel. No one believes that this man should not be punished and very few would be disposed to allow him his liberty; but it is in the name of humanity that the population of our Province have taken the position they have taken. If the man is guilty and society wants to punish him and it appears that he is incapable of understanding the reason, society does not accomplish any good object but it condemns itself. There is so much doubt as to the mental state of the prisoner as to cause very great anxiety; his condition is so much one of uncertainty as to justify us in asking the clemency which from one end of the Province to the other we are asking towards the unfortunate prisoner."

Numerous meetings were held in Montreal, and *Le Monde* on 17th November, contained very long articles bearing on them, and encouraging the people to sign petitions, to assemble in public meetings and to protest in every possible way. Of course, *Le Monde* was not alone in the position it assumed. There was another paper, which did not perhaps go so far, *La Minerve*, and there were Liberal papers, also *L'Etendard* and numerous papers, at Three Rivers, in the city of Quebec and all over the Province, all unanimously supporting the tone of the paper from which I am quoting

and from which I will further quote. I will quote now from *Le Monde* of 17th November:

"The aldermen of Montreal have nobly done their duty this afternoon. Inspired by the prevailing national sentiment they have protested with dignity against the political murder [that is the expression used by the paper which was formulating public opinion in Quebec] which has spoiled the flag of the Canadian Confederation. The hanging of Riel is a bloody concession made to Orange hatred; it is the expression of feeling against the French Canadian nationality."

Mr. WHITE (Hastings). Hear, hear.

Mr. AMYOT. The hon. gentleman must remember that it is a paper representing the hon. Minister in front of him from which I am quoting. The hon. member may go and congratulate him, and he must remember that if the statement is made that Orange hatred has spoiled the flag of the Confederation it is the organ of that hon. Minister which said so. I am sorry to let him know that; but in dealing with these questions all the facts must come out.

"The Municipal Council of Montreal has been the faithful interpreter of the public opinion of this Province on the question."

That is not my statement; it is the statement of the organ of the hon. Minister. The hon. gentleman must understand that, though he may not like it.

"There are some English councillors who would not have resisted that action by the Government. There is Mr. Stephenson, who would hang Canadians every day, and who finds it strange that the people should rise and condemn those who want to drink the blood of French Canadians. The flag that was at half-mast upon the City Hall is the sign of national mourning to the majority of the people. We are gratified to be able to state that many of our compatriots of English origin share our regrets. French Canadians will know how to unite not to satisfy their thirst for the blood of a ferocious hatred, but to get their rights respected."

There are some sentences here, which, I am sorry to say, I have difficulty in translating, and I will, therefore, read them in French:

"Il nous fait plaisir de constater qu'il y a de nos compatriotes d'origine anglaise qui prennent part à notre douleur, mais ils sont rares. Qu'est devenu ce sentiment de loyauté dont s'honorait à si juste titre la race anglaise? Si les Anglais se liguent contre nous pour nous écraser, qu'ils sachent qu'on n'est pas un peuple d'esclaves, qui laissent monter sur l'échafaud ceux des siens qui luttent héroïquement pour le redressement de leurs griefs."

"Les Canadiens-Français sauront s'unir eux aussi, non pas pour assouvir dans le sang une haine féroce, mais pour faire respecter leurs droits."

"Sur le seuil de l'Hôtel-de-Ville, plusieurs orateurs ont prononcé des discours patriotiques qui ont donné la note juste. M. Mercier a dit que les partis devaient se confondre pour former un grand parti national."

"M. Préfontaine a déclaré que M. Mercier, son chef d'hier, n'était plus son chef d'aujourd'hui, mais qu'il espérait voir surgir un chef nouveau autour duquel se grouperait toute la nationalité Canadienne-Française."

"L'honorable M. Beaubien dit qu'on a bien su trouver le sang des Canadiens-Français pour rétablir l'ordre menacé, mais ce sang nous aurons le retrouver pour nous protéger et nous défendre."

"M. Bergeron a fait une éloquente et énergique protestation."

"La morgue anglaise ne nous écrasera pas. Les Canadiens-Français ont trop de cœur pour se laisser tyranniser."

"As an evidence of what fanaticism is coming to in Ontario, take the pictures in the *Toronto News*, and especially one insulting the 65th Battalion. This engraving represents a tree, from which serpents are issuing, representing the supremacy of French Canadians. Opposite the tree is a man with an axe, representing English fanaticism. He is preparing to cut down the tree; that is very clear. The question is to destroy French Canadian nationality, but French Canadian nationality is too strong a tree and too healthy for fanaticism to overthrow it."

It must be remembered that *Le Monde* is a paper which is looked upon in the whole Province of Quebec as the direct organ of the Ministry. If it is denied that it is I do not care; I say it is looked upon as being so, and I say it costs so much that it takes very powerful people to sustain it. On the 18th November *Le Monde* had the following:—

"We draw the attention of our French Canadian clients to the article in the *Star*, and to the attitude of that paper on the Riel question, and more particularly to the article of yesterday, which shows that the *Star* thinks that the moment has come to show its fanaticism against our Province. The *Star* generally masks or hides its natural instincts under the aspect of independence; but only give a good scratch and the back of the fanatic will appear. The *Star* rejoices in representing us as a strange race, in representing us as we are not, in speaking unjustly against us, and deliberately making calculations which are alike insulting to our self respect and to our patriotism. We hope the French Canadian readers of that paper will read it, and understand what they have to do under the circumstances."

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Then he speaks against the *Star* and in favor of the *Post*, as follows:—

"The *Post*, for example, has been sympathetic with our race and with the difficulties we have just passed through, and has contributed much to get for us the equally generous sympathies of many of its compatriots. It is for us to recognise those services and to place our confidence in those who have rendered them."

Now, I draw the special attention of the hon. interrupter to this part. Here is what the organ was saying two days after the execution:

"We will soon have to look out for allies to replace those who have made the fall and left us alone in those terrible moments."

Then it says:

"Some impose themselves as one of the Irish Catholics, that is because they are identical with ourselves and we rely upon a community of religious beliefs—the most solid basis of union in all associations. There is then all possible reason to encourage those who by past devotedness have deserved our confidence."

I need not tell the hon. gentleman that he need not be afraid that we will go as far as *Le Monde*. We will not introduce religious or race cries in politics. We leave that to those who, for what reason I do not know, want to form a religious party in this Dominion. I only quote these extracts to establish that the whole of the agitation came from the hon. gentleman's press, and that, if it had not been for their press, there never would have been any fight between Orangism and Catholicism in Ottawa, and then perhaps all the trouble that has occurred would have been avoided, and we would not have seen these miserable days when we were threatened and insulted by a certain portion of the press which sustains the Ministers in power. On the 19th November Mr. Vanasse, editor-in-chief of that paper and member for Yamaska, had the following remarks:—

"In my name and the name of my constituents I have protested in the most energetic terms against the execution of Riel. We took the opportunity of letting Sir John know that that execution was an act of cruelty, the responsibility of which we refused to share. My political career has not been very long, but in all my political life I have had great confidence in the future of Confederation, which is, in great part, the work of that great Canadian, the regretted Sir George Etienne Cartier, but to-day, painful though it is to admit it, I am bound to declare that the hanging of Riel has more than compromised that brilliant future which we hoped from Confederation. The Conservative members from the Province of Quebec had faith in the word and the promises of their chiefs, and had the moral certainty that Riel would not be hanged. They had been promised that a medical commission, composed of experts of authority, would be appointed, and that it would be charged to report upon the mental state of the prisoner. But we have been shamefully deceived. From that fatal day on which the Cabinet decided to put this unfortunate man to death, the Ministry compromised its dignity and the honor of the country, and lost the confidence of the French Canadian members. The hanging of Riel under the circumstances was nothing but an unworthy concession made to the sanguinary exactions of a faction of the population of Ontario. The Cabinet has withdrawn the confidence that it had in us, and it does not rely upon our loyalty. Sir John has got Riel hanged because he was told that if he was not hanged he would not obtain ten votes in Ontario. Thanks to that crime, Sir John may obtain sixty supporters or more in Ontario. But after a long career, so glorious and so useful for the country, he will descend to his grave with the stigma of dishonor resting upon him. Mr. Vanasse then made some explanations, and he ended by saying that he had confidence that his constituents would approve of his conduct, and that he would resign his seat rather than approve of an act which, if accepted, would prove a national shame."

This speech was uttered before the public, and printed and distributed in thousands. Then, *Le Monde* of the 20th of November, four days after the hanging, said:

"But fanaticism wanted a victim; Riel has been offered as a holocaust and Orangism has hanged him, for hate, and to satisfy an old thirst for revenge. Sir John thought at first that he could still, as in the past, control that dangerous element of our population. He has been powerless. No more French domination said Upper Canada; Riel's head or you s. No more French denomination said the Orangemen; Riel's head or yours. At last the old chief has yielded, and the scaffold, the hideous scaffold, has been elevated on the distant plains of the west. We know the rest. Let Sir John not be astonished if to-day Lower Canada withdraws from him the unlimited confidence which it has given him for 40 years. His career, so glorious for him and so profitable for the country, he owes to the Conservative party of Lower Canada, whom he has always found faithful. To recompense those 40 years' of service, he turns a deaf ear to the prayer of mercy and gives us a scaffold. The Orange rope which strangled Riel has been burned. It is a useless

precaution. The wind has dispersed the ashes to the four corners of the country. The ingrates and the hangman will be poisoned by them. The Conservative party of our Province will not allow itself to be held responsible for the blood of that man. It would degrade itself in the eyes of humanity. The whole of Canada repudiates that act of cruelty, the consequences of which may be so dreadful."

Then *Le Monde* of the 23rd of November gives the following account of the meeting held on the previous day in the Champ de Mars, at which 40,000 or 50,000 people were present:

"The meeting which took place yesterday on the Champ de Mars was an eloquent protest against the bloody outrage inflicted upon our nationality. Our enemies will see that it is impossible to throw an insult into the face of a whole people without provoking a natural indignation. Over 50,000 people pressing about three platforms assembled upon the Champ de Mars to express their disapprobation of, and indignation at, the iniquitous act of Regina, in which one of us has been shamefully sacrificed. There has never been in Montreal a meeting so numerous, so unanimous, and so enthusiastic. Not less than 30 speakers spoke. They were speaking from three platforms at the same time. Enthusiastic applause greeted the speakers from all parties and all sections without distinction. The Conservatives applauded the Liberals, the Liberals congratulated the Conservatives. Political party lines disappeared in the protest against the execution of the unfortunate victim of the French name. We saw Mr. Mercier speaking beside Mr. Desjardins, struggling in the same cause; Mr. Tarte and Mr. Laurier maintaining the same principle; Mr. Beaubien and Mr. Robidoux joining in the same protest; Mr. Trudel and Mr. Turcotte uniting in the same sentiment of patriotism; Mr. Beausoleil and Mr. Coursol, inspired by the same natural sentiment, eloquently vindicating our rights trampled under foot; Mr. Bergeron and Mr. Poirier, animated with the same patriotism, raising the same cry of indignation. At last, all the speakers, forgetting all their divisions, united against the common enemy, Orangism, and those who have been its instruments. The meeting of yesterday enabled all the Canadians to show their patriotism. They know how to unite to vindicate their rights and to protest against injustice. Let us go forward unitedly, and let us make our nationality respected."

On the same day, there is an article in *Le Monde* on Irish sympathy; and on the 24th of November, eight days after the hanging, it says:

"The Conservative party of the Province has not hesitated to blame the Government, and has protested almost unanimously against that act and refused to be held responsible for it. The Conservatives have proved that with them principles are everything and men are nothing. The Conservative members had the confidence of the country and they have not lost in this circumstance. On the contrary, they appear before the electors as men upon whom the people may rely."

When you see expressions like these in an organ of one of the Ministers, you may understand that general agitation should start out in the Province of Quebec; and if that agitation is to be blamed, which I deny, if it was not proper, the people will look first to the Minister of Public Works and tell him it is your press that did it. To-day, it is not by saying that the hanging was right that the hon. Minister will succeed in justifying himself; he will not be able to hide the fact that all the deputies, journalists, professional men, all the influential people in Quebec, were united as one man in protesting against the hanging of a man hanged because he was of a certain creed. Those who joined the agitation and who respect themselves cannot change to-day and contradict themselves, more especially as when they want to go to the bottom of the case, the papers are refused them, and that the more they study what documents they can obtain, the more they see that the half-breeds were unfairly treated by the Government, the more they see that the Government was snoring and sleeping over injustice while fire was being prepared in the North-West to destroy the lives of our poor soldiers at the beginning of the troubles. Whilst this was going on, an agitation began in Ontario and some other parts of the Dominion where there are Orange societies. I have not a complete collection of the resolutions passed at the meetings of those societies. It was undoubtedly the duty of the Government to produce them, but they refused to do so. Perhaps some other hon. member of this House will put on record before the country some of the petitions that have been passed, and which, generally, were accompanied by base insults to us. I will quote some of them as I find them. One, which appears to have

summarised the speeches of the others, is reported to have said that Thomas Scott was murdered 15 years ago, and that in the present year many Orangemen suffered death, and then to have exclaimed:

"And shall this arch rebel go free whilst loyal men have stained the ground with their blood to uphold the Queen's authority? Never (loud applause); and the sooner the Government of Sir John A. Macdonald understands the true feelings of Orangemen on this question the better. I was pleased to notice in the speeches of County Master Semers, District Master Wilson, and Bros. Graham & Son, the determination expressed that if the Government allows Rome to step in on this occasion and secure a reprieve for this arch-traitor, the Conservative party can no longer count upon their services, although they have worked and voted for them many years."

Such was the cry that came from Orange gatherings in many parts of Ontario. The *Orange Sentinel*, speaking for the association, said:

"Shall the atrocious injustice be committed of permitting this artful rebel to go free while his dupes and tools—the unfortunate, untutored and misled Indians—were hanged for participation in acts which they regard as praiseworthy and heroic instead of criminal? The people of Canada will require unequivocal answers to these straightforward questions, if Riel be reprieved; and the only answer we judge that can truthfully be given is that the Frenchmen of Quebec rule in the Dominion Parliament, and have vowed that not a hair of Riel's head shall be harmed. Was it to this end, then, that our gallant volunteers sprang to arms and laid down their lives at their country's call? Shall Frenchmen who sympathise with the rebels be permitted to undo their work? If so, let it be known throughout this land. Let it be proclaimed that the rights and liberties of Britons in an English colony hang only on the breath of an alien race. But English Canadians will not longer suffer the galling bondage; and the day may not be far distant when the call to arms will again resound throughout the Dominion. Then, indeed, our soldiers profiting by the lessons of the past must complete a work throughout the whole land only begun in the North-West."

All this, naturally, created in Quebec the impression that Riel was hanged because the Orangemen demanded his death to glut their vengeance. He was hanged, and, before three days had passed, those who clamored for his death, and those who ordered it, became frightened at their own work. The Bleu papers were forced to make a show of sympathising with the feeling which pervade all parties in the Province of Quebec. They dared not say that Riel was not hanged to please the Orangemen, or that his execution was an act of justice. The *Orange Sentinel* was employed to do that. I might quote, too, the resolutions passed by the Peterboro' Lodge, on the 11th of November. I might quote many other Orange decisions, but I think I had better leave that to be more completely done by some hon. members of this House. At all events, the question before the Executive was: Which shall be preferred—the Orangemen praying for blood or the rest of the Dominion asking for clemency in accordance with the wish expressed by the jury? The Orangemen won the game. Blood was shed, and some of the guards, it appears, burst out laughing when the trap fell. The ministerial press, as well as the opposition press, in the Province of Quebec felt indignant, and simultaneously and unanimously took the lead in public agitation. Public meetings, protestations by municipal councils and all kinds of organised associations took place everywhere. Many members of this House took a leading part in the demonstrations, petitions and resolutions. In these petitions, Riel's insanity is affirmed. It is a question which the Government had to examine, more especially in a case of that kind, and for the decision of which they are responsible to the country. We now have seen what occurred in Quebec, but we must enquire whether the Government was right or wrong in their decisions. The question is: Was Riel mad? Have the Ministers consented to hang a madman for a political offence? That is a most important point. Is it astonishing that we should look into that point, when the Ministers express doubt about it, and promise a medical commission, surrounding the whole with mystery? It is a known and admitted fact that Riel had been interned in three asylums. The doctors who could have testified to his kind of madness there were refused to the prisoner by the Crown, save one who amply and

emphatically proved Riel's complete madness. Was he still mad when he began the insurrection? Sir, the insurrection itself was a piece of madness. Why! 100 men undertaking to fight against 1,000 policemen and all the forces of Confederation; 100 men with shot guns and melted spoons against thousands of soldiers with rifles, guns and perfect and abundant ammunition! But let us take the evidence at the trial, let us examine Riel's actions and words. I will quote from the incomplete book furnished to us. Take that book, page 13. What did Riel say to Dr. John H. Willoughby as to the Government of the country?

"They were to have a new Government in the North-West to be composed of God-fearing men, they would have no such Parliament as the House at Ottawa."

A man saying such nonsense must be a fool. This was not said to a half-breed, but to a doctor, to an educated man, and it is such a nonsense that it evidences something wrong in the brain of Riel whenever he talked about his mission or his religion:

"Q. Anything else?—A. Then he stated how he intended to divide the country into seven portions."

Well, Mr. Speaker, anyone who has gone through the North-West, and knows the extent of it from north to south and from east to west, and sees a few hundred half-breeds on the Saskatchewan, and this man saying that he will divide that country with them into seven portions, will say that he must be a fool.

"Q. You mean to say you cannot say how these seven were to be apportioned?—A. Yes; he mentioned Bavarians, Poles, Italians, Germans, Irish. There was to be a New Ireland in the North-West."

That was read by the Ministers before appointing a medical commission and before receiving the medical commission's report. Then, on page 15:

"Q. What did he say he was going to do with these people?—A. They were going to assist him in the rebellion, before this war was over, and that they would have their portion of the country."

"Q. By country what did he allude to?—A. The North-West Territories."

"Q. Exclusively?—A. As I understood it."

"Q. Would you now indicate to us the different people he expected to assist him?—A. The Irish of the United States."

I think the Irish of the United States are well enough where they are without thinking to come into those regions.

"The Germans, the Italians, the Bavarians and Poles, and Germany and Ireland."

Surely, Mr. Speaker, that man must have been a great fool.

"Q. The Bavarians also?—A. Yes."

"Q. The Hungarians?—A. I don't know. I don't believe he said anything as to the Hungarians."

"Q. The Poles, did he intend to give them a chance too?—A. He did."

I never knew that the Poles wanted to come into this country. Then on page 16:

"Q. What is that opinion, be good enough to let us know it?—A. My opinion at that time was that that was about the last that would be heard of it."

Of course, because such nonsense as that is not often repeated. These words were not said to a half-breed; they were said to a doctor, to an educated man. It is such nonsense that it evidences something wrong in the brain of Riel whenever he said anything about his religion. I will refer now to the evidence of John W. Astley, on page 32:

"Q. What did he say at Batoche about his church?—A. He said he wanted me to mention to the General that he was to be recognised as the founder of the new church, and that if the subject was mentioned to the General he could continue the subject when he met him."

I ask any unprejudiced man to read that and frankly declare if it does not bring to the mind the idea that the man who said that was a fool. There is no other possible explanation of it. Now let us look at page 38. The witness says:

"We could hear him walking along the floor, and he said: 'I forgot to tell you you had better call on God, for you are in his hands.'"
Mr. AMYOT.

And then look at page 59—this is George Ness:

"Q. Tell us about their taking you to the church?—A. When we got to the church they were in the front of the church. Mr. Riel commenced saying he was a prophet—that he could foresee events."

And further:

"Q. Did he say anything about taking possession of the church at the same time?—A. Yes, Riel said: 'I will take possession of the church.' Father Moulin said: 'I protest against you touching the church.' Riel said: 'Look at him; he is a Protestant.'"

And at page 63 the same witness says:

"Q. In March he said the priest was a Protestant, or something to that effect?—A. Yes."

"Q. Did you consider at that time he acted as he had acted when you first knew him, in July or August, with reference to the priests and religion?—A. No; he acted very much otherwise."

"Q. Now, can your memory enable you to say what he said at that time, on the 17th March, in his difficulty with Father Moulin?—A. It was on the 18th March."

"Q. State what took place, the words that were used and how he acted on that occasion?—A. He said the spirit of God was in him, and Father Moulin said he was making a schism against the church; and Riel said Rome had tumbled, *Rome est tombée*.

"Q. He said the Pope of Rome was not legally Pope?—A. Yes. He said the spirit of God was in him and that Rome had tumbled, and he could tell future events."

Well, anyone who speaks that way must, of necessity, have a brain which is not organised as that of other human beings. Now, if we take page 70, the witness being Henry Walters—I take several witnesses to prove that it is not an isolated fact:

"Q. What were they going to do?—A. If successful he told me they were going to divide the land."

"Q. How was he going to divide it?—A. One-seventh to the pioneer whites, one-seventh to the Indians, one-seventh to the French half-breeds, one-seventh to the church and schools, and the balance was Crown lands, I suppose Government lands."

You see that before it was to be divided among the Bavarians, the Poles, the Italians, the Americans, and the Irish. He has forgotten that now, and it is altogether another division. And further:

"Q. Did he say anything about the movement there?—A. No, he did not say anything very particular about it. He said they would have no opposition from Prince Albert. He said the people were friendly. He said if the whites struck a blow, a thunderbolt from heaven would strike them, that God was with their people."

Then, at page 82, Thomas E. Jackson gives this evidence:

"Q. He told you your brother had become insane?—A. He did."

"Q. He told you he had become insane because he had opposed Riel, and that he was punished by God for his opposition to Riel?—A. That is what he said."

And at page 83:

"Q. Did he explain to you what his intentions were as to the division of the Territories, what he intended doing when he succeeded in chasing the Canadians out of the country?"

Now, the idea of chasing the Canadians out of the country is so ridiculous that it cannot be considered as emanating from a sane brain.

"A. Some time, probably when I was prisoner, I heard him talk of dividing the country in seven, or giving a seventh of the proceeds to assist the Poles, a seventh to the half-breeds and a seventh to the Indians."

And at page 84:

"Q. You believed from him there was some person in this country who would probably take the position of Pope in this country?—A. I think very likely he intended himself to take the position, that the Pope was in his way."

I might go on and quote many of the witnesses that were heard. I have, up to this time quoted from witnesses for the Crown. I might also quote General Middleton and others, such as Young and Charles Nolin, though Charles Nolin was a personal enemy to Riel; but at the trial there were some witnesses who positively swore that Riel was mad. We have Dr. Roy, who had charge of Riel in the asylum and went to the North West and saw him again there, and he swears positively that Riel is mad. We have Dr. Clarke who gives in evidence, though not

so conclusive as that of Dr. Roy, but which goes far to show that Riel was insane. We have Riel's diary. It is reproduced in the *Globe* of July 8, 10, 14, 15, but which is too long to read now. We see what he wrote in his prophecy. We have his will, his songs, his poetry. We have what he said on the eve of his hanging. He pretended to see spirits then. In a few moments he was to appear before his God. He believed in God, and he was insane enough to affirm that he then saw the Spirit, and that the Spirit inspired him. When we see in his diary, continued for weeks, daily proofs of madness, visions and prophecies; when we remember that he has been in three different asylums; when we see that the doctor who took care of him in one of the asylums, swears that he was still mad; when we see Dr. Clarke stating that he believes him to be mad; when we see the Crown refusing to bring any other witnesses to prove that he was mad; when we see that the jury in recommending Riel to mercy, had his madness in view, then I ask if it is not madness what is it? Has the Minister of Public Works, with all his talents and experience, been able to say why the jury recommended Riel to mercy? They are bound to give a reason why the jury recommended him to mercy. We say that the reason was that they believed him to be insane. And what was the charge of the judge? Did the judge tell the jury that if they found the prisoner mad, they should find him not guilty? Is the Government in a position to say that that was done? Are they in a position to tell us that the charge was legal and correct? Are they in a position to say that the stipendiary magistrate knows anything about criminal law? They are not in a position to do that. We have also the declaration of one of the jurymen who states, under his own signature, that their reason for recommending him to mercy was that he was insane. Now the Ministers of the Crown promised a medical commission, and what kind of a commission have they given us? I have a personal respect for these doctors; I know one of them—certainly an honorable and honest man, and the proof is that though he is their employee, though he earns his living from them, and is under their control, still he has been firm enough to say: Yes, on two questions Riel was mad; on the third point, I believe he may distinguish right from wrong, but on religious and political questions, he has hallucinations and cannot distinguish right from wrong. Dr. Lavell is another employee, and so is Dr. Jukes. Why select three employees? Why not take out some specialists? Why not take somebody who would not be under their control, and whom they could not dismiss to-morrow if their report did not suit them? And will you tell me, Mr. Speaker, what is at the bottom of all that? We ask: When was the Order in Council passed? They say on the 12th. Why was the third respite granted? To give time for the medical commission to report. Why was not the medical commission appointed sooner? If you have waited for the medical commission, how is it that you decided before the 3rd of November to hang Riel? Because there was a letter of Sir John A. Macdonald's to the Minister of Militia, published in the papers, saying that the hanging was decided before the Minister of Militia left. So it must have been decided before the 12th November, and if it was decided before the 12th November, the medical commission must have reported either by telegram or by letter on the 8th. You decided to hang Riel before the medical commission was appointed, and you executed it despite the medical commission's report. That is as clear as daylight. We think, judging from the date of the Order in Council, that there must have been some telegrams exchanged between Winnipeg and Ottawa as to what would be the effect of the hanging—what would be the political effect—how many votes would be gained, how many votes would be lost by the hanging—a cool calculation of the number of votes, not a decision upon the merits of the case, not a decision according to the evidence

as to whether Riel deserved to be hanged, but simply a question of votes. That was the motive of the Ministers. So questions of human life are now no longer questions of eternal justice, but they are merely questions of political gain or loss. Sir, I cannot follow my chiefs in that; I think that their conduct deserves to be blamed, and I have decided to cease to be a supporter of the Government. Of course, when we cease to support a government upon a question of that sort, we feel at perfect liberty after that to express our opinion, and no more party ties will make me a slave of the hon. gentleman who coolly sacrificed one of my countrymen, because he was a Frenchman, to keep the votes of some Orangemen. When I say Orangemen, I do not mean all Orangemen. No, Sir, I know of some who blame the conduct of the Ministry in that matter; but I mean the fanatical part of them. Mr. Speaker, having so far, I think, established that we are right in condemning the Ministry on the point of insanity, I beg to add a testimony which I think will be admitted by all the members of this House as conclusive. I will give the evidence of one of the hon. members of this House, one of the oldest supporters of the Government, whose honor, respectability and science have never been questioned. It is a letter written by Mr. L. L. Desaulniers, member for St. Maurice, on 3rd November, and sent to Mr. Duhamel, of the Riel commission. He is a specialist, and he thus wrote:

"In my capacity of Inspector of Prisons and of Asylums for the Province of Quebec, I had an opportunity of frequently seeing Louis Riel. I conversed with him at each visit, and I have no hesitation in declaring that I always found him as much devoid of mind and intelligence as any amongst his demented companions. He was indeed a veritable maniac, and unceasingly denied his best friends, and became furious at the idea that certain among them represented him as being a lunatic. As similar causes produce similar effects, that which caused Riel's insanity after the troubles in Manitoba, manifested themselves anew after those of the North-West. Incarcerated in our asylum after the rebellion in Manitoba, the unfortunate chief of the Metis, after what has occurred, should be imprisoned for the same disease after the North-West insurrection. A great number of his actions demonstrated to the eyes of the unprejudiced that the unfortunate Riel is no longer in possession of his mental faculties. The cause which occasioned his first derangement presents itself anew, and it is quite natural to believe, or at least to suspect, that that which occurs to almost all those attacked by insanity for the first time, will occur with redoubled violence on the next occasion. He is now the victim of this recurrent attack, and his reason is now more clouded and compromised than ever. In consequence, I believe that it will not only be just, but prudent, to submit his mental condition to the opinion of medical experts."

All those opinions contributed largely to form public opinion in the Province of Quebec. I entirely concur in what my hon. friend from Montmagny (Mr. Landry) has said with respect to the report of the medical commission, and I wonder how, upon a quiet perusal of the report of that commission, the Ministers could come to the conclusion to hang Riel, when they must have felt that they themselves were the cause of all the trouble; for they must have remembered the indifference, the criminal indifference, shown towards the half-breeds during many long years. When they considered the suffering brought upon Riel, and when they received the report of the medical commission, made by doctors employed by themselves, who were nevertheless forced to admit his insanity, I cannot understand how they could decide to hang Riel. They must have seen very deep political profit to be made out of it. There are many other points upon which I might touch, but I will not trespass further upon the indulgence of the House, leaving to some others to complete the case. The question is so important that I took the liberty of making many quotations and of reading some of my remarks, but I hope I shall be forgiven in view of the importance of the subject. We must not forget that Riel had given himself up voluntarily, inspired, as he said he was by the Spirit. He received a promise of protection from the General. We see what that protection amounted to. And now that we are to judge as to who were to blame, I am going to blame the Gov-

ernment; and I take this opportunity of saying that I would do it with more reluctance if the Government had assented to the unanimous petitions sent in praying for the liberation of the half-breeds who are in gaol. Ministers must have seen some people from the North-West—in fact, they have seen some influential people from the North-West—who have told them the position of matters. They have told the Government that by their action in retaining some of the half-breeds in prison they were making enemies of their relatives and friends. Why do not the Government come out boldly with a measure of clemency for the half-breeds? Why do they not put an end to the present situation? Is there no heart in any of the Ministers; have they no families; do they not sometimes enjoy the pleasure of seeing wife, mother, sister or daughter? Those poor fellows, who have been in gaol for such a long time, have wives and parents who are suffering, and after all these men are in gaol because they defended what they thought were their rights. They thought they were being deprived of their rights, because their lands and timber were being taken away. They may have been mistaken; and we will admit that they were mistaken, for the sake of argument. But why are they kept any longer in prison? Why is the increased expenditure incurred for keeping the gaols filled; and for the benefit of whom? I implore the Government again to release them, and I felt thankful to the Leader of the Opposition when he used his great and just voice in their favor, when addressing the Government, he assured them that the great Grit party of Ontario would not denounce them but would applaud them for a measure of clemency. And have we not in Quebec prayed long enough for such an act of clemency, and have not the people of the North-West and of Manitoba joined us in our request? Why are the Government afraid to grant this concession? Is it because people would say that they were the cause of the rebellion? It is too late to enter such a plea now. It is already done and the facts are known. Let them exercise clemency, and by thus using the few days of power remaining to them the people will be gratified. At least, let them no longer play the comedy of taking each case separately, and professing to decide on it separately. Our actions have not been worthy of a great nation flying the flag of the Confederation. We should put a stop to the cruelty. We have been cruel to Riel and to the half-breeds. That is done and cannot be undone; but when we can terminate the present situation, let us do it. I implore the Government to do it, and in that way redeem in some degree the faults they have committed. Considering all the facts of the case, I shall support the motion of my hon. friend from Montmagny (Mr. Landry) for the following reasons: Because: 1st. the treatment of the half-breeds has been most unfair and unjust. The alleged settlement of the claims, in vain asked for many years, has been delayed for seven years, has resulted in a sham, or rather a spoliation by means of scrip, which have virtually gratuitously given to strangers over 2,000 farms belonging to the half-breeds. 2nd. The insurrection was provoked by the culpable neglect of the duty of the Ministers, is not due to the half-breeds, but also, if we take the words of the Prime Minister, to the white speculators in whose hands the half-breeds have been mere instruments. 3rd. The insurrection would have been avoided if our troops had not fired first, if the half-breeds had been approached by friendly messengers. 4th. Riel gave himself up under the promise that he would be protected till the Government would have decided his case, and not the courts. 5th. He was tried for high treason and punished for murder. 6th. He has been refused necessary delays, the means of procuring necessary witnesses. 7th. He was recommended by the jury to the clemency of the court. 8th. He was most cruelly respited. 9th. The Government withheld important

Mr. Ayrer.

documents concerning his case. 10th. The Government failed to procure competent translators. 11th. The trial took place far from the place of the offence, before a jury of six men of different creed and race, the Crown eliminating the only jurymen of his creed; such a law should have been changed at the past Session. 12th. Riel's madness, upon which the Minister's themselves appeared to be doubtful, seems abundantly proved and is evident from his doings and sayings, from his past admitted madness, from the absurdity of the rebellion itself and even from the report of the medical commission. 13th. Riel was recommended to mercy and it must have been on account of the doubts entertained on that very point of his mental sanity. 14th. The voice of the people praying for clemency should have been preferred to the one of those asking for blood. 15th. The order for hanging seems to be the result of a cool, calm calculation of the political influence and results it would have on the electoral strength of the country. 16th. Riel was tried for a political offence, and civilised nations no more hang for such offences. 17th. The Government seems decided to exterminate that little people. I thank the House for giving me so patient a hearing and again apologise for the imperfect English I have used.

Mr. ROYAL moved the adjournment of the debate.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to; and the House adjourned at 11 o'clock.

HOUSE OF COMMONS.

FRIDAY, 12th March, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

MESSAGE FROM HIS EXCELLENCY.

Sir HECTOR LANGEVIN presented a Message from His Excellency the Governor General.

Mr. SPEAKER read the Message, as follows:—

Gentlemen of the House of Commons:

I acknowledge with thanks the Address you have loyally adopted in answer to the Speech with which I opened this Session, and I rely with confidence on the assurance that the important measures submitted to you will receive your careful and full consideration.

LANSDOWNE.

GOVERNMENT HOUSE,
OTTAWA, 12th March, 1886.

FIRST READINGS.

Bill (No. 30) to incorporate the E. B. Eddy Manufacturing Company.—(Mr. Wright, Ottawa.)

Bill (No. 31) to incorporate the Alberta Railway Company.—(Mr. Shanly.)

Bill (No. 32) to incorporate the community of religious ladies under the name of "The Sisters, Faithful Companions of Jesus."—(Mr. Royal.)

Bill (No. 33) to incorporate the Shuswap and Okanagan Railway Company.—(Mr. Homer.)

Bill (No. 34) to incorporate the Lake Superior Mineral Railway Company.—(Mr. Dawson.)

Bill (No. 35) to amend the Act to incorporate the Lake Nipissing and James Bay Railway Company.—(Mr. Sutherland.)

Bill (No. 36) to grant certain powers to the Sable and Spanish Boom Company of Algoma.—(Mr. Sutherland.)

Bill (No. 37) to naturalise Girolamo Consentini, commonly called Baron Girolamo Consentini.—(Mr. Hall.)

Bill (No. 38) relating to the Niagara and Grand Island Bridge Company.—(Mr. Baker, Victoria.)

Bill (No. 39) to incorporate the Emerson and North-Western Railway Company.—(Mr. Pruyn.)

Bill (No. 40) relating to the Canada Southern Bridge Company.—(Mr. Baker, Victoria.)

Bill (No. 41) to reduce the capital stock of the Union Bank of Lower Canada, and to change the corporate name thereof to the Union Bank of Canada.—(Mr. Bossé.)

Bill (No. 42) respecting the Saskatchewan Land and Homestead Company, Limited.—(Mr. Orton.)

Bill (No. 43) to amend the Act incorporating the Canada Atlantic Railway Company.—(Mr. Mackintosh.)

EXECUTION OF LOUIS RIEL.

House resumed adjourned debate on the proposed motion of Mr. Landry (Montmagny): "That this House feels it its duty to express its deep regret that the sentence of death passed upon Louis Riel, convicted of high treason, was allowed to be carried into execution," and the motion of Sir Hector Langevin: "That the question be now put."

Mr. ROYAL. When I moved the adjournment of the debate last night it was not my intention to answer the speech and the arguments of the hon. member for Bellechase (Mr. Amyot), nor is it my intention to answer them now. I propose to leave the hon. gentleman to the tender mercies of the Minister of Militia, his old friend, his admired friend, his quondam chief of the past. However, I cannot allow this occasion to pass without referring to certain facts the hon. gentleman who preceded me, stated yesterday, in the declaration read as made by Mr. Lemieux, to sustain certain accusations brought against the Government, of having refused to give him all the allowances he wished to have in the trial that took place at Regina, during last summer. That declaration was not taken before a commissioner for taking affidavits; it was devoid of all authenticity; and, moreover, it was signed by only one of the counsel who undertook the defence of the prisoner. In regard to that document, which has certainly not the same weight nor the same authenticity as a sworn declaration, I will read from the report which has been distributed, and which gives the proceedings that took place on the trial at Regina between the Queen and Riel. At page 9 there is an affidavit given by Mr. Lemieux in support of a motion asking for a certain delay in the proceedings:

"CANADA,
North-West Territories. } THE QUEEN vs. LOUIS RIEL.

"FRANCOIS XAVIER LEMIEUX, Barrister, one of the counsel of Louis Riel, the accused, being duly sworn, deposes and says:

"That in the course of June, towards the end of the month, he was retained by persons interested on behalf of the accused to undertake his defence.

"That persons were instructed to cause to be brought to Regina, essential and necessary witnesses in the defence of Louis Riel, and believed to be such by the deponent.

"That the witnesses above referred to are Doctor Francois Roy, of Quebec, Doctor Clark, of Toronto, and Doctor Vallée, of Quebec.

"That the deponent verily believes that the said witnesses would have reached Regina by this time, but by reason of misapprehension and circumstances beyond control, the said witnesses have failed or have not been able to be present in order to give their evidence.

"That, from his experience as a counsel and advocate, he swears that the said Drs. Roy, Vallée and Clark are necessary, material and indispensable witnesses for the defence of the accused, and, moreover, are the sole witnesses capable of proving certain important facts relating to the said defence.

"That the deponent verily believes that if a delay of one month is granted he can procure the said witnesses by going himself to Quebec and Toronto, and that, at the expiration of the said delay, the above

named witnesses will be present at the Court to give evidence in favor of the accused.

"And the deponent has signed.

(Signed), "F. X. LEMIEUX.

"Sworn before me, at Regina, this }
21st day of July, 1885.

"(Signed), DIXIE WATSON, Clerk."

This affidavit is fortified by another one signed by Mr. C. Fitzpatrick, corroborating in the main the statements of his brother counsel. The only object I have in referring to this part of the speech made by the hon. member (Mr. Amyot) last night, is to show that, if the other statements and arguments adduced by him are as wanting in weight and authenticity, they all have little weight indeed, and I can only say that I feel sorry for him. When, during last Session, I had the honor to address you, Mr. Speaker, and this honorable House, on the subject of the administration of affairs in the North-West, I endeavored to give a brief history of the Metis population. I then attempted to show that a distinct nationality had been formed in the North-West Territories before Canada had ever thought of the existence of the population in that part of British North America. I showed also that those people had a title to the soil which had been granted and given to them by the Hudson Bay Company, their rulers, or by Lord Selkirk, who purchased the said territories from the Hudson Bay Company. Apart from the title they had to that soil, they, as descendants of the aborigines of that country, had as much right, or, at least, had a share in the right to the soil as the Indians of those territories. During the period that elapsed between the time when the existence of this distinct population was first noticed, and 1870, when Canada cut out of the North-West Territories the Province of Manitoba, I said—and I said it with a great deal of pleasure, because it was an unknown fact to most of my hearers—that this population was distinguished for its honesty, mild manners, patriotism, attachment to the soil, and a spirit of independence and proudness that were certainly to be envied by other people. No doubt, with those features they have retained some of the characteristics of their Indian relations. But I had only to recite facts to show that it was due to them that if Canada was able to-day to take possession of those vast tracts of country and open them to our civilisation as well as to the colonisation of Canadians and Europeans, it was owing to the bravery and courage of the Metis who kept the country from the Indians. When the formation of Manitoba took place those people had been accustomed, under a rude form of Government, it is true, but a paternal Government, to exercise political privileges, which, to our great surprise, contained the very elements of representative institutions. The council then existing was formed of representatives of the various portions of the population then existing on the shores of Red River and the Assiniboine. My object in referring to-day to what I stated last year is to show that those people had an undoubted right to be treated by the Canadian Government and by ourselves as a distinct nationality, in the same way as the Indian population had a right to expect to be thus treated by the Canadian Government. In 1870 those rights were acknowledged by the Canadian Government, and embraced in the Act known as the Manitoba Act. This Act was passed after a movement inaugurated by the population, headed by Louis Riel, and the acknowledgment of those rights excited the wonder of the people in this part of Canada. And if the unfortunate execution of Scott had not taken place, there was enough in the movement of the Metis, headed by Riel, in order to save their liberties and obtain their rights from the Canadian Government, to show that those people were worthy of the privileges and rights that the Canadian Parliament were granting them. I have named Louis Riel. I suppose it is not out of place for me to state that the Riel family is one of the most prominent among the half-breed

population of the North-West. Riel himself has some Indian blood in his veins from his father, his mother being of French Canadian origin. Now, Sir, the high intellectual gifts, as well as a certain amount of exaltation, seem to be hereditary in the family; and, Sir, we have only to recall the writings and speeches made now and then, and certain of the acts of that unfortunate man, to know how gifted he was intellectually. My French-speaking colleagues in this House have wondered more than once who could be the writer of those letters which were sent to the newspapers in Canada, and which bore the name "Marguerite Riel." To us in the Province of Manitoba, it was no wonder this woman wrote those letters, and they were marked by elegance of language as well as purity of expression and sentiment. Now, Sir, in that family, devotion also seemed to be hereditary. In the winter of 1871, when the Canadian troops were in the barracks of Fort Garry, the hospital there contained some of the sick soldiers. The Sisters of Charity of St. Boniface had obtained from the military authorities the privilege of visiting these sick soldiers. One morning two nuns crossed to the hospital on the ice, and those two sisters were seen a few minutes afterwards going through the hospital from one bed to another, offering consolation to the soldiers, and otherwise kindly attending to them. One of them was the sister of Louis Riel. She was a Sister of Charity, and there was in her heart enough of devotion and Christianity—she herself being the sister of the doomed man—to go and offer her services to the sick soldiers who were sent to Fort Garry in 1870. Having said so much as to the population I have the honor of representing in this House, I will say that, most unfortunately, these people have been treated with a certain amount of neglect. In fact, Sir, if at this moment we remember how the Indians are treated, I believe I may say, with a certain amount of propriety, that the half-breeds have been treated worse than the Indians, although the Manitoba Act was, in the eyes of those people, a treaty to the same intent and purpose as the Indians look on their treaties with this Government. Now, Sir, when I state that they have been treated with neglect, I must add forsooth that they never were treated with more neglect than by the Administration which preceded this one. It is a fact in history that, to use the words uttered by the right hon. leader of the Government, there was a blank in the history of the Metis between 1873 and 1878. They were ignored; their nationality and their distinct rights were perfectly denied and set aside as having no right to exist. They were to be treated either as white men or as Indians. The object of what I have stated so far is to show that these men had certain rights by themselves, due to their origin and their condition of existence in those territories. The Manitoba Act only acknowledged the rights of the half-breeds who were living in the Province of Manitoba. I believe it was the duty of the Government as soon as this was shown to them, to acknowledge the same rights with respect to the half-breeds who were living in the North-West Territories, as with respect to those of Manitoba, because they were of the same family and nationality, they came from the same source, and they were entitled to the same rights. So, Sir, during the years of the Administration of the hon. gentleman opposite—

Mr. LANDERKIN. How many rebellions had you in that period?

Mr. ROYAL. I shall answer the hon. gentleman in a few moments; but I will state now that the rebellion was caused by white settlers who certainly were not friendly to this Government.

Mr. LANDERKIN. Why didn't they hang them?

Mr. ROYAL. I can show the hon. gentleman that if the meaning of the word rebellion was taught among the Metis
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it was taught to them by the *Globe*, and I can show the hon. gentleman that if revolt against legitimate authority was ever inculcated in the North-West, it was through the Farmers' Union of Manitoba. In 1880 Sir John Macdonald took the first opportunity he had, in order to bring in a Bill in this House—he himself, the leader of the Conservative party, introduced a Bill in Parliament to extend the same privileges and rights to the half-breeds in the territories as those enjoyed under the Manitoba Act by the half-breeds in the Province of Manitoba. Now, Sir, by that we can ascertain in what party and on what side of the House there existed a feeling of friendship towards the half-breed population, and an acknowledgment of the justice of their cause. As I have stated, from many causes, some under the control of the Government and some beyond their control, the acknowledgment and settlement of the rights of the half-breeds were deferred for a certain number of years. However, I believe that the Government lost no time in extending the surveys as rapidly as they could. I think, also, that we can see whether there was any attempt made, on the part of the preceding Government, to make haste in order to do justice to that population. When the half-breed population, or a certain portion of them, saw that their rights were too tardily acknowledged they communicated with the Government, and at last they wanted to have from the United States a man whose name they thought would be a warning to the Government and would certainly hurry up the settlement of their claims. Riel went into the settlements, I think, in the month of July, 1884. The agitation then commenced; it was an agitation limited within constitutional bounds; but the fact was disclosed during the trial at Regina, as well as by correspondence, that the agitators were chiefly white settlers, influenced whether by certain personal objects or certain political objects, it is difficult for me to state. The half-breeds themselves, by their nature and their own happy simplicity, desired to confine the agitation within constitutional limits. They had everything to lose otherwise. Everybody knows what has been said and written about the Prince Albert settlements. Several flourishing parishes had sprung up there within a few years. The farmers were in a happy condition, and most of them having emigrated from the Province of Manitoba, had carried with them money which they had realised from the sale of their property. These people could understand perfectly well what was likely to take place if the standard of rebellion should be raised. But, unfortunately, some further delays took place which aggravated the public feeling in that quarter, and led to events the character of which is known by every hon. member in this House. Now, on the 4th of March, 1885, Father André received a telegram from the Government informing him that the question was settled, that the half-breeds were to receive their scrip, and that their patents should issue as soon as they should comply with certain regulations. Everybody feels that this should have been sufficient to stop all agitation, if it had not been that the white settlers poisoned the minds of the half-breeds by stating to them that there was no authority in a telegram—that a telegram could easily be fabricated—if an old chief factor of the Hudson Bay Company, a man of great reputation and standing in that part of the country, Lawrence Clark, had not very imprudently asserted to Father André and several others that he knew very well what would be the answer to the last petition that was sent to Ottawa, and that the Metis, instead of receiving scrip would receive bullets, and instead of receiving patents would receive 500 soldiers. Well, these things must not be attributed to half-breeds, but to white men whose mission seemed to excite rebellion, and who would gain by it, and who did their best to poison the minds of these people and to prevent them giving any credence to that telegram. The rebellion took place a few days afterwards.

It is not for me to refer to the fearful events that took place during the six weeks that elapsed between the 24th of March and the 13th of May. I can only say that nothing justified that rebellion, which was a crime against God and society. The chief of the rebellion, Louis Riel, gave himself up as a prisoner, and had to stand his trial at Regina. We know something of the trial that took place. Everybody will agree that it was conducted according to law; but owing to the prejudices of the Crown counsel or some of them, that amount of fairness that the Government, that the population in the territories, that we, had a right to expect from them, was not displayed.

Some hon. MEMBERS. Hear, hear.

Mr. ROYAL. I will only cite an instance, and I may remind the hon. gentlemen who say "hear, hear," that one of the counsel, Mr. Osler, was a friend of their own. There was a Catholic juror who presented himself. He was the only Catholic; and Mr. Osler challenged him. That want of fairness must not be attributed to the Government. Another incident which we must regret very much is the incident of Jackson, for which I throw the whole responsibility on the Crown prosecutors, who might have acted with more wisdom, more liberality and perhaps more justice and less discrimination. Now I come down to the 16th of November, the day on which the unfortunate man had to suffer the extreme penalty of the law. If I refer to it, it is to say that it was the signal of an agitation, of an outburst of sympathy that extended not only to all the Provinces of Canada, but also to the adjoining Republic and to Europe. Much has been said of the agitation which took place in the Province of Quebec, where I was born; and, Sir, I am not the one to fail to acknowledge very highly the proverbial generosity and chivalry with which the Province of Quebec, a minority herself, espouses the causes of suffering minorities in the other Provinces. French-speaking Canadians are a Latin race, and it is quite possible that to that ethnological feature may be attributed that exuberance of generosity for which we are distinguished, sometimes at our own expense. But I admire the spontaneous movement with which public opinion adopted the cause of a man who constituted himself the chief of a population, neglected perhaps, but certainly not tyrannised over, a population which has some of our blood and which has the same faith as we. I do not condemn the movement, because I believe it was only the exaggeration of a noble sentiment; and representing, as I have the honor to do, the French-speaking and Catholic population of the Province of Manitoba, I have often felt, and shall always recognise the great advantages I have derived from the generosity of my compatriots in this House. But I submit that the attempt which was made to make this movement serve political purposes, without considering the fearful consequences that would thereby result to the interests of the minority, is deserving of severe censure. If that movement, as directed by some of its chiefs, had succeeded, the French-speaking population of to-day would stand perfectly isolated from the rest of the population in Canada, would lose its privileges for ever, and thus lose the constitutional advantages given to it by 40 years at least of efforts and loyalty to its political friends. In this connection, I cannot express too highly the gratitude I feel at the conduct of the three French-speaking Ministers in the Cabinet who had patriotism, soul and heart enough to resist the onslaught of public opinion excited at the moment and calling on them to resign. When the ship is in danger, and the storm raging, it is not the time for the pilot to desert her. In connection with this movement, which was nothing else but an exaggeration of a noble and chivalric feeling, a sentiment of humanity, I must say the minority should acknowledge the fair treatment which has been and is being extended to us by the majority of the population of Canada. It is true that we, the minority, have not

always been able to obtain all we wanted; and in matters of opinion, we have had in many instances to submit to the rule of the majority; but who can say that the majority has not loyally admitted the minority to share with them the sum of the advantages which result from our constitutional liberties? In what country in the world will you find a French minority, will you find a Catholic minority, as free, untrammelled, and as respected as we are in Canada, although the majority has not with us, in common, either language, aspirations or national genius; and I am sure that our friends of the majority will agree with us, that justice, tolerance and respect for vested rights are the only basis of the greatness of a nation. It becomes the majority to respect the sentiments of the minority, and if this minority is very sensitive, you must not forget that its sensitiveness is due to the fact that it feels that it is a minority. The agitation that took place last fall, the threats uttered every day in some of the leading Ontario newspapers, caused, to the population in Manitoba and the North-West Territories, the most grievous anxiety. You must remember, Sir, that this population are living 1,500 miles from here, and they were alarmed lest the policy of a national coalition would prevail, and the rights, privileges, and even the existence of the minorities in Manitoba and the North-West Territories be attacked; we saw, on the other hand, that the agitation in Quebec was being worked to the advantage of party, and threatened to cause essential interests to be lost sight of entirely. The object of this apparently harmless motion is nothing else: it is but a pretext to make the condition of affairs worse. Its object is to draw us away from our allegiance to a certain platform, to certain principles, and to throw us into the arms of another party with which we have nothing in common. Should the motion of the hon. member from Montmagny (Mr. Landry) be carried, the consequence would be a change of Government, a change of principle, and an entire change of programme. Well, if you compare the programme of the party in power with that of the party in opposition in the past, if you can foretell the future by the experience of the past, I ask what should any man do who has at heart the interests of his country? We know there is a lack of sincerity on the part of the hon. members of the Opposition, which is not very astonishing, for we have found the same thing in every grave question that has arisen in our political atmosphere. We know that before the 16th November the *Globe* was all for execution, and we know what a wonderful turnabout was made after that fatal day. The *Globe* had not epithets enough to heap upon the heads of Cabinet Ministers for the execution of Riel. Riel, who, according to the fiery language of that paper, before the 16th November, was a high handed and blood-thirsty rebel, had become nearly a lamb after the 16th November. It is a pity the same amount of sympathy exhibited after that date by hon. gentlemen opposite and their organs was not shown before that date. If it had, perhaps a different condition of affairs would exist. Now, however, as my words in that respect must be supported by some evidence, I will, with your permission, read a few extracts taken from the *Globe* before the 16th November and after the 16th November:

On July 6th the *Globe* said:

"Nothing can justify rebellion that does not become revolution."

On August 5th:

"There was certainly no legal justification—that there could not be. We have always contended that there was no moral justification, because the grievances must be very great indeed, nay, intolerable, that can morally justify the taking up of arms for their redress."

On the same day:

"No shadow of a doubt remained that he was guilty as charged in the indictment. The testimony that followed only deepened the certainty of his guilt."

On July 25th :

"It is now alleged on behalf of Riel that he never advised the half-breeds to resort to violence, that when he found the constitutional modes of seeking redress unavailing, he wished to leave the country and was prevented, and that at the last he did all in his power to dissuade the half-breeds from taking up arms. This is not believed; and indeed it seems inconsistent with much that has been stated upon authority apparently good."

On March 30th :

"While Superintendent Crozier and Riel were parleying, fire was opened with the rebels, and some of the civilians accompanying Crozier were actually shot in the waggons in which they travelled to the scene of the combat. Such an outrage as this will stir the blood of every man in the country."

On 15th July :

"Now his (Riel's) diary may suggest something like a cross ray from Bedlam in Riel's eye, such as genius or roguery may occasionally effect. But at the same time it must be added it gives not the slightest ground for suspecting absolute madness or for hinting that the writer's place is in a lunatic asylum. If there is madness going it is of a kind in which there is quite a large amount of method. If all who are mentally astray only as these jottings indicate that Riel is, were shut up in our asylums, we should have to increase the capacity of those establishments considerably."

On 22nd October :

"Nor as to his sanity has there been any doubt since the jury, having heard the experts' evidence, decided that Riel was responsible."

On 14th July :

"The public believe Riel and his associates guilty of the highest crime known to the law; and public indignation would be excited did any of them escape punishment."

On 3rd August :

"No shadow of a doubt remained that he was guilty, as charged in the indictment."

On 8th June :

"We want Riel and the other ringleaders brought to immediate justice."

On 25th May :

"They (the people) were never more in earnest, never more determined that justice shall be done, and that the doing of it shall not be unduly delayed. Calm, but stern and determined, they demand that justice be done."

Now, Sir, what are the utterances of the same paper immediately, that is to say, a little time after the execution that took place on the 16th November. Certainly if these articles were not headed by the same title "*The Globe*," you would think that they belonged to two different papers altogether. On the 5th February the *Globe* said :

"With those grievances in view; with that recommendation in view; with the fact in view that the agitation under Riel was perfectly constitutional for about eight months; in view of the almost accidental beginning of hostilities; in view of the doubts of Riel's sanity; in view of the rarity with which the death penalty is exacted by modern Governments from men technically guilty of treason; in view of the many humble petitions favoring commutation of his sentence to life imprisonment, there was a *prima facie* case of immense strength on behalf of clemency."

So much for the sincerity of the party, or at least of the paper which claims to be its organ, and which very recently my hon. friend across the floor has praised so highly as being the best, the leading, the most complete, the most intellectual newspaper on the continent of America. Now I have done. It remains for me to say that I shall vote for the amendment to have the previous question put, and that on the main motion I shall vote with the Government against the resolution which has been proposed.

Mr. GIGAULT. It is not necessary for me, I think, to say that I disapprove of the rebellion which occurred in the North-West. I am glad to see order and peace restored in that remote territory, and I hope that hereafter we will adopt and follow a policy which will never again disturb that peace. It is not necessary for me either, I think, to add that I do not wish to deal with this question from a national standpoint. To-day it is a half-breed who

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has been unjustly executed; to-morrow it may be an Irishman, an Englishman or a Scotchman. To-day it is the half-breeds who are ill-treated, and worse treated than the Indians, as the member for Provencher (Mr. Royal) has just stated, and to-morrow another group of our population may meet with the same fate of which the member for Provencher has just spoken. Are we going to suffer such a policy to continue through partisanship? No, Mr. Speaker, I am not going to suffer such a policy, which has given two rebellions to this country, to continue without being blamed by myself. I know that I expose myself to be insulted by some of the political friends with whom I have always worked until to-day; but, even if it is necessary to put an end to my political career, I will put an end to it rather than approve of a policy which has produced such bad results in this country. I say that I do not approve of this rebellion, because I think that the serious grievances of which the half-breeds had to complain, were not such as to justify a rebellion; but, if those grievances were not sufficient to justify a rebellion, they were certainly sufficient to justify the Government in using the prerogative of mercy towards the leader of these half-breeds, who were pushed to exasperation and dissatisfaction by the bad policy which has been followed for many years past. Mr. Speaker, perhaps somebody will tell me that last Session I voted for the motion of the leader of the Government. I may just as well tell the reasons now why I did so. We had not then the information which we have to-day; and, moreover, many friends of the Government, with myself, felt that if we were united in supporting the Government, we would have more influence with them in obtaining clemency for the half-breeds and their unfortunate leader. But that concession was useless; and the Ministers availed themselves of that concession to continue a much worse policy. If Riel had always been a sane man, if the Ministers had not to reproach themselves with some faults in the administration of the North-West, I would not raise my voice to-day to protest against the iniquity which was consummated. I condemn the execution of Riel chiefly for the three following reasons: Firstly, because the insurrection was provoked by the bad administration of affairs in the North-West; secondly, because I believe that Riel was irresponsible for the crime of which he was convicted; thirdly, because the jury recommended him to the clemency of the Crown, and because the Ministers did not take into account the recommendation and the other extenuating circumstances which existed. According to criminal law, provocation is always an extenuation, if not a justificative circumstance. Riel would never have committed, nor even conceived, the crime of which he was convicted, if the circumstances in the North-West had been different from what they were. Who brought about that state of things? Who caused the dissatisfaction which gave to Riel arms and soldiers? It was the policy, the mismanagement of the Government for many years. That the administration of the North-West has been bad, we have the most positive proof and evidence. If we consult the *Mail*, the chief organ of the Conservatives in Toronto, the organ of the First Minister, what do we see? On the 8th day of July last, that newspaper contained these words :

"It has never been denied by the *Mail*, that the Metis had good grounds for grievances. By the passage of the Manitoba Act of 1870, old Canada had formally and frankly recognised the rights of the half-breeds of that Province to share in the Indian title, and it follows as a matter of course if they had right in the soil of Manitoba, those of them in the regions beyond had rights in the soil there. This admitted of no dispute. It must have been quite well understood by Parliament in 1870. In spite of this recognition, however, and of the manifest and unanswerable logic of the half-breed case, that Department, for years and years, steadily refused to move in the matter. This was the way the officials treated the just demands of the Metis, and we agree with Mr. Blake that the negligence was gross and inexcusable, and contributed to bring about the insurrection."

In these words I find the justification of what I have just said. I say that the persons who are responsible for the late rebellion are the Ministers of to-day, on account of their bad management of affairs in the North-West; and their chief organ says here plainly that the refusal of the Government to concede the just demands of the Metis, has contributed to bring about this insurrection. We have also the evidence of men who are living on the spot, who know more about the affairs of the North-West than any one of us; and who are these men? They are the members of the North-West Council. On the 7th day of December last, an address was adopted by that council in answer to the speech of the Lieutenant-Governor, and I find in the address, which was adopted by a majority of the members of that council, the following words:—

"Knowing as we do the great influence always had by the Indians over the half-breeds, we have to regret that the repeated representations heretofore made to the Government by the North-West Council on behalf of the half-breeds and their claims, did not receive more immediate attention. We trust your Honor will join with this council in bringing the matter of the many existing unsettled half-breed claims to the notice of the Government, by memorial or resolution."

You see, by this resolution, that petitions and representations have not been wanting to teach the Government how to act. We know that this council had sent in 1878, 1880, 1881, 1882, 1883, and 1884, representations to the Government asking for the redress of the half-breed grievances. But nothing was done. In spite of those representations, in spite of the rebellion which took place last spring, we see by this resolution that there are yet a great many existing unsettled half-breed claims. Mr. Speaker, in 1869 we became the owners of the North-West Territory. On account of some faults and blunders committed by the Ministers, and which were acknowledged by some of them, some trouble took place at that time also. Riel appeared for the first time as the defender of the rights of his countrymen. Afterwards it was thought right to give a partial amnesty to Riel. The half-breeds, before the transfer of the North-West Territory to the Government, were living happy and contented on those immense prairies. They had abundant means of subsistence through fishing and hunting; but as the Government was pushing on the colonisation of those territories, the game and buffalo were constantly becoming more scarce. It was just to offer them a compensation in extinction of their right to the property of the soil. The rights of the half-breeds were acknowledged in 1870 by Sir George Etienne Cartier, who had a grant of 1,400,000 acres of land voted by this Parliament for those half-breeds. So that the policy of the Government was all determined. The Ministers of to-day had only to follow the footsteps of that distinguished statesman; they had only to give to the half-breeds of the North-West what was given by Sir George Etienne Cartier to the half-breeds of Manitoba. Nothing is clearer, and I think the duty of the Government was quite plain. The second reason why I condemn the execution of Riel is, because he was irresponsible for the crime he committed on account of his partial insanity. Everything concurs to prove that Riel had not a complete control over his mental faculties. We know that insanity three times led Riel to insane asylums, and we have also most abundant proof of the insanity of Riel during the last rebellion by the evidence which was given at his trial at Regina. Here are the answers given by Father André:

"Q. Did he speak in a sensible manner?—A. I wish to say why I did not like to speak to him on those subjects. Upon all other matters, literature and science, he was in his ordinary state of mind.

"Q. Upon political subjects and religion?—A. Upon politics and religion he was no longer the same man; it would seem as if there were two men in him, he lost all control of himself on those questions.

"Q. When he spoke of religion and politics?—A. Yes; on those two matters he lost all control of himself.

"Q. Do you consider, after the conversations you have had with him, that when he spoke on politics and religion he had his intelligence?—A. Many times, at least twenty times, I told him, I would not speak on those subjects because he was a fool, he did not have his intelligence of mind."

We have also the evidence of Rev. Vital Fourmond. Here are the words he uses in one of his answers to the lawyer—page 117:

"As soon as the rebellion commenced then he became excited, and he was carried away and he lost all control of himself and his temper."

Then comes the evidence of Dr. François Roy:

"Will you tell me what time he left the asylum?—A. He was discharged about the 21st January, after a residence in the house of about nineteen months.

"Q. Had you any occasion to study at that time the mental disease by which the prisoner was affected?—A. Yes.

"Q. Did you have relations with him during that time, and did you watch him carefully during that time?—A. Not every day, but very often.

"Q. Can you say now what mental disease the prisoner was suffering from?—A. He was suffering from what is known by authorities as magalomania.

"Q. Will you give the symptoms of this disease?—A. Many symptoms of the disease are found in the ordinary maniacs. The particular characteristic of the malady is that in all cases they show great judgment in all cases not immediately connected with the particular disease with which they suffer.

"Q. Will you speak from memory or by referring to the authors; what are the other symptoms of this disease?—A. They sometimes give you reasons which would be reasonable if they were not starting from a false idea. They are very clever on those discussions, and they have a tendency to irritability when you question or doubt their mental condition, because they are under a strong impression that they are right, and they consider it to be an insult when you try to bring them to reason again. On ordinary questions they may be reasonable and sometimes may be very clever. In fact, without careful watching they would lead one to think that they were well.

"Q. Was he there some weeks or months before you ascertained his mental condition?—A. Yes, I waited till then to classify him as to his mental condition. We wait a few weeks before classifying the patients.

"Q. Does a feeling of pride occupy a prominent position in that mental disease?—A. Yes, different forms, religion, and there are a great many with pride. We have kings with us.

"Q. From what you heard from those witnesses, and from the symptoms they prove to have been exhibited by the prisoner, are you now in a position to say whether or not at that time he was a man of sound mind?—A. I am perfectly certain that when the prisoner was under care, he was not of sound mind, but he became cured before he left, more or less; but from what I heard here to day I am ready to say that I believe on those occasions his mind was unsound, and that he was laboring under the disease so well described by Dugouet.

"Q. Do you believe that under the state of mind as described by the witnesses and to which you refer, that he was capable or incapable of knowing the nature of the acts which he did?—A. No, I do not believe that he was in a condition to be the master of his acts, and I positively swear it; and I have people of the same character under my supervision."

We have other evidence also of the insanity of Riel furnished in the testimony of Philippe Garnot, page 116:

"Q. Tell us what he said to you about that as far as you can remember?—A. He was talking about the country being divided into seven Provinces, one for the French, Germans, Irish, and I don't know what else; there were to be seven different nationalities.

"Q. Do you remember anything else besides those you have mentioned, what other foreigners?—A. Italians.

"Q. Hungarians?—A. I can't remember particularly very well; I know it was seven different Provinces, and seven different nationalities.

"Q. In his conversation with you, or with others in your presence on these subjects, did he at any time give you any intimation that he had any doubt of his success, that any obstacle could prevent him from succeeding?—A. No, he always mentioned that he was going to succeed, that it was a divine mission that he had, and that he was only an instrument in the hands of God.

"Q. What did you think of him?—A. I thought the man was crazy, because he acted very foolish."

It is not necessary for me to add that the revolt itself was a piece of madness. How could Riel hope, with a handful of half-breeds, to succeed in defeating all the troops of the Government? I come now to the medical commission appointed by the Government. By the petition presented by the lawyer of Louis Riel to the Government, it was asked that a commission of specialists or alienists should be appointed to ascertain the mental condition of Riel. Did the Government accede to the wish of the lawyer of Riel? Certainly not, Mr. Speaker; they did not appoint specialists, as that lawyer asked them; and even if that lawyer had not asked for such a commission, the Ministers should have thought it their duty to appoint such a commission composed

of such physicians of experience. In the British House of Commons there was a long discussion, in 1881, on a motion for the abolition of capital punishment. The then Home Secretary, Sir William Harcourt, mentioned the principles which guided him every time that appeals for clemency were made and the plea of insanity invoked in favor of a prisoner. Did that Home Secretary say that the appointment of ordinary practitioners was sufficient? No; that man of experience, that distinguished statesman, said that every time the plea of insanity was invoked in favor of prisoners it was his duty to appoint medical men of great experience:

"There were cases in his experience," said Sir William Harcourt, "where the evidence of insanity was not brought before the judge and the jury, and that was frequently due to the poverty and want of resources among the class within which the murder was committed. If they had belonged to the wealthy class they would have had the history of themselves and predecessors examined and medical testimony adduced; but he need not say that in the Home Office enquiries in this connection were anxiously and carefully, and, on the whole, satisfactorily made. The Secretary of State had the power to send medical men of experience to examine into the condition of the prisoner; and when these medical men reported, as they had done occasionally, that they did not regard the prisoner as responsible for his actions either at the time of the commission of the offence or subsequently, the capital sentence was not carried out."

The Minister of Justice has chosen, as one of the members of the commission, Dr. Jukes, a gentleman who was prejudiced against Riel, and who stated at the trial when he was under oath, that he was under the impression that Riel was sane. Should that man have been chosen? Certainly not. Was that man a specialist—an alienist? No; he says so himself. In his examination at the trial, one of the lawyers asked him the following question:—

"Q. Have you devoted your attention to insanity at all specially or not?—A. Never specially; there are cases, of course, which occasionally will come under the notice of every general practitioner, but as a special study I have never done so."

Was that a man to be chosen as a man of experience? Was that physician a man who should have been chosen to deal with the life of a prisoner? No, Mr. Speaker. Here is another answer which is made by Dr. Jukes:

"Q. Then, as I understand, you believe him to be sane?—A. I believe him to be sane, so far as my knowledge of such matters goes."

And he had just said that he had no knowledge of mental diseases. The procedure adopted by the Ministers is condemned not only by the Home Secretary for England, but also by distinguished physicians who have made a special study of mental diseases. I hold here a book written by Dr. Pinel, who is a director of an insane asylum in France, and a most distinguished authority of mental diseases. Here is one of the conclusions of that author:

"In civil or criminal matters, specialists should always be consulted, whenever it is a question of appreciating the mental state of a man suffering from monomania."

He gives also his opinion as to the responsibility of offenders who have monomania, or only partial insanity:

"The irresponsibility is always acquired through want of moral liberty, whenever insanity exists. No matter under what form or to what extent it shows itself."

The member for Provencher (Mr. Royal) says that Riel has shown himself to be sane on a great many occasions; that the half-breeds sent for Riel at Montana, because they believed him to be an intelligent man who would obtain the redress of their grievances. Let me answer that, Mr. Speaker, by a historical fact. In 1780 a considerable and most important riot took place in London. More than 100,000 people participated in that riot. The rioters destroyed property, and fire was raging in seven quarters of the city of London. That city was under the control of the rioters for many days, and it was only when the troops were brought that the riot was quelled and the mob

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dispersed. More than 450 persons were either killed or wounded. What does history show with regard to the leader of that mob, Lord George Gordon. It says he was a madman—a maniac. If then, Mr. Speaker, in the centre of civilisation, a monomaniac had such influence over an intelligent people like the English, I ask what influence would a man like Louis Riel have over the half-breeds of the North-West, among whom civilisation was not so much advanced? The third reason why I condemn the execution of Riel is because the jury recommended that unfortunate man to clemency, and because the Government did not take into account that recommendation and the other extenuating circumstances of the case. The hon. Minister of Public Works said that they had to follow the verdict as it was, that they had to allow justice to take its course because the jury had rendered a verdict of guilty against the prisoner. Can such a proposition be sustained? I will cite again the opinion of Sir William Harcourt, to whom appeals for clemency were made, and who was entrusted with the duty of reporting upon those appeals. What does he say of recommendations to clemency by juries? Does he treat them as the Minister of Public Works treats them? Speaking of the recommendation to mercy in murder cases, he says:

"In the practice of the Home Office, where a jury recommended mercy, the capital sentence was never executed."

But there is the case in which the judge does not second the recommendation by the jury, and then, what is the duty of the Secretary of State, or rather of the Minister of Justice in Canada? Sir William Harcourt adds:

"There was the case of difficulty, however, where the jury recommended mercy, and the judge did not second the recommendation, and in that case it remained for the Secretary of State to form his own judgment on the subject."

Well, to form his own judgment, what had the Minister of Justice to do? Was he to call common practitioners to examine the mental condition of Riel? Certainly not. He should have done as the Home Secretary says in his speech. He should have called men of experience, alienists, who could make a report which would commend itself to public opinion and would leave no doubt as to the sanity or insanity of Riel, but the Minister of Justice did not see fit to act thus; and if the Minister of Public Works has expressed the sentiments of the Minister of Justice, the Minister of Justice was under the impression that he had only to ascertain if any new acts of insanity had been committed since the condemnation. Is that the way the Home Secretary acts in England? No; not only does he study the history of the prisoner, but he even studies the history of his ancestors; not only does he examine into the acts which were committed by the prisoner since his conviction, but, as Sir William Harcourt, says:

"We examine his mental condition either at the time of the offence or subsequently."

That is the rule laid down by Sir William Harcourt; that is the practice followed by English Ministers. The Minister of Public Works said that we had not to consider what blood was flowing in the veins of the prisoner. That is true; but he was bound to see that British fair play was given to him, and has done so. The jurors who were called to try Riel had a difficult task to fulfil. They had to choose between impunity and a severe judgment. Mindful of public order, but at the same time friends of justice, they thought they could render a verdict which would offer security to society, but would at the same time be just to the prisoner. They said to themselves, Riel, it is true, has been the cause of the rebellion which has just taken place, and we wish, by the infliction of the penalty, to overawe the Indian and half-breed population of the North-West, but at the same time we have grave doubts of the prisoner's sanity; and rather than grant complete immunity

to Riel, they chose to render a judgment against him, with a recommendation to the mercy of the Crown. The judge promised that he would take measures to send that recommendation to the proper authorities. We must be convinced, therefore, that that recommendation was sent to the Ministry at the same time as the verdict and the other papers in the trial. The Ministers knew what had happened, and they knew that they had to reproach themselves with some faults and some blunders, and if ever a Government had reason to be lenient and mild towards a prisoner, it was certainly the present Ministry. But they refused to listen to that prudent verdict of the jury. It has been said, Sir, that we members from the Province of Quebec have dealt with this matter from a national standpoint, that we asked clemency for Riel because he belonged to the same creed and nationality as we do. But, Mr. Speaker, who first recommended Riel to the clemency of the Crown? The jurors who sentenced him, and they were English and Protestant? They were not actuated by sympathy for the prisoner, but only by a sentiment of humanity and a love of justice. It should not be necessary for me to add that, for a long time past, it has not been in harmony with our custom to inflict the penalty of death for political offences. I may cite from one of the best authorities which France has produced, M. Guizot, who wrote a book on the penalty of death for criminal offences. Before citing Guizot, I might refer to the rebellion which took place in Ireland in 1848. Two bright young men, Smith O'Brien and Meagher, participated in that rebellion. They were accused of high treason, condemned, and sentenced to be hanged, beheaded and quartered. As an author says, it was never believed that this sentence would be carried into effect under the reign of Her Majesty Queen Victoria, and he was not deceived. He knew that for political crimes it was not in harmony with the manners of the English people to inflict such a penalty, and those bright young men, for whom the plea of insanity could not be invoked, were pardoned by Queen Victoria, and the Ministers who recommended mercy thought they had fulfilled their duty also to their country and their Queen. The hon. Minister of Public Works said yesterday that he and his colleagues had to fulfil their duty to their country and to their Queen. But I think that the Ministers could have fulfilled that duty without inflicting the penalty of death on Riel, and a lesser penalty would have had certainly a better effect than the capital punishment. And what was the admirable effect of that clemency exercised by Queen Victoria in the instance I have just mentioned. Gavon Duffy, one of the chiefs of that rebellion, went to Victoria, became the First Minister of that colony, was knighted, rendered great service to his country, and was considered as one of the most useful and loyal men the British Empire had. And, Sir, what was the effect of the commutation of the sentence against Riel after the trouble of 1870 in Manitoba. Had we to regret what took place then? No. Riel had received a partial amnesty, peace and order were restored in Manitoba; and was there any disturbance there when the half-breeds in the North-West resorted to arms against the Crown? No; the half-breeds of Manitoba remained faithful, quiet and loyal. That was the effect of the exercise of the prerogative of mercy. Let me cite also some British authorities on the prerogative of mercy. Blackstone says:

"Law cannot be framed on the principle of compassion to guilt, yet justice, by the Constitution of England, is bound to be administered in mercy. This is promised by the King in his coronation oath, and it is that act of his Government which is the most personal, and most entirely his own."

Speaking of the exclusion of pardons, he adds:

"The exclusion of pardons would be most dangerous. If no pardon should be granted, it must be holden what no man will seriously avow that the situation and circumstances of the offender, though they alter

not the essence of the crime, ought to make no distinction in the punishment."

So Blackstone says clearly that the Crown is obliged to take into account the situation and the circumstances of the offender; and in no case were there circumstances more fit to form the basis of a demand for clemency in favor of Riel, than the circumstances which accompanied the life of that man. Now I may cite Montesquieu in his work "The Spirit of Laws":

"Mankind must not be governed with too much severity; we ought to make a prudent use of the means which nature has given us to conduct them. If we enquire into the causes of all human corruptions, we shall find they proceed from the impunity of criminals and not from the moderation of punishment. Let us follow nature, who has given shame to man for his scourge, and let the heaviest part of the punishment be the infamy attending it."

Now, to conclude my remarks, I may cite what Guizot says on the punishment of criminal offences:

"When one looks back into history, when one asks an explanation for all the blood which has been shed on the political scaffold, it is very seldom that the society of by-gone days will stand up and say: That blood was spilled for my sake. Most always Governments alone will appear to answer for these executions; their passions, their faults, their interests only have guided them; and after the unfortunates who were executed society itself has suffered from them. I know that the prospect of this future responsibility does not much disturb the power, less because the power is wicked, but because it is as frivolous as men are; but we have at least acquired that science from it; that the necessities of the power which kills, often false as to that power, are most always false as regards society, and that if, to defend itself it has been obliged to kill, it is because it has been forced to defend itself because he has exacted that which was convenient to itself only."

Those words apply admirably to the event that is now engaging the attention of the House. If a political scaffold has been erected at Regina, it is because the Ministers adopted a policy which suited their purposes, and not those of society? History will say hereafter it was the mismanagement of affairs by the Government which caused Riel to ascend that scaffold; it will repeat that there were some jurors, known as not belonging to the same creed and nationality as the prisoner, who invoked clemency in his behalf, because they knew there were some circumstances which should have hindered the Ministers from inflicting the death penalty. History will tell also, Mr. Speaker, that the whole Province of Quebec was at the feet of the Ministers asking for mercy in favor of Riel, and that there were some men here in Canada who were asking for the head of that man for a fault which had been pardoned before. History will tell also, that the blood of Riel was shed to please a fraction of a political party, and because that man, in his insanity and madness, thought he could obtain the redress of grievances from which his countrymen suffered.

Mr. WALLACE (York). I desire to say a few words on this very important matter which is now engaging the attention of the House. I am sure that any man who possesses a heart must feel pity for hon. gentlemen on the other side of the House. They have suffered agony and suspense during the last 10 or 12 months. They have been estimating how they could climb into power on the calamities which have taken place; they have been trying to see what advantage could be taken of the unfortunate circumstances in the North-West in order to attain to power in this country; but they appear to be as far from success to-day as they were twelve months ago. We can imagine the mental anxiety of the leader of the Opposition; we can imagine how he has been badgered by his supporters and by the newspapers that support him, as to the position and the line they should take in this matter in regard to the fate of Riel. We can imagine the gladness with which he escaped to the Old Country in order to get away from the importunities of gas inspectors and other gentlemen here who are interested in this matter. We have also a feeling of sympathy, I think, for that hon. gentleman when he returned to this country and found his party disunited on this great question. When he made that great speech of his at

London in the early part of this year, when he so adroitly stood upon the fence, giving first a crumb of comfort to one side and then to the other, we can imagine his feelings. It is on record that Brother John Gardner of the Lime Kiln Club, hearing that Brother Penstock Jones had gone on the fence, said it reminded him that there was once a turkey sitting on a fence; first he looked on one side and then on the other side; he scratched his ear with his toe, and then gave a look on this side and then gave a look on that, and he then dropped down on the side on which there was most corn. I think the leader of the Opposition, though he is now sitting on the fence, will drop down on the side on which he thinks there is most corn for his party. I hold in my hand some telegrams which are said to have passed between two gentlemen on the opposite side of the House, one being in London, England, and the other in Toronto:

"Edgar, Toronto:

"Explain secretly as possible that I was not in earnest—that I was only throwing out a bait to catch the Orange vote.

"BLAKE."

"Blake, London:

"I'll see how that explanation will work; but the circumstance, I fear, will prove a barrier to my conducting the negotiations successfully.

"EDGAR."

"Edgar, Toronto:

"Lose no time. You know as well as I do that unless we gain an advantage of this crisis we are done for, as I fear our prospects in the country are brightening. We must make a bold stroke now. Never mind the question of consistency. If we are ever going into office, it can only be by taking advantage of Tory troubles.

"BLAKE."

"Blake, London:

"All right. I'll leave at once. I have arranged to meet Mercier, Laurier and our leading men at Stephen's house to arrange preliminaries.

"EDGAR."

"Edgar, Toronto:

"So far, satisfactory. Cable results soon as possible.

"BLAKE."

"LONDON, November 21.

"Edgar, Montreal:

"Have they considered consequences of organising a purely National Party? Point out that it would never work, and that it would only result in strengthening Tories. Warn them of their folly, and urge an alliance with us at any cost. Although we have declared that Macdonald is under the heel of Quebec and the Frenchmen, let it be understood that, if we can only succeed in defeating the Government, we will go to any length to meet their demands. Make a bold stroke.

"BLAKE."

"MONTREAL, November 21.

"Blake, London:

"I have pointed out to Mercier and Laurier that the proposed exclusively French National Party is impracticable, and am now playing my cards in our interest. Mercier says he can pull the wool over the eyes of seceding Tories, and will soon get them into a trap. Big meeting on Sunday.

"EDGAR."

I think that pretty fairly defines the position of hon. gentlemen opposite. They were prepared to go to any lengths to attain to power. This is in marked contrast to the conduct of the leader of the Opposition in 1871, when the Scott murder question was up for consideration. Then the leader of the Opposition used his great eloquence and his great power of words to condemn that act, and he would give a reward of \$5,000 and do everything that was necessary at that time, without any papers being brought down, without any further information, with the knowledge he had through the press; but to-day we have volumes of papers, stacks of evidence, everything that is required, and up to this time those hon. gentlemen have been dumb, they have not explained their position, they have not opened their mouths in this House of Commons to say what they are going to do about it. I have in my hand a little portion of an address delivered to the electors of Monck, on the 8th March, 1871, by the hon. member for West Ontario (Mr. Edgar):

"The absence of an enlarged patriotic feeling and the fear of a party defeat, led the Government to thwart the noble efforts of Mr. Blake to
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vindicate the honor of our country by bringing the rebellious murderers of Scott to justice."

That gentleman's mouth is dumb now. He has not anything to say about the rebellious murderers of Scott and of the hundreds of others who have since been murdered by the same persons. The *Globe* is as much at sea as those hon. gentlemen. On the 21st November, it said that Riel represented a cause. What was the cause he represented? Was it the cause of freedom, was it the cause of patriotism, or was it the cause of justice? No; it was the cause of treason, it was the cause of rebellion, and it was the cause of murder. These are the causes that Riel represented on both those occasions, and nothing else. What were the results flowing from it? Death to hundreds of our citizens, devastation throughout a large portion of the North-West, leading to an indignation and to what may be a war of races. But these gentlemen are willing that all these calamities should overtake this country if they can only attain to power. These gentlemen, who have been clamoring for the last 20 or 30 years about French domination, about Lower Canada domination, and saying that this Dominion is ruled by the French Canadians, what will they say now? Why, these gentlemen are willing and anxious now to make alliance with these very persons whom they claim were ruining this country. They are not only anxious to do so, but they are willing to condone the punishment of Louis Riel if they can thereby procure this alliance. At a meeting held in Montreal, the following resolutions were passed:—

"That the execution of Louis Riel is an outrage to justice and humanity, and an outrage to our nationality, and that the Ministers of Parliament and the French Canadian journalists who are responsible for this execution, are deserving of public reprobation.

"That the French Canadian Ministers and those who will endeavor to justify their conduct, be looked upon as traitors, and that to prevent the renewal of such a treachery, the nation never will forgive the crime they have rendered themselves guilty of.

"That Louis Riel be placed among the political martyrs of the French Canadian nationality."

What does the *Globe* say to that? It says:

"The people of Ontario should recognise this truth, that nothing but bare justice is demanded by the voice of their French Canadian countrymen."

I think, Mr. Speaker, that this sentiment will not meet with the approval of the majority of the people of this country. I would like to see these hon. gentlemen openly approving of this sentiment when they go back to their constituents in Ontario and other Provinces of this Dominion. The *London Advertiser*, not to be outdone by the *Globe* in approving this alliance, says:

"The first thing that the Reformers of Ontario will insist upon from 'their new allies,' is that they will join them in repealing the Franchise Act."

He is willing to get into power by their means if they will help him repeal the Franchise Act. I now come to another matter. The hon. member for Bellechasse (Mr. Amyot), in a very mild way—he did not give it as his own authority, though he spoke very vehemently and violently in the Province of Quebec, though he stated certain things in his newspaper, or the newspaper which he controls, which he disavows now, he comes to this House and throws the blame upon some other paper—spoke of the position of the Orange body in regard to the Orange question. Now, Mr. Speaker, I will say this, that the position of the Orangemen of Canada on the question of hanging Riel, has been a dignified and a patriotic one. They have done nothing which was not the bounden duty and the right of every Canadian citizen to do. I may say that in the Dominion of Canada, of the various kinds of Orange lodges, there are about 2,000, and perhaps six—I believe I am right in saying not more than six—have ever brought up the matter for consideration. The hon. member for Bellechasse stated last night that a petition was sent to the Government by the Orange lodges, demanding

the head of Riel. Now, Mr. Speaker, I think I am in a position to give that a flat denial, a square contradiction.

Mr. AMYOT. I quoted from the paper of the Minister of Public Works. I did not say it myself.

Mr. WALLACE (York). The hon. member for Bellechase stated, in my hearing, that petitions were sent in—in the hearing of members of this House.

Mr. COOK. The *Mail* said it.

Mr. WALLACE (York). I think I am correct in stating in this House that not a petition from an Orange body was sent to the Government asking that Riel should be hanged, or by any member that I am aware of. The position taken by the Orange body was that taken by the Grand Lodge of British North America, which is as much representative of Orange bodies as those gentlemen on the other side of the House are representatives of the Reformers of Canada. They are an elective council; they represent the feelings of the Orange body, and the resolution they passed was as follows:—

“Resolved, That this Grand Lodge, in annual session assembled, takes this, the earliest opportunity afforded, to express its admiration of the loyal, patriotic spirit displayed by the members of the volunteer force, shown as well by the alacrity with which they responded to the call to arms, as by the bravery displayed on the field of battle, and the hardships endured without a murmur; it expresses its deepest sympathy with the relatives of those who have fallen in the fight, or whose lives have been sacrificed by the insurrection in the North-West, as well as with those who are now suffering from wounds received in action; it expresses the hope that the arch-rebel Riel will be captured.”

This was in June; the rebellion was not then suppressed—

“That the rebellion will be speedily suppressed, and that such steps will be taken by the proper authority as will avenge the foul murders already committed and preclude the possibility of their recurrence.”

That is the official utterance of the Orange organisation. Those gentlemen have not quoted it, because it did not suit their purpose. I may state that the speech that the hon. gentlemen have repeated in this House, and which they published in their papers, and which was delivered in Toronto on the 7th November, showing that the Orangemen were clamoring before the Government for his blood, was not published, and was not in print in any newspaper, until the 19th November, three days after the execution of Riel. It was not published in the *Sentinel* until the week following so that it could have had no influence whatever upon the event as indicating any Orange pressure upon the Government in favor of the execution of Riel. I may say, further, that that speech was made by a gentleman who was then an active opponent of the present Government, and who went up to the county of Kent to oppose the member for Kent in the bye-election in 1884. I may state, Mr. Speaker, that the *Sentinel*, which has been frequently alluded to as the official organ of the Orange body, is a journal that, during the whole of the past year, in its editorial utterances, will bear criticism, and its articles will compare favorably with those of the *Globe* or any other newspaper on the Opposition side of the House, for the moderation of its tone, and for the fairness with which it has discussed the whole Riel question. The *Sentinel* is edited by Mr. Edward Clarke, who is a credit to this country, a gentleman of intelligence and ability, whose utterances are entitled to consideration, and do receive the commendation of a great portion of the people of this country. Now, Mr. Speaker, the burden of the efforts which have been made in this House, so far, have been to rest the case of Louis Riel on his supposed insanity. It is said that Riel was a monomaniac. Eminent medical authorities lay it down that a monomaniac commits his crimes alone; and if Riel had committed his crime without the assistance of any one, if he had done his work in secret, if he had not combined with many others, it might be argued that he was a monomaniac, and therefore worthy of clemency. It

was laid down in Taylor's Medical Jurisprudence, which says:

“The sane murderer has generally accomplices in vice or crime—the homicidal monomaniac has not. . . . It is a fact so far in favor of homicidal insanity that the insane never have accomplices in the acts which they perpetrate. These criteria can hardly be described as medical; they are circumstances upon which a non-professional man may form just as safe a judgment as one who has made insanity a special study.”

This has been laid down by an eminent medical authority, and it applies very clearly to the case of Riel. We find that Riel did not do his work alone. He massed troops, used inducements to get the Indians to join the half-breeds, and did all the acts that a sane man would do. And if further evidence were needed, it is furnished by the three medical gentlemen who were sent to Regina to examine him, and who, after examining his case carefully, reported that he was responsible for his acts. I will read extracts from the opinions of those medical men. Dr. Jukes says:

“I therefore record my opinion that, with the reservation above made, Riel is a sane, clear-headed and accountable being, and responsible for his actions before God and man.”

Dr. Valade says:

“I have come to the conclusion that he suffers under hallucination on political and religious subjects, but on other points I believe him to be quite sensible and can distinguish right from wrong.”

We have still further the opinion of Dr. Lavell:

“I am of the opinion that the said Louis Riel, although holding and expressing foolish and peculiar views as to religion and general government, is an accountable being and capable of distinguishing right from wrong.”

So we have sufficient evidence. We have the evidence of the jury before whom the question of insanity came up, and they gave as their verdict that he was sane; they returned a verdict of guilty of the crime for which he was charged, adding a recommendation of mercy. But we know that the verdict of a jury in such a case is a verdict complete in itself, and a recommendation to mercy may either be acted upon or not. We will take into consideration what kind of a man it was for whom some hon. members clamored so loudly for mercy, and who are now raising such a row because mercy was not extended to him. If we look at that man's whole career from the time he first came into public notice, we shall not find a good trait in his character. His whole course, from his first public appearance down to his last days, was one which should not commend him as an object of mercy. What do we find? I hold in my hand a letter from the Rev. George Young, an eminent missionary of the Methodist Church of Canada, who was in Winnipeg during 1870, and was an eye-witness of the events that then took place. Mr. Young states, with respect to the conduct of Riel in connection with the murder of Scott:

“And here I must aver, and with special emphasis, that in each instance he (Scott) was most treacherously dealt with. He was not bearing arms in either instance. In the first he went from the village of Winnipeg to Fort Garry, bearing a flag of truce, to ask Riel to permit certain ladies (then residing in the building belonging to Dr. Schultz, parts of which were occupied by some forty or fifty Canadians and a few English half-breeds, completely surrounded by Riel's rebel soldiers) to retire to a place of safety. Mr. Scott was not in those buildings at the time of their being thus surrounded, but taking in the situation of the helpless and terror-stricken ones, he bravely went, I think with another, in their interests, to Riel and was cruelly thrust into close imprisonment. Such were the circumstances associated with and which connected Riel with his first arrest. Taking in the situation, Scott went to see Riel, and when he got there he was imprisoned. He hoped that Riel would fulfil his promises and liberate the prisoners.”

Did he do so? They were suffering greatly from the treatment they had received—

“But as no release took place, and they were suffering greatly from the treatment they had received, and the families of some of them were in want, a party of their neighbors and friends organised for the purpose of joining with other loyalists, at headingly and Kildonan, in order to persuade Riel to fulfil his oft-repeated promise of liberation. Scott was one of this party. As a result of various messages to and fro, Riel pledged himself that if they would disband and return quietly to their homes, the prisoners should be released forthwith.”

Did Riel do so? Finding they were disbanded and powerless, he cruelly deceived them. As soon as they entered the enclosure of the fort the gates were closed. They were sent to prison, and all their property confiscated—

“Thus treacherously was poor Scott arrested the second time, and a second term—his last—of imprisonment commenced.”

I will read another portion of Mr. Young's letter:

“He was brought before a council of war on Thursday evening, 3rd March, Riel acting as accuser and judge. The trial was conducted in a language unknown to him, and when Riel passed sentence upon him, to be shot at noon the next day, he demurred, on the ground that he had had no fair trial, and had done nothing to deserve death.”

Mr. Young in vain pleaded for the life of Scott, and asked at least for a few days' delay, in order that Scott might prepare himself for death. He asked him what crime he had committed to cause him to be put to death by Riel—because it was actually done by Riel, not by the others, who were willing to have mercy extended. The only reply he received was: “That he was a very bad man, and deserved to die, and must die.” The real reason Riel stated to Mr. Young when he said:

“I must make an example of one or more of these men in order to bring these Canadians to terms, and to impress Canada that we are in earnest, and that this is not, as the *Globe* has called it, a tempest in a teapot. I will take the worst first, and then the next, if the one is not enough, and one after another as long as necessary.”

We all know what was the result. Riel took Scott and put him to a cruel and ignoble death. Mr. Young says:

“While we were engaged in earnest prayer, in which he joined most fervently, the armed men sent by Riel came, and, interrupting us, proceeded to blindfold and pinion the arms of their victim. They granted my request for a few moments delay, during which Riel came in a seeming rage, vociferously scolding all concerned for the delay, and ordering us to move forward at once to the place appointed for the murder. On the way there I implored O'Donohue and Goulet, the captain of the firing party, to spare his life one day more, as it was a dreadful thing to send a soul so hurriedly into eternity; but all was in vain. At the word of command six men fired, and Thomas Scott fell forward, as he knelt in the snow, pierced by at least three bullets, and his life-blood poured out until the snow was saturated with it for many feet around the spot.”

Mr. Young states further on:

“Thomas Scott died as a penitent one, trusting in the one and only Saviour of mankind. After the cruel and bloody deed was perpetrated I asked Riel for his body, that I might give it a Christian burial, a request which he at first acceded to, but in a few minutes he changed his mind and refused it. I said that it would afford his aged mother a little comfort, could I write her that his body was properly buried in the Presbyterian cemetery; but what was that to him? He still refused. Parties who affirm that they were in a position to know declared soon after the murder that the poor man suffered for long hours in his box-like coffin, and that his voice was heard in prayer, and in calling on Riel to either take him out or kill him at once.”

This is the public record of the man whom we are asked to-day to call a martyr. What do we find further? During the time he was out of Canada his conduct was of the most disgraceful character. He went to Montana, became an outlaw there and then returned to Canada and stirred up this rebellion. I have still further evidence of the character of this man who will be hereafter called a martyr—the evidence of Rev. Father Fourmond, a Catholic missionary at Batoche, in a letter written, after Batoche was captured, to Rev. Father Grandin, of Laval, Quebec:

“I must protest against the report that I have been killed. I am still in the land of the living, though more than once of late the angel of death has brushed closely past me. We have had not only war and rebellion, but apostasy from the Christian faith, treason, murder, pillage, and fire—unchained by an Anti-Christ in the person of Riel, against whose influence over our unhappy people we have fought at the peril of our lives.”

This is the evidence of one who would be disposed to be the friend of Riel and look on his conduct in the most favorable light, if there was any favorable light to it:

“Great God! what a scheming and unprincipled fellow he is! He tells the Meus that God sent him to them, and that his angels visit him constantly. An angel of darkness, he has posed as an angel of light—a veritable wolf in sheep's clothing come to devour this little flock! He has committed to paper rules based on his diabolical imposture, writing them down in his own blood; and in accordance with these rules he

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refuses to eat beef, etc. He is a revolutionist of the worst class, wanting to destroy everything. It would take a book to tell you of all the wicked folly of this man. But, as the horrible results of his plan, the blood of whites and half-breeds has been spilled, whilst my dear and zealous brothers at Frog Lake have been massacred under his orders.”

An hon. MEMBER. That is the man they stand up for.

Mr. WALLACE (York):

“Rev. Father Moulin, the director of the mission here, has been seriously wounded, and Father Legoff owed his life only to the devotion of one of our people who seized the hands of a would-be assassin.”

I do not think there is any man in this country who desired the blood of Riel as an act of vengeance. We have to look at the consequences if Riel had been pardoned. What would have been the consequence in the North-West? After our brave volunteers had gone from every part of the Dominion of Canada to brave the storms and dangers and vicissitudes of a warlike campaign and put down rebellion in that great North-West, if the life of Riel had been spared it would have been impossible to have hanged or otherwise punished any of his dupes. It would have been impossible to punish those Indians who were incited to massacre white men. If Riel had been granted a complete amnesty—because I suppose that is what it means—it would have been impossible to punish any of those who were under him, and whom he incited to commit those crimes; and if that had been the case it would be impossible for any white man to live in the North-West. The people of Ontario and the other Provinces have their friends and relations living all through that great country. If the Government had interposed to save his life and prevent the punishment of those Indians who committed those awful crimes, it would be impossible for them to remain in that country. Law and order would be abolished, and it would be the inevitable, the necessary, and the natural result that those living in that country would have abandoned it, and the Indians and half-breeds would be the only people living there. Are the people of Canada prepared to do that, after all the sacrifices they have made to open up this magnificent country, after spending millions of money upon it?—a country the most fertile on the globe, to be peopled years hence by millions of enterprising settlers. I say Canada would not be true to itself, the Government of Canada would not be doing its duty if they had failed to preserve order in that country and establish the law in every part of it, thus giving it to be understood that the Government of Canada is going to maintain the supremacy of law and order in every portion of this Dominion.

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

After Recess.

SECOND READINGS.

Bill (No. 16) to incorporate the Medicine Hat, Dunmore and Benton Railway Company.—(Mr. McCallum.)

Bill (No. 17) to amend the Act respecting the North-West Central Railway Company.—(Mr. Beatty.)

Bill (No. 18) to incorporate the Midland Bank of Canada. (Mr. Ward.)

EXECUTION OF LOUIS RIEL.

Mr. WALLACE (York). When you left the Chair at six o'clock, I was stating what I considered would be the disastrous consequences to this country if the law had not been permitted to take its course in the case of Louis Riel, in view of the events that occurred. Had he not been executed, it would be impossible to punish those who were guilty of similar crimes; impossible to punish the Indians of the North-West who had murdered priests and

women, and laid the country waste in every direction. In saying this I take it for granted that if Riel had not been hanged he would have been pardoned outright, because I do not think the Government would have been wise to go through the farce of putting him in prison, and having the country kept in a continual state of turmoil for his release afterwards. I think the only course was either to hang him or to give him a full and free pardon. I am of opinion, and I think the great majority of the people of this country are of opinion, that the Government did a wise thing when they refused to pardon Riel for his many and heinous crimes. I am exceedingly sorry that many gentlemen who have been the opponents of the present Government on other occasions, but who agree with the Government on this question, have not had the manliness and straightforward honesty to come out and declare publicly what they know they feel, that the Government have done a righteous act in refusing to pardon Riel. With reference to what I said about Orangemen and the false charge that the hanging of Riel was in obedience to an Orange cry for vengeance, I may say what I know, and what every hon. gentleman in this House knows, that there is no class of men in this country more tolerant of the rights of others than the Orangemen of Canada. They demand rights and privileges themselves which every British subject should enjoy, but they have at all times and in all places been willing and anxious to concede those rights to others which they wish to enjoy themselves. In this case, as the records prove, I defy hon. gentlemen to point to one petition presented by an Orange lodge asking for the execution of Riel. Although there are 2,000 Orange lodges besides other Orange organisations in this country, there have not been more than six lodges who have passed any resolutions whatever, and the parliament of the Orange organisation of this country, the Grand Lodge of British America, passed a resolution which I think will commend itself to all reasonable men inside this House or out of it. It has been said in this House and through the country, and in the Province of Quebec particularly, that Riel had not a fair trial, but let us compare the fairness of his trial and the fact that every possible privilege was granted to him with the fact that he cruelly denied these privileges to poor Scott in 1870. Let us consider that poor Scott had no trial whatever, as the public records prove; that is, that he was not present at any trial. That he was condemned in his absence at 9 o'clock at night to be put to death at 8 o'clock in the morning; that it was only through the most strenuous exertions of the Rev. Mr. Young that his execution was postponed until 12 o'clock noon, and was then carried out. Let us also remember that Lepine, Nolin and other members of Riel's council wished to have him put fairly on his trial and given an opportunity of meeting his accusers and questioning those who gave evidence against him, but everything of that kind was denied him. And now we find that this man, who refused the smallest act of mercy to poor Scott, was given a fair trial by a jury of his fellow-countrymen, that he was allowed every consideration during that trial, that it was postponed for ten days to enable him to summon witnesses in his defence. After all that, the jury found him guilty and he was sentenced to death. We also find that the fullest and amplest liberty was given to his counsel to appeal his case to the court of Manitoba; that after that court had decided against him and his legal advisers wished to appeal the case still further, the sentence upon him was postponed in order to enable his case to be tried by the highest court in the British Empire; that it was so appealed, and that the validity of the trial and the constitutionality of the court were confirmed in every instance. I remember reading a very eloquent defence of the Government during the past summer by the hon. member for Jacques

Cartier (Mr. Girouard), in an address to his constituents. After giving an able review of the facts of the Riel affair, he stated that there were two matters that would come up, and that if these two matters were decided satisfactorily, he and his compatriots from the Province of Quebec would be compelled to acknowledge the reasonableness of the trial and to allow the judgment of the court to take its course. Those two matters were, first, as to Riel's sanity, and next, as to the constitutionality of the court and the trial. Now, all the evidence, without any exception, proves that Riel was sane,—that he was responsible before his trial, when inciting the Indians to rebellion and provoking the half-breed insurrection, as well as after his trial, to the time of his death. The evidence of every one of the doctors proves that, and if any further proof were necessary, it is found in the letters and papers written by Riel, giving a history of his life after he found that he was not to receive any clemency. Now, with regard to the motion before the Chair, the Government have wisely, I think, arranged it so that the motion shall come squarely before the House. That is the issue before the country—there is no use of burking it—whether Riel should or should not have been hanged. I myself feel a certain amount of sympathy for the leader of the Opposition. I think the Government might have gratified his inordinate vanity and have allowed him to put in an amendment of six or eight pages to obscure his ideas and the ideas of hon. gentlemen on the other side of the House on this question. But he cannot obscure the opinion of the people of this country. No matter how you may attempt to obscure it by words, the issue is what is stated in a few words in that resolution, whether Riel should have been hanged or set at liberty. The Opposition will probably yet have an opportunity of declaring their opinions on this question. On every sectional question that has come before this Parliament, on every question on which there has been an opportunity of setting one portion of the people against another, we find the Reform party of Canada acting the part of organised hypocrisy. We find them willing to take advantage of everything that would lead to difficulty and confusion in the government of this country; we find them unscrupulous in regard to the means they employ; we find them regardless of their country's honor, regardless of the welfare of the people, and regardless of that brotherly love which should characterise the citizens of our common country; and we find them lacking in that patriotism which we all consider one of the highest virtues. I noticed the actions of hon. gentlemen opposite last evening when the hon. member for Bellechasse (Mr. Amyot) sat down. They applauded the hon. gentleman because they were in sympathy with the sentiments he uttered; but I venture to predict that they will vote against him, because of their terror of the electorate of Ontario. I am glad this question has come before the House, and I hope it will be fully discussed, and that a verdict will be given upon it in accordance with the feelings and sentiments of the people of this country. I cannot close without referring to a book which I hold in my hand a book, "The Gibbet of Regina," which has not been got up with any patriotic intention, but with an infamous design, to stir up hostile feelings amongst the different races in Canada, and to set one portion of the people of Canada against the other—a book which I have no doubt the hon. gentlemen opposite are quite willing to take advantage of for their own benefit. On one page of it is a picture of "the martyr and his twelve assassins," as it calls them, and it speaks of "Louis Riel, the martyr, patriot and hero." I do not think that it is in accordance with the sentiments of the majority of the people of this country. The people of this country do not believe that he is a martyr, but that he suffered the just penalty of his crime; he never was a patriot; and he never had the material in him to make a hero. I thank you, Mr. Speaker, and this House for the

kind consideration with which you have listened to my remarks.

Mr. CAMERON (Huron). I did not propose to follow the speech of the hon. gentleman who has just taken his seat. The hon. gentleman states, that we on this side of the House, applauded lustily the hon. member for Bellechasse (Mr. Amyot). I suppose there is no sin, although you may not agree with everything a man may say, in expressing your approval, when he has made an able and eloquent speech. The hon. gentleman ventures upon the prediction that those of us who applauded the powerful oration of the hon. member for Bellechasse will be found voting against him when the time comes to vote. I do not know what other hon. gentlemen may do. I am responsible, and alone responsible, for the course I intend to take in that respect; all I can say, as respects myself, that the hon. gentleman is a false prophet. Now, I imagined all along that the conduct of the Government would be justified, not by the crime that Riel was indicted for at Regina, but because Riel committed other crimes, and we have had it stated by the hon. member who has just taken his seat (Mr. Wallace), that if Riel had not been punished for the many crimes he had committed we could not punish anybody else. I believed all along, and to-night I believe more thoroughly than ever, that Louis Riel was hanged, not so much for the part he took in the North-West insurrection, as to avenge the blood of Brother Thomas Scott—a thing that took place 15 years ago, and which was condoned by the First Minister himself when he transmitted a large sum of public money to be handed Riel, in order that this red-handed murderer, as hon. gentlemen see fit to call him, might escape the vengeance of the law, when the blood-hounds of the law were on his track. I imagined all along, and I was not mistaken, that the Government would be justified, not simply because Riel offended the law in the North-West, but because he had a part in what is called the murder of Thomas Scott; and the hon. Minister of Public Works referred to that yesterday evening. Does the hon. Minister not know that he, in his sworn testimony in 1874, before a committee of this House, he declared that the Government of which he was a member had promised an amnesty to Riel? Does he not know that his own political chief, by whom he has stood for many long years, pledged the faith of the Crown that this red-handed murderer would escape the punishment of his crimes, because the Conservative Government of Canada saw fit to agree to extend to him the royal clemency? This is a grave and serious question we are called on to discuss. It is not to be discussed by definitions of monomania; it is not to be discussed by the production of bogus telegrams prepared in the *Mail* office and read in the House as genuine documents; it is not to be discussed in any light or trivial manner. It is a grave and serious question, because it implies that in the exercise of the Executive power the Government ordered the execution of a man without sufficient justification. I may say that, at the very outset of this discussion, I, like others, was surrounded with and embarrassed by many difficulties. We are called on to pronounce upon the administration of criminal justice in this country by the constituted authorities—a thing that I admit ought not to be lightly done, and which cannot be justified except in cases of the first importance and where the peace and the well-being of the country demand it at the hands of Parliament. It cannot be denied that such a course has been on more than one occasion taken in the Imperial Parliament. The conduct of grand jurors, the conduct of petit jurors, the conduct of judges, and the conduct of criminal prosecutors, have all undergone discussion, and have been made the subject of enquiry in the Imperial Parliament. Here we are called upon to pronounce on the improper withholding by the responsible advisers of the Crown of

Mr. WALLACE (York).

the royal prerogative of mercy on an occasion in which it is contended the exercise of that prerogative ought not to have been withheld; and we are called upon to discuss this important question while a mass of papers necessary to the clear understanding of the case is withheld by this Government, who are by this very motion incriminated. The papers that were found at Batoche, the papers in the pigeon-holes of the Department of the Interior, the papers which Riel's counsel declared at the trial to be essential to the proper preparation of their defence, the reasons and the arguments why the judge, in the exercise of his power, declined to grant the application made to him by Louis Riel's counsel, asking a postponement of the trial for one month, the charge which the judge delivered to the jury—all these papers are withheld by the Government from the consideration of Parliament and of the people. Not only that, but Parliament is indecently forced into this discussion—a discussion which involves the question of the misconduct, the mal-administration, the criminal neglect of this Government in dealing with the grievances and complaints of the half-breeds in the North-West Territories; a discussion which involves the arraignment of this Government before their peers, before the people, for high crimes and high misdemeanors; a discussion which involves the existence of this Government even in this Parliament, and involves their ultimate defeat, so sure as to-morrow's sun will shine, when they appear before the people. This discussion involves the important question: Who is responsible for the rebellion in the North-West? Who caused that rebellion? Who provoked it? Who were the authors of it, and who are responsible for the blood that was shed, the lives that were lost, and the ruin and desolation scattered among the half-breed homes in the North-West? And yet these hon. gentlemen, who contend that this question should be discussed honestly and fairly, withhold from Parliament documents which, I contend, would bring home the guilt to their very doors. The hon. Minister of Public Works said last evening that the Government had nothing to conceal, that they wished every fact known to them should be known to Parliament and to the people, that they wished to meet their accusers face to face on the floor of Parliament, where their accusers could get their answer, that they had been traduced and abused and vilified and slandered, but that now, thank God, they had their accusers face to face, and were prepared to discuss the question and stand or fall by the result. But how does the hon. gentleman propose the discussion shall take place? It appears, when we come to discuss the question, that although he told us the Government had nothing to conceal, they have everything to conceal. They disclose nothing, they suppress the evidence of their own criminality, and keep it carefully concealed in the pigeon-holes of the Department. Meeting us face to face, meeting their accusers, their own former friends and colleagues in Parliament, face to face, why the Minister of Public Works knows, and nobody knows it better, that they have handicapped us in this contest, that they have handicapped us in the race from the beginning to the end, and that they are playing now, as they have always played, with loaded dice. The evidence of their misconduct and of their criminality they take care to keep in the pigeon-holes of the Department. And they do more than this. These gallant and chivalrous gentlemen, these gallant and chivalrous French gentlemen who did everything above board, who were willing that their accusers should meet them face to face and that there should be no inequality, that each party should be upon a footing of perfect equality—what do they do? Sir, the Minister who is responsible for this discussion, as the very first thing he does, moves the previous question to his own motion, a motion submitted to Parliament by an unswerving and devoted friend of the Government, a motion prepared in the interest

of the Government, and a motion to which the hon. gentleman has seen fit to move the previous question to cut off all other amendments, to prevent us on this side of the House, in the face of Parliament and in the face of the people of this country, from arraigning, by a substantive resolution in amendment, the misconduct, the criminal neglect, the cruel neglect of this Administration in respect to the claims of the half-breeds in the North-West Territories. We heard something of that from the member for Provencher (Mr. Royal). He admitted that the Government were wrong, that they had not exactly done their duty, but if this Government were wrong their predecessors, he contended, were wrong also, and therefore this Government's offences should be condoned. Was any such extraordinary argument as that ever heard? Assuming, for the sake of argument, though I deny that it was the case, though I challenge the proof, though I defy hon. gentlemen to establish by the records, that my hon. friends who then wielded the destinies of the country did not pay that attention to the claims of the half-breeds at that time which those claims demanded,—still, assuming that to be true for the sake of argument, is that any justification for the hon. gentlemen on the Treasury benches having for seven long years resisted the earnest prayers and appeals and the earnest entreaties of the half-breeds of the North-West Territories? Is that any reason why they should resist the petitions, the remonstrances, the prayers and the appeals of the right reverend the dignitaries of the Roman Catholic and the Anglican churches in the North-West Territories? Is that any reason why they should resist the prayers and the supplications of the missionaries, who have devoted their earnest lives in self-sacrifice on the altar of their God and their country? Is that any reason why these gentlemen should escape the punishment which they deserve at the hands of an indignant people, because, forsooth, my hon. friend on my right (Mr. Mills) might not have dealt with the claims of the half-breeds with as much promptitude as he ought? As I have said, I challenge hon. gentlemen to point to the time or the place or the instance in which my hon. friend so neglected the discharge of his important duty; but, if he was wrong, are not hon. gentlemen opposite trebly wrong in neglecting these claims? Are they not wrong, further, not only for being the cause of this rebellion, but for not taking the proper steps at the proper time to suppress it? They had warning after warning, they had entreaty after entreaty from their own officials in the North-West Territories; they were told that Louis Riel was in the North-West; they were told by their own officials that the half-breeds were agitating, that there were serious complaints; they were warned that there were breakers ahead; but they slumbered until the thunders of the battle awoke them from their slumbers, and then they sent up their force.

Some hon. MEMBERS. Oh!

Mr. CAMERON (Huron). I understand hon. gentlemen of the other side of the House as well as any other member of Parliament does. I know that, when you touch a raw point, they always yell, and I know that, when I touch the truth, I may expect to hear such observations from hon. gentlemen on the other side. I have said that we are encountering great difficulties in the discussion of this question, in the absence of the papers which the Government were bound to bring down, which it was their duty to bring down, and which they admitted their liability to Parliament to bring down by allowing the motions at the early part of the Session to pass; and yet there they are, indifferent, stolid, careless—as they were to the claims of the half-breeds—as to the result, so long as they can maintain themselves in place and power upon the Treasury benches. With these difficulties staring me in the face, I do not propose to discuss at any length the grievances

and wrongs of the half-breeds, the misconduct of the Administration, the neglect of the Administration in that respect, the cause why Louis Riel appeared on the scene, or the causes of the rebellion, but I shall limit my observations to certain questions which are suggested by the report which has been brought down, imperfect, defective and all as that report is. I propose, by means of that report and by one or two other facts which I shall lay before the House, to justify the vote I am about to give. I propose to prove from this report that the evidence is strained and the law entirely misread in order to secure a conviction and in order to justify the execution of Louis Riel. I propose to prove, by the sworn testimony submitted at the trial and by the facts which I shall submit to Parliament, that Louis Riel was executed not to vindicate the law, not to maintain the majesty of the law, but I propose to prove that Louis Riel was executed contrary to law, contrary to the plainest principles of British law and British justice, and in obedience to a power that is not responsible to Parliament. Now, I am not going to argue, nor do I propose to discuss the constitutionality of the court which tried Louis Riel. That has passed beyond the region of discussion. Hon. gentlemen, and among others the Minister of Public Works, who ought to have known better, because he was at one time in the practice of the profession and a prominent lawyer, should know that the judgment of the Supreme Court of the realm, which he read to the House, had nothing to do with this discussion. There was no discussion before the Supreme Court of the realm as to the justice of this verdict or of this sentence. The only question which the Lords of the Judicial Committee of the Privy Council had to decide was the question whether or not the court was constitutional. As the Judicial Committee having so decided, I do not propose to discuss that question. I propose, however, to discuss the question of the fairness of Louis Riel's trial, and I say, at the outset, that in my humble judgment, after giving this matter the most careful consideration, I have come to the conclusion that the scantiest possible measure of justice was meted out to Louis Riel in the trial of that case. And I go beyond that—it was not the kind of justice which we are accustomed to in the administration of the criminal law in the Province of Ontario or in the British Empire. It is a principle well recognised in the administration of criminal justice, and especially in cases of capital felony, that a prisoner shall have fair play, that he shall have a fair trial, and that, if his counsel makes an application to postpone the trial, ample time shall be given to him to prepare for his trial, and that no obstacles shall be thrown in the way of a full and a free and a fair investigation of every fact that tends to build up the defence of the prisoner. Now, Sir, let us look at this case for a moment. I am appealing, I hope, to common-sense men, many of whom are laymen and some of whom are lawyers. The information in this case was laid in the city of Hamilton by an ex-chief of police, on the 6th of July, 1885. The trial commenced at Regina on the 20th day of the same month, and up to that moment Riel did not know the nature of the charge preferred against him, and his counsel were not made aware of the nature of the charge nor of the line of action that the Crown was supposed to take with reference to those charges. We must recollect, Sir, this fact, that in trials in the North-West Territories there are no grand juries. This trial took place without the safeguards and without the protection that surround a preliminary investigation before a justice of the peace. There was no investigation before a grand jury, and there was no bill of indictment. Upon the evidence and the sworn information of Mr. Stewart, Louis Riel was placed upon his trial. There was nothing to inform him, or to inform his counsel, of the nature of those charges until the information was laid. We know that in the public press it was discussed before the trial,

what shape or form the indictment should assume—whether he should be tried for high treason, or whether he should be tried for murder. The 20th July was consumed in discussing preliminary questions—a demurrer to the indictment, and to the form of the information. The court adjourned until the 21st July, when Louis Riel's counsel—I have not the pleasure of their personal acquaintance, but I am told they are leading counsel in their own Provinces—made an application to the court to postpone the trial for one month. Now, bear in mind, that the 20th day of July was the first time that Riel was given intimation of the nature of the charges to be preferred against him—whether he should be tried for murder or for treason, or whether he should be indicted for some lesser offence; and not until that moment could he be in a position to prepare for trial. His counsel made the application based upon affidavits with which I will trouble the House. Louis Riel himself swore to the following statement of facts why the trial should be postponed:—

"I, Louis Riel, the said accused, being duly sworn, do depose and say: That Gabriel Dumont and Michael Dumas, now of Helena, in the United States of America, in the Territory of Montana, are essential and necessary witnesses to my defence.

"That Napoleon Nault, of Turtle Mountain, in the United States; the Rev. Father Touse, the Rev. Father André, of St. Antoine; the Rev. Father Fourmond, of St. Laurent; all in the North-West Territories of Canada; L. Vankoughnet and A. M. Burgess, of Ottawa, in the Province of Ontario, are also essential and material witnesses for my defence.

"That the said L. Vankoughnet is Deputy Minister of Indian Affairs, and the said Burgess is Deputy Minister of the Interior, both of whom are, in their official capacity, the custodians of various official documents, petitions and representations, made by the half-breeds of the North-West Territories to the Government of the Dominion of Canada, praying for the redress of their grievances, the refusal to grant which led to the legal agitation of the people to secure the redress of their wrongs. The said papers, petitions and documents, as nearly as I can now describe them, are as follows: The report of Mr. Pierce relating to the settlement of Prince Albert; a letter to the said Pierce, addressed to the Deputy Minister of the Interior, of date, the 17th of January, 1884. A letter from Mr. Deville, addressed to the Deputy Minister of the Interior, of date 7th February, 1884. A letter from Father Berginville, addressed to Capt. Deville, of date, 19th January, 1884. A petition by the inhabitants of St. Louis-de-Langevin, forwarded to Sir John A. Macdonald, about the 19th November, 1883. A letter from the Land Commissioner, Mr. Pierce, dated, 14th September, 1883. A letter from Fathers Leduc and Maloney, addressed to the Hon. D. L. McPherson, acting Minister of the Interior. A petition from the settlers of Prince Albert, in the North-West Territories, forwarded during the winter of 1882 and 1883, and signed by a large number of said settlers. A petition from St. Antoine-de-Padoue, addressed to Sir John A. Macdonald, as Minister of the Interior, of date the 14th September, 1882. A petition from Gabriel Dumont and others, of the 4th September, 1884, addressed to the Right Hon. Sir John A. Macdonald, as Minister of the Interior. A petition presented by the Rev. Father André to the Lieutenant-Governor in Council, in the month of June, 1881. A petition presented by the inhabitants of Prince Albert to the Minister of the Interior. A letter from Land Agent Duck, dated the 13th of November, 1878, addressed to the Minister of the Interior. A petition by the French Canadians and half-breeds of Prince Albert, presented by Mr. Laird to the Government of the Dominion of Canada. A resolution passed by the settlers of St. Laurent, of the 1st of February, 1878, forwarded to the Government of the Dominion of Canada. A petition presented by the Qu'Appelle half-breeds in August or September, 1881, to Sir John A. Macdonald, as Minister of the Interior. A resolution of the Council of the North-West Territories of the date of 2nd August, 1878.

"That I have reason to believe, and do verily believe, and I am informed on reliable authority, that all of the aforementioned documents were duly forwarded to the Government of Canada, and are now in the possession of the various Departments, and can be procured by the above-named witnesses.

"That all the above-named witnesses are material and essential to me in my defence, and will prove that the agitation in the North-West Territories was constitutional and for the rights of the people in said North-West.

"That without the said witnesses being heard in court, I cannot make a proper defence to the present charge and will be deprived of justice."

Backing up that affidavit, there is an affidavit from one of his counsels, the 5th paragraph of which I will read:

"Some of the facts intended to be proved by such witnesses, are that the accused for several years was insane, and had to be confined in a lunatic asylum in the Province of Quebec, and would get deranged; and so, the circumstances under which the accused left his home in Montana, and came to this country, at the solicitation of his friends, in the year one thousand eight hundred and eighty-four: the nature of the agitation in the North-West, and the constant advice given by the accused to leave the country in the month of February last passed, and the objections of the people to his returning to Montana aforesaid: that the alleged rebellion was commenced and conducted under the direction of a council of fourteen persons, of which council the prisoner was not a member; and that he did not participate in any engagement or commit or countenance any overt act of treason.

"These facts can be proved by Gabriel Dumont, Michel Dumas, Napoleon Nault, Dr. Roy, of Quebec, Dr. Clark, of Toronto, and Dr. Vallée, of Quebec, whose attendance at the trial I verily believe can be secured, if sufficient time for that purpose is granted."

Now, Sir, there is an application made by counsel to postpone the trial upon grounds which seem to me irresistible; it is backed up by arguments of counsel which are powerful, and which appear to me to be wholly unanswerable. All these arguments, the decision of the judge, the reason why the trial was postponed, are eliminated from this report by this Government and kept from the knowledge of Parliament. Why were they kept from the knowledge of Parliament? Why, Sir, the Minister of Public Works told us last evening that Louis Riel had in every respect a fair trial, that he had all the time he wanted, he had all the money required to subpoena witnesses. Sir, his counsel declare that they could not prepare for their defence inside of a month. Did they get the month? That application was resisted. I know, Mr. Speaker, the counsel representing the Crown too well—two of the ablest counsel practicing at the Canadian bar, gentlemen distinguished for their honor and integrity—I know them too well to believe that they would have been parties to any proceedings of this kind. I charge that this Government instructed the judge and instructed the counsel to press on the trial of this case, to press it on at that sitting of the court, and not give the prisoner an opportunity that every prisoner is entitled to in order to prepare for his defence. The counsel opposed it. Mr. Christopher Robinson, the senior counsel for the Crown, made the following observations:—

"I will now say what I have to say in answer to the application made. As to the application for postponement which is asked for, those who represent the Crown think it their duty to oppose it altogether."

Does any man tell me that Christopher Robinson, a distinguished lawyer and an eminent Christian, would take such a cruel line of conduct as to declare, on behalf of the Crown, in the face of the affidavits I have read, that the Crown would not give this man an hour to prepare for his defence, unless he had been instructed so to do by the hon. gentlemen opposite. Mr. Robinson says:

"With regard to another application which my learned friends say they will think it right to make, or they do make now, an application for an order for the production of all correspondence which was found in possession of the prisoners at Batoche, all that I can say is that we regard those documents as State documents, that many of them necessarily implicate others, and that we, in the discharge of our duty, should feel it necessary to refuse to any person, acting for the prisoner, an inspection of anything which can be in the nature of treasonable correspondence, or which could implicate others in any manner which it is in the public interest, and in the interest of society, to see properly punished."

Those were papers that belonged to Louis Riel. They were in his possession; they were seized by the Government at Batoche. His counsel at his trial declared that the production of those documents was necessary for his defence, but the Government refused to produce them because they contained some treasonable correspondence. Treasonable correspondence with whom? Louis Riel did not object to produce them. He was anxious that they should be produced in order that the world might know the justification the half-breeds of the North-West had for resorting to physical force to secure what could not be secured by arguments, pressure, prayers or entreaties. Louis Riel did not object to the production of the treasonable correspondence. Is the story true now that was told by a former colleague of the hon. gentleman, that treason reigns rampant in many of the Departments of this Government? Are they afraid that

some of their own friends will be implicated; that some of the Ministers of the Crown may be implicated? Why did the Government refuse to produce the documents at the instigation of the man who owned the papers, and of his counsel, who said they were necessary to the case; why did the Government step in and say the papers should not be produced because they contained correspondence of a treasonable character? Louis Riel was put on his trial on 21st July, and an application for a postponement was made backed up by affidavits unusually strong. These, it appears, were sustained by arguments of counsel, although I did not get them in the blue books of Parliament, but from the press, which is more enterprising than hon. gentlemen opposite. The arguments of counsel were unusually strong; and yet an adjournment was refused. The Crown was represented by two of our ablest lawyers, and after a keen forensic display the application was peremptorily refused and the counsel of the prisoner were compelled to go on with the trial. Yet the Minister of Public Works tells Parliament and the country that this man had fair play and all the time he wanted, and all the money he required to bring his witnesses. I say again that such a course of proceeding is, in my judgment, wholly unprecedented in criminal cases, and wholly unjustifiable from all the facts we know. What is the first question the judge, when presiding on the bench, asks the prisoner; it is "Are you ready for your trial?" Is it a delusion, a snare, a fraud? No; it means something. It means, if the man is not ready for trial, the humane criminal administration of justice in this country will give him the necessary time to make preparations for his defence. In the commonest cases of felony and misdemeanor, cases not involving the life of a man, upon application for the postponement of a trial being made, backed up by affidavits not half as strong as those affidavits, is granted as a matter of course, in order that the prisoner shall have fair play and that justice may be meted out to him. I say the action of the Crown in this case, the ruling of the Court in this case, both of which I charge to hon. gentlemen opposite, were wholly unjustified by the circumstances of the case, and wholly unwarranted upon the affidavits produced. The law is unmistakably clear. I want to make this point clear to the House, because I attach importance to it. The Government did not mete out justice and fair play to Riel, the criminal, if he was a criminal.

Some hon. MEMBERS. Oh, oh.

Mr. CAMERON (Huron). I say there are greater criminals that remain untried to this hour. On the question of the postponement of the trial we are not left without authority in the records of the law courts. Chitty, in his work on Criminal Law, second edition, page 491 (and I want to give hon. gentlemen opposite all the information, as I usually do, giving the book and page where it can be found) lays it down that:

"And it has been laid down that no crime is so great and no proceedings so instantaneous, but the trial may be put off, if different reasons are adduced to support the application."

Mr. Archibald, in his work on Criminal Law, page 166, says:

"Where a material witness, upon being examined, appears to have no sense of the obligation of an oath or of a future state of retribution, so that he cannot legally be sworn, the court may put off the trial, *even in a capital case*, and order him to be in the meantime instructed by a clergyman, with principles of moral obligation, and a trial in a civil case may be put off for want of documentary evidence (Lord Mansfield lays it down in *The King vs. D'Eon* that in this respect there is no difference between an application in a civil and criminal case).

"But (the text writer says) the most moral ground for the delay is the absence of a material witness, which, if properly verified, will be sufficient, on an indictment for treason felony or misdemeanor at the instance of the defendant, though the prosecution is carried on at the public expense."

In this case a man is charged with the highest crime known to the law, and asks the production of certain do-

uments necessary to his defence, but is refused and he is also refused a postponement for more than a week, and now the Government refuse to allow Parliament to see the documents in order that it may be able to form an opinion as to whether the Government acted rightly or wrongly. Such is the opinion of text writers. Let me refer the House to one or two cases that have occurred in the courts of the Mother Country. You will recollect, Mr. Speaker, that on 15th May 1811, Bellingham was indicted for the murder of Mr. Perceval. An application was made by Bellingham's counsel to postpone the trial to secure evidence to establish the prisoner's insanity. Sir Vicary Gibbs, the Attorney-General, resisted the application. Lord Mansfield, who was anything but a lenient Judge, who was in fact known as a hanging judge, overruled the application; yet the conduct of Attorney-General Gibbs in opposing, and of Lord Mansfield in refusing the application, was deemed, within twelve months after the execution of Bellingham, a disgrace to the administration of justice. Take another case which occurred many years later, when the administration of criminal law became more humane. The House will recollect that a generation later McNaughton was tried for the murder of Mr. Drummond, before the Lord Chief Baron. Prisoner's counsel applied to postpone the trial on account of the absence of a material witness. And the Chief Baron presiding at the court assented to the proposition, without an affidavit at all being made, but on the bare statement of counsel that the trial should be postponed until the next sitting of the court, and an opportunity given to the prisoner to defend himself, which he did successfully. You will recollect further, Sir, that in the case of *The King against D'Eon*, 1 Blackstone's Reports, page 510, the law is very fully discussed, and the grounds upon which an application to postpone a trial was usually granted. Those grounds have prevailed from that day to this, although, of course, in later times a more humane administration of the law has prevailed. The application was based upon the ground that two witnesses, subjects of the King of France, were absent in France and the application was that the trial should be postponed until they returned to the country. The application was refused, but on the sole ground that the two witnesses in question were subjects of a foreign power, living in a foreign country, and that there was no probability of their ever coming to England. The judge in delivering judgment used language which I shall quote, as I think it should go before the Parliament of Canada and the people of this country.

"Informations *ex officio* are personally the King's prosecutions. No man is there to be considered in the light of a promoter or private prosecutor. No crime is so great, no proceedings so instantaneous, but that upon sufficient grounds the trial may be put off. Mr. Radcliffe's case did not proceed upon the instantaneous nature of the trial. If the usual form of the affidavit is observed and there is no special ground of suspicion the rule goes of course."

Well, Sir, in this case the application did not succeed. The Court ruled, that this man should have one week—not ten days as stated by my hon. friend from Bellechasse; in one week, this man who was upon trial for his life, before a jury of six men—aliens to him in race and in religion, men who had no sympathy with the half-breeds of the North-West—this man on his trial before a court so constituted, a jury so chosen, asks for a little time to prepare for his defence, and the ruling of the Court was that the trial should peremptorily proceed within one week after the application was made. Why was that application refused? Why was not Riel given an opportunity of preparing for his defence? Why not give him a month for such a purpose, if a month was deemed necessary by himself and his counsel? Why not give him an opportunity to produce all those papers which he and his counsel declared were necessary for a full and fair investigation of the circumstances of the rebellion, and an explanation of the unfortunate position in

which the prisoner and others had placed themselves? I say, Sir, that this trial was indecently—I use the word profoundly impressed with the gravity of the occasion—was indecently hurried on, and he was not given that opportunity. What was the Government afraid of? Were they afraid to produce the papers which were found at Batoche? Were they afraid to produce the documents which had been moulding for seven long years in the Department of the Interior? Were they afraid to produce the letter which the Secretary of State, who posed last year as the friend of the half-breeds, wrote to the Frenchmen of Fall River, Mass., declaring, in substance, that the half-breeds had no grievances, that they had made no complaints, or if they had, why had they not sent in petitions. Were the Government afraid to present these petitions, signed by laymen, by bishops, and by clergymen of both the Catholic and Anglican churches? Were they afraid that these documents should be brought into the broad light of the day? Were they afraid to produce those papers which the Secretary of State never heard of, and which the Minister of the Interior only lately heard of, though they were lying in the pigeon holes of his own Department? In so far as I am concerned, with every desire to consider this matter dispassionately, I have come to the conclusion reluctantly—I have come to the conclusion, that in this respect at all events fair play and justice was not meted out to Louis Riel. I am prepared to go further; I am prepared to support this motion on another ground. I say that not only did the Government improperly refuse to postpone the trial through their counsel, but that every obstruction that could be thrown in the way of the defence was thrown in the way of the defence at the trial at Regina. The Government refused to produce the papers found at Batoche; they refused to produce those papers lying in the pigeon holes of the Department, showing the grievances of the half-breeds. They refused to produce the material which Riel and his counsel declared to be absolutely necessary in order that they might be enabled to formulate their defence properly. The Government not only did that but they objected to the reception of any evidence at the trial to show that the half-breeds had grievances remaining unredressed for seven long years. You will find in the evidence of that venerable Missionary of the Cross, Father André, the following:—

“Q. Did you yourself communicate with the Dominion Government?
—A. At what time?”

“Q. I mean in regard to the rights and claims of the half-breeds?
—A. Yes, I communicated.”

“Q. At what time? A. I am not sure at what time. In 1882 I did communicate.”

“Q. Since that have you communicated?—A. Not directly.”

“Q. How did you communicate?—A. I communicated directly in regard to Riel.”

“Q. Can you tell me in what manner you communicated?—A. I communicated in December, when Riel said he wanted to go out of the country, because of the agitation that was existing in the country.”

“Q. Did you communicate after that?—A. No; I communicated after the rebellion.”

“Q. With whom? A. With the Minister of Public Works.”

“Q. Sir Hector Langevin?—A. Yes; asking help for those who were in distress.”

“Q. What were the claims of the half-breeds?—A. Since when? You must distinguish.”

“Q. From 1884 to the time of the rebellion?—A. Since the arrival of the prisoner in the country?”

“Q. Yes—A. It would be difficult to tell that. They changed from time to time since the arrival of the prisoner.”

“Q. Finally after these petitions and resolutions had been adopted at the public meetings and sent to the Government, was there a change in the state of things that existed then?—A. The silence of the Government produced great dissatisfaction in the minds of the people.”

“Q. To-day are the people in a better position than they were before in regard to the rights they claim?—A. They have not yet received the patents for their lands on the South Saskatchewan.”

Then Mr. Osler, counsel for the Crown, instructed by the Government, said:

“I must object to this class of questions being introduced. My learned friends have opened a case of treason justified only by the in-

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sanity of the prisoner, and they are now seeking to justify armed rebellion for the redress of their grievances. These two defences are inconsistent, one is no justification at all. We are willing to allow all possible latitude but they have gone as far as I feel they should go. We have allowed them to describe documents which they have not produced, and answers in writing so that they might not be embarrassed and that the outline of the position might be fairly given to the jury, but it is not evidence, and if my learned friend is going into it in detail, I think it is objectionable.

“His Honor Mr. Justice Richardson.—Supposing they are going to produce these writings?”

“Mr. Osler.—They could not be evidence, they would not be evidence in justification. That is admitted. It cannot be possible for my learned friend to open the case on one defence and go to the jury indirectly upon another. Of course it is not really any defence in law and should not be gone into with any greater particularity. If this is given in evidence we will have to answer it in many particulars, and then there would be the question of justifying the policy of the Government.”

“His Honor Mr. Justice Richardson.—It would be trying the Government.”

“Mr. Osler.—It is as it were a counter claim against the Government, and that is not open to any person on a trial for high treason. We have no desire to unduly limit my learned friend, but I cannot consent to try such an issue as that here.”

There you see that the very moment the counsel for the prisoner proceeded to examine the witnesses touching the justification, touching these grievances of the half-breeds, touching the provocation, touching the misconduct and the maladministration of the Government, they are stopped; they can go no further; and for that reason, I say the defence was obstructed. I do not argue—I do not need to argue—that the half-breeds were justified in the eye of the law, in the strict letter of the law, in resorting to arms. But I do mean to say this, that if the rebellion was provoked by the misconduct and maladministration of this Government, as I honestly believe it was, then every fact connected with that rebellion, every fact which would tend to show what the cause of that rebellion really was, ought to have been submitted to the jury and the court, not as a justification, perhaps, but in order, if possible to mitigate the severity of the punishment which invariably follows a conviction for armed insurrection, and in order to offer some reasonable basis on which the recommendation of the jury to mercy might have been justified. Not only had the counsel for the prisoner to encounter these difficulties, but they had others to encounter. It was stated at the trial, and it cannot be contradicted, that many of the witnesses subpoenaed by the prisoner were also subpoenaed by the Crown and those witnesses were warned to hold no communication with the counsel for the defence. Mr. Greenshields in open court—and this is not in the report of the trial—made this statement:

“The moment we approach them to speak to them they stand back as though we were tainted with the plague, and say: ‘We are instructed to have no conversation with the defence.’ Our endeavors to obtain information have been frustrated by the counsel for the prosecution or some one for the Government who have instructed every person not to recognise the counsel for the defence. The names of many of them were the names given by the prisoner as witnesses for the defence, but we were unable to see them, or to have any conversation with them, for what cause we do not know, but they said they were instructed not to have any conversation with us.”

That is not denied by the counsel for the Crown, who made use of the following language in answer to the complaint made by Mr. Greenshields:

“My learned friend made some very strong and very inflammatory remarks about the treatment which he received from certain witnesses, whom he alleged were witnesses for the Crown. All that I can say is that if the counsel desire to interview a witness subpoenaed on the other side, they must always take their chances as to the reception they meet from those witnesses. That is a matter in their own judgment and in their own discretion about which they have no right to complain.”

Now, after the statement we heard from the Minister of Public Works that the Government did everything they possibly could to make this a fair trial, it was a scandalous thing for the employés of the Government—not the counsel, for they would not be guilty of such a thing—to notify those witnesses subpoenaed by the prisoner and by the Crown to hold

no communication whatever with the prisoner's counsel. Who gave the warning? Who is responsible for it? Will the Government tell? Whoever gave that warning, it was wholly unjustifiable, wholly improper, disgraceful in the extreme; and that, in itself, convinces me that this man had not a fair trial. There is another reason why I propose to vote for the motion of the Government on this occasion—I mean the motion to censure the Government for the execution of Louis Riel. The evidence given at the trial, and the documentary evidence produced there, lead my mind to but one conclusion—that Louis Riel surrendered upon the clear understanding that he was to receive protection, and that his life would be spared, that understanding being conveyed to him by those entrusted with the management of affairs in the North-West. If that was so, to execute a man after a surrender so made, is, in my humble judgment, nothing more and nothing less than a judicial murder. Let us see how this theory is borne out by the facts. The general in command swore to the following statement at the trial:—

“On the 15th Louis Riel was brought in by two scouts, Hourie and Armstrong, and brought to my tent, and when he entered the tent, he produced a paper which I had sent to him, saying if he surrendered I would protect him till his case was decided by the Canadian Government.”

Now, Sir, if General Middleton's story is correct, that he was to be protected till the Canadian Government decided his case, all I can say is that Louis Riel was laboring under delusions on more subjects than one. Why should Louis Riel have surrendered? I ask you, Mr. Speaker, or any man of common sense, if the General in command held out only an assurance that he would be protected until the Government decided his case? Why, Sir, we all know that the road to Dakota over the broad prairies of the west was as open to Louis Riel as it was to Gabriel Dumont and Michel Dumas, both of whom escaped the vengeance of the law; and why did Louis Riel remain in the country, and surrender? If he had seen fit not to remain, all the power and forces General Middleton had at his command could have no more arrested him than they did Gabriel Dumont and Michel Dumas. The fact that Louis Riel remained in the country and surrendered is consistent only with one of two theories—either that he believed that upon his surrender to the General in command he would not be executed, or that Louis Riel was as mad as a March hare; and on either theory I believe that Louis Riel should not have been executed. Now, let us see how the General's statement is borne out by the sworn testimony given at the trial. On the 12th of May—and I extract from the book submitted to Parliament—Louis Riel sent the following message to General Middleton at Batoche:—

“If you massacre our families, we are going to massacre the Indian agent and other prisoners.”

“LOUIS DAVID RIEL, per J. W. Astley, bearer.”

On the same day the General sent the following to Louis Riel:—

“I am anxious to avoid killing women and children, and have done my best to avoid doing so. Put your women and children in one place, and let us know where it is, and no shot shall be fired on them. I trust to your honor not to put men with them.”

“FRED. MIDDLETON, commander North-West Field Forces.”

On the same day Louis Riel sent, by the same messenger, the following communication to the General in command:

“Your prompt answer to my note shows that I was right in mentioning to you the cause of humanity. We will gather our families in one place, and as soon as it is done, we will let you know.”

“LOUIS DAVID RIEL.”

At this stage of the proceedings a person of the name of J. W. Astley appeared on the scene of action. He was called as a witness at the Regina trial. Let us see how his evidence supports the theory on which I have started, or

how far it corroborates the statement of the General in command. J. W. Astley was examined as follows:—

“Are those words the words he wrote upon the envelope? A. Yes, he took the note out of my hands and wrote those words on the outside in my presence. He ordered the men who had left the rifle pits to go back again and they went back along with me; I continued on, went to the General and gave him the note. I did not call his attention to the memorandum on the outside of the note till night time. I asked him how the fire began and he said that the Sioux started it, but that if Riel would get his men to stop firing that he would order his men to remain where they were and they would not advance any further. There was not time to write a letter and I went back and it took a long time to find Riel.”

There is one point that cannot fail to strike the mind here. Why should this correspondence have been carried on at all if there was not some expectation on the part of General Middleton that Riel would surrender? It is only consistent with the theory that the General was seeking to bring about a cessation of hostilities, in which effort I think he was to be commended, and in order to do that the surrender of Riel was invited. Astley further says:

“I went among the women and the children and I found him. The firing was getting warm. I told him what the General had said, that if he would order his men to stop the firing he would do the same, and that he could come with me personally to the General. He hesitated for a time. At last I said: ‘There are not many minutes to waste if you want to call the council together; call them and let me address them.’ At last the prisoner said: ‘It is not necessary to call the council.’ He said he would do as I wished. I said you acknowledge you have the power to do as I wish without the council. He said, yes. I said for him to give the order to stop firing. He said: You know the men I have. I cannot go among these men and tell them to stop firing. He said: You know that. I told him I would go back and explain how everything stood, and see if it was possible for the General to stop his men at a certain position if he was willing to do as I wished he was.”

Q. That is, willing to surrender?—A. Yes. I went back and told the General what he said. He said that he could not accept it as a surrender unless Riel ceased firing. I knew he could not get his men to cease firing. I went back to try and keep the troops from getting at the women and children. I got the General to send a note to Riel offering the same terms as I had offered—that is, that he should be kept safe till he had a fair trial.”

It appears that on the 13th May, 1885, General Middleton wrote a letter to Louis Riel, a letter which does not appear among the papers. What became of it, I do not know; but, at all events, we have the evidence of J. W. Astley of what took place just before Riel surrendered, and of the assurance he gave Riel. Let us see what they were:

“Q. Did he speak to you of his personal safety?—A. He had a very little to say about the half-breeds, as far as regards himself seemed the principal object.”

“Q. What did he ask you in regard to himself?—A. If I would explain what risk he ran personally himself. He said to me that we knew that he never carried a rifle, of course at the same time we had seen him carry a rifle on one occasion. I told him he ran no danger as I could look at it. He suggested that I should broach the subject of the church to the General, and it would give him a chance to broach the subject when he came to be interviewed by the General. He would say that he was not to blame, that the council was to blame.”

Observe the evidence of J. W. Astley, a witness called by the Crown. He tells us that at the closing interview with Riel, before Riel surrendered, he told Riel that he ran no danger as far as he could see. Astley was the man who carried the messages from the General to Louis Riel and from Riel to the General; he was the go-between, and fresh from an interview with the General on the subject he assured Riel, a few minutes before the latter surrendered, that if he surrendered “there would be no risk as far as I could see it.” On the strength of that assurance, Louis Riel surrendered, and sent the following note to General Middleton:—

GENERAL.—I have received only to-day yours of the 13th instant. My council are dispersed, I wish you would let them quiet and free. I hear that presently you are absent. Would I go to Batoche, who is going to receive me? I will go to fulfil God's will.

LOUIS “DAVID” RIEL,
Ex ovedo.

15th May, 1885.

Therefore, I say, with every confidence in the soundness of my argument, that the documentary evidence produced

and the evidence of J. W. Astley establish clearly the fact that Louis Riel surrendered to Gen. Middleton upon the assurance that he would be perfectly safe. To execute a man in the face of that solemn declaration of one of the Crown witnesses appears to my mind to be nothing else than a judicial murder. That is not all. This view of the matter is still further confirmed by an article which appeared in the *Mail*, the organ of hon. gentlemen opposite, on the 14th April, 1885, a month before Riel surrendered,—and I have no doubt the paper must have reached him in the ordinary course of the mail shortly before he surrendered, and that he read the article. The article was a clear exposition of the policy of the Administration upon this question. It was a direct invitation to the half-breeds and to Louis Riel to surrender, and held out the promise that if they did, no more blood would be spilt upon the field of battle or the scaffold. The *Mail* said:

"The news from the West this morning is not sensational at all. Of course it must be obvious that men do not take up arms and fight and kill and risk being hanged and shot, like Riel and his followers, without at least a conviction that they have grievances."

I would advise the hon. the Minister of Public Works to re-construct the *Mail* newspaper. It gives the clearest possible evidence of the criminality and mismanagement of hon. gentlemen opposite:

"These grievances will have to be heard some day, and the sooner the public understands the better.

"An unreasoning cry for blood and revenge would be misfortune. Fighting for the mere sake of fighting, or for revenge, is a poor business, and our people will be best pleased with a bloodless, if successful, campaign.

"The idea that Riel will run away as on a former occasion, is one that is useful to keep the Indians quiet; but it is not one on which a military policy can be framed. If he is forced to fight he will do so. If he offers to submit no doubt wisdom will guide the deliberations of those who will have charge of the negotiations. General Middleton, no doubt, has large powers, and is continually in communication with the authorities at Ottawa."

True, and I have shown you that General Middleton had opened negotiations with Riel, through J. W. Astley, a friend of the Government in the North-West Territories. I have shown you that J. W. Astley informed Riel that he would be perfectly safe if he surrendered. In view of all these facts, the execution of Riel appears to me to have been wholly unjustified. I go a step further, and I ask the hon. Minister of Public Works, as the hon. the First Minister is not in his place, if he can point me to a single case in the history of England, within the last hundred years, where a political offender, who surrendered himself to the Government, was executed. I defy him to point me to a single case in the history of England, or any other civilised country, in which, within the last hundred years, a political offender, surrendering conditionally or unconditionally, was executed by the Government. The hon. gentleman can find no such case. It remained for this Government, which deceived, and misled and used harshly the half-breeds of the North-West, to set an example of bad faith and ministerial atrocity, that appears to me to be unparalleled in the history of civilisation. You may find a precedent in the case of Thebaw, the late King of Burmah, or His Majesty the King of Dahomey or some other foreign potentate of that description, but you will find no example of such conduct in the history of the British Empire. There is another ground upon which I propose to justify the vote I am about to give. The jury who tried Louis Riel and convicted him recommended him to the mercy of the Crown. That recommendation must have been based upon one of two grounds, or perhaps two. Either that the rebellion in the North-West was provoked, caused, and incited by the maladministration, misconduct and criminal neglect of this incompetent Administration, or that Riel was not responsible for his action. The Government disregarded that recommendation, they realised, as the counsel for the Crown and judge presiding at the

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trial realised, when the evidence was offered and rejected to show that the half-breeds of the North-West Territories were improperly used, that, if that evidence was received, the Government of this country would be arraigned for their misconduct and that the conviction of Louis Riel would be equivalent to an acquittal of this Government. The Government further fully realised, and nobody better than the Minister of Public Works, that the acquittal of Louis Riel would be tantamount, in the estimation of thinking and reasonable men, and of the great body of electors of this country to a condemnation of this Government; and so, to save their own necks, they executed Louis Riel. It was a harsh, an unheard of and an unjustifiable proceeding in modern days, particularly in a case of high treason, to execute a man who was recommended to the mercy of the Crown by the jury which tried him. It was a proceeding which was unwarranted by what was disclosed at the trial at Regina, and which was unwarranted by any subsequent proceedings that I am aware of. It was a thing unparalleled in the history of the United States of America or of the British Empire for the last 50 years. I shall refer to a few cases upon this subject. It is true that what were called the Cato street conspirators, Thistlewood, Inge, Brent, Davidson and Tidd were executed in 1820 for high treason, but neither of those were recommended to the mercy of the Crown, as you will find by a reference to the trial, and neither received mercy at the hands of the Crown. Of the Nottingham rioters, who were tried in 1817 for high treason, 20 were convicted; the sentence of death was passed upon them all, and three who were ringleaders were executed, but those ringleaders were convicted without the jury recommending them to the mercy of the Crown. The remaining 17 were recommended to the mercy of the Crown, and received that mercy at the hands of the Imperial Government. Of the Monmouth rebellion in 1839, the ringleaders were arrested and tried, John Frost was convicted, John Frost was sentenced to death, John Frost was recommended to mercy by the jury that tried him, and John Frost received at the hands of his sovereign the mercy and the clemency of the Crown. Zephaniah Williams and William Jones were tried in 1840 for high treason in the same outbreak; they were found guilty, sentenced to death, recommended to mercy by the same jury that found them guilty, and a humane Government, not actuated by pressure from without by an unseen and irresponsible power, carried out the recommendation of the jury and their sentences were commuted. Charles Walters, John Lovell, Richard Benfield, John Rees, and Jenkin Morgan were convicted in 1840, were sentenced to death and the sentences of all were commuted. In 1848, Meagher, the Irish rebel, was tried, convicted, sentenced to death, and his sentence commuted. In the same year Wm. Smith O'Brien was tried for high treason, convicted, sentenced to death, recommended to mercy, and the mercy of the Crown was extended to him. Unfortunately, in this case, the jury did not state the grounds upon which they recommended the prisoner to the clemency of the Crown, they were not asked to do so at the trial and they did not do so. But we have evidence from the organs of the Government of the reason why three of these jurors did recommend Louis Riel to the mercy of the Sovereign. The correspondent of the *Mail* newspaper, writing from Regina on the Monday after the trial, makes use of the following language:—

"I saw three of the jurors, who told me that in their opinion Riel should not be hanged, as they think that, while he is not absolutely insane in the ordinary accepted meaning of the word, he is a very decided crank."

And the *Mail* newspaper itself, commenting on that, says:

"They (the jury) themselves say that by their recommendation to mercy they meant that the Crown should spare the wretched man's life, as in their opinion he is not wholly sane. They are satisfied that he knows the difference between right and wrong, but believed him to

be subject to delusions which warp his moral sense. This is their interpretation as given to our correspondent at Regina, and they must be supposed to know their own minds."

This is what the *Mail* itself says. Its special correspondent, interviewed three jurymen and declared that they did not think Riel was quite responsible. Another jurymen, I think, over his own signature, stated that he recommended Louis Riel to mercy because the half-breeds were provoked to rebellion by the maladministration and misconduct of the Government. If it were based upon the ground of insanity, then there was a double reason why the clemency of the Crown should have interfered. First, there was the ground of the misconduct of the Government which provoked the rebellion, and, secondly, there was the ground of the man's irresponsibility. Another jurymen, who was an Englishman and a Protestant, as they were all Protestants on the jury at the trial, made use of the following language:—

"The unanimous desire of the jury in recommending the accused to the clemency of the Crown, was that he be not put to death."

I ask again: Were the Government aware of these facts? I say they were. They take the *Mail* newspaper, they read it diligently, most of them swear by it, and, being aware of these facts, I say they ought not to have allowed the sentence to be carried into execution. I saw that a newspaper published in Montreal, which used to support the Government, but which I believe is not quite in harmony with them now, challenged the Government the other day to deny if they dared the following allegation:—

"But, it will be asked did Sir John and his Government know of this desire, this object of the jury in recommending Riel to mercy. We answer and say yes. Sir John and his Orange crew knew all about it, and their knowledge was obtained directly from the jury itself. We are in a position to prove that after the trial of Riel was concluded and the verdict rendered, the jury took special measures to carry to the Government at Ottawa the real and exact sense and meaning of their verdict, so that there could possibly be no error or deception about it. They gave the Government to understand that by their verdict they did not want Riel hanged, as, under the circumstances, they were unanimously of opinion that he did not deserve to incur the extreme penalty of the law. But Sir John ignored everything to yield to Orange clamor, and Riel was sacrificed to please the Orange Moloch. Is that charge plain enough? We think it is, and we defy Sir John and his Government to deny the facts as we have just set them forth."

Are these facts true? I believe they are. In that case the punishment which this Government deserves at the hands of the people of this country for having provoked and caused and incited this rebellion would be merely nominal in comparison with that which they should receive at the hands of an indignant people and an honest Parliament for having executed a man under such circumstances as these. There is still another reason why I propose to justify the vote I am about to give. Although I am not a medical man, I profess sometimes to practise law, and I propose to justify the vote I am about to give upon the ground that Louis Riel, at the time he committed the offences with which he was charged, was laboring under certain delusions. I know quite well that this question has challenged discussion during the last few years in the press and out of the press, among medical men and among laymen, and among public men on the platform, and we know that it has been challenged on the floors of Parliament. Impressed with the gravity of the questions involved in the trial of Louis Riel's insanity, I can honestly say that I endeavored to bring my own mind to the investigation of the facts and the examination of the law, free and unbiassed. I endeavored, Mr. Speaker, when I entered upon this investigation, to enter into a covenant with myself that my utter want of confidence in this Government, my entire sympathy with the half-breeds of the North-West Territories in their long, their earnest and their gallant struggle with the Government of this country to secure their rights, should not mislead my own mind nor warp my judgment. At all events, I honestly entered upon the investigation of the evidence and the consideration of the law, and I have

honestly arrived at the conclusion which I am about to affirm by my vote. There is a popular misapprehension as to the rule that ought to prevail in criminal cases when insanity has been set up as a defence. The popular opinion is that if a man is able to distinguish right from wrong he is held responsible for violation of law. I say, Mr. Speaker, that that is an entire misapprehension of the law. A man may be able to distinguish right from wrong, a man may be perfectly rational upon every subject but one, and if he commits an offence within the scope and limit of that subject, then in the eye of the law he is not responsible. Now, I observe that the Minister of Public Works has fallen into this error in discussing this question. I say there is no excuse for him, and there is no excuse for the Minister of Justice if they have fallen into that error. It is an error into which it appears to me the medical commission sent up to investigate the mental condition of Louis Riel have also fallen; because I observe that after they pronounced that he was suffering under two delusions, they say he was perfectly responsible. I say it is not a proper rendering of the law, I say it is not the law of the land. If it can be shown that a man is suffering under a mental hallucination or delusion, and he commits an offence within the scope of that delusion, I say that the merciful provisions of the British and Canadian law exempt him from responsibility; and I am going to fortify that position with the authority of writers on the subject and with decisions in the courts of England. Wharton and Stille in their work upon Medical Jurisprudence, volume 1, page 122, lay down the following law:—

"That the 'right and the wrong' test does not cover all the cases of legitimate insane irresponsibility. Medical observation, based on an induction which each year makes at once more extended in its materials and more absolute in its results, tells us that there are persons unquestionably insane who are capable of being instructed in the law of the land, if knowing what this law is, both in its general character and in its results, and of being deterred by proper sanction from breaking such law."

The text-writer further says:

"The defence of insanity is also sustained when there is an insane delusion from which the crime emanates, and when being insane the defendant is forced to the act by an irresistible impulse, he, in each case, knowing the act is forbidden by the law of the land."

The text-writers further say that the test is:

"Did the defendant know enough to distinguish right from wrong as to the particular case, if he did not, he is to be acquitted."

The text-writers still further say:

"Any species of insane delusion exempts from punishment the perpetrator of an act committed under its influence."

At page 155 they further say—after speaking of the responsibility in some cases of those partially insane:

"But it is otherwise with insanity accompanied with delusions of such a character that the patient believes he is authorised by superior power to dispense with the law of the land, and with insanity one of whose elements is an impulse to commit crime which the reason is unable to resist. If there be such phases of insanity as these, it is clear that their objects are not responsible to the ordinary process of penal justice. Yet such patients the 'right and wrong' test might pronounce sane. In such cases this test cannot be exclusively applied."

Then the text-writer speaks of the nature of some of the delusions which exempts from punishment a crime committed under their influence. For instance:

"A man imagines himself to be the Grand Lama or Alexander the Great, and suppose that his neighbor is brought before him for an invasion of his sovereignty, and he cuts off his head or throttles him. He knows he is doing wrong, perhaps from a sense of guilt he conceals the body, he may have a clear perception of the legal consequences of his crime, and yet, according to Wigan on insanity, edition of 1874, page 65, the man would not be responsible."

I say that is a clear exposition of the law. A man may be responsible, may be clear-headed, may be rational upon every subject but one, and if he commit an offence within the scope of this one, he is not responsible. Woodman and Tidy, in

their work upon Forensic Medicine, page 837, speaking of the different types of insanity, say :

"The principal forms of monomania are: 1. Monomania of ambition." Mark you—"ambition."

"2. Religious monomania. 3. The monomania of persecutions. 4. The monomania of wrongs or grievances suffered from private parties or from the Government."

Now let us see for a single moment how the evidence given at the trial fits into this general defence of insanity, to these delusions, the effect of which is to exempt from responsibility a man who commits crime under their power. I do not propose at this moment to discuss the medical evidence or the expert testimony, although I shall show shortly that it preponderates in favor of the theory of his insanity. It must be not forgotten, however, that the question we have to discuss is not what his condition was at the time of his execution, but whether he was laboring under these delusions at the time the offence was committed. If he was sane at the time these offences were committed but insane at the time he was executed, he ought not to have been executed; and if he was laboring under these delusions at the time these offences were committed, he ought not to be hanged. If in fact he were insane, either when the offences were committed or insane when he was executed, then the Government of this country did wrong in hanging him. Dr. Willoughby, who was called as a witness for the Crown, says:

"Q. What did he say as to the Government of the country?—A. They were to have a new Government in the North-West. It was to be composed of God-fearing men. They would have no such Parliament as the House at Ottawa."

I certainly think that on that point, at least, Louis Riel was not insane.

"Q. Anything else?—A. Then he stated how he intended to divide the country into seven portions.

"Q. In what manner?—A. It was to be divided into seven portions, but as to who were to have the seventh I cannot say.

"Q. You mean to say you cannot say how these seven were to be apportioned?—A. Yes. He mentioned Bavarians, Poles, Italians, Germans, Irish. There was to be a new Ireland in the North-West."

"Q. What was that?—A. As Riel was leaving he expressed an opinion. He stated they would have no Orangeism in the New-West. I said I hoped by Orangeism he did not mean Protestantism. He turned excitedly and said he was glad I mentioned it, that he certainly understood the difference between Protestantism and Orangeism, and he then spoke of the different religions and beliefs, and illustrated it by the example of a tree. The true church was the large branch of the tree, and the others as they departed from it, got weaker, up to the top of the tree."

"Q. Would you now indicate to us the different people he expected to assist him?—A. The Irish of the United States, the Germans, the Italians, Bavarians and Poles, and Germany and Ireland.

"Q. We have had Germany and Ireland twice?—A. Well he put it twice. He put the Irish and Germans of the United States; then Germany itself was to come into line."

This is the evidence as to the condition of Louis Riel long before the outbreak. Does any one mean to tell me that a man entertaining those delusions was perfectly rational and responsible. That is not all. Charles Nolin is called. Let us hear what he has to say—and remember he is one of the witnesses for the Crown:

"The witness is asked whether he ever heard the prisoner speak of his internal policy in the division of the country, if he should succeed in his enterprise, and he says yes. He says that after his arrival the prisoner showed him a book written with buffalo blood and the witness said that the prisoner in that plan said after taking England and Canada, he would divide Canada and give the Province of Quebec to the Prussians, Ontario to the Irish, and the North-West Territories be divided into different parts between the European nations. He says he does not remember them all, but the Jews were to have a part. The witness says that he thinks he also spoke of the Hungarians and Bavarians. He says that he thought the whole world should have a piece of the cake, that Prussia was to have Quebec.

"Q. Did the prisoner speak about his plans and if so, what did he say?—A. About a month after he arrived, he showed me a book that he had written in the States. What he showed me in that book was first to destroy England and Canada.

"Q. And?—A. And also to destroy Rome and the Pope.

"Q. Anything else?—A. He said that he had a mission to fulfil, a divine mission, and as a proof that he had a mission, he showed a letter from the Bishop of Montreal eleven years back."

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"Q. Did he say how he would carry out his plans?—A. He did not say how he would carry out his plans then."

Then we have the evidence of Thomas Sanderson, called for the Crown. Let us hear what he said about Riel:

"Q. Now, at the time you spoke to him regarding the formation of a Government, did he give you any idea of what kind of a Government he proposed forming?—A. Yes, he was going to divide the country into seven parts, one part was to be for the Canadians, or white settlers, one-seventh, another seventh for the Indians, another seventh for the half-breeds, and he named over what he was going to do with the rest, I don't recollect the names of the people."

Philip Garnot for the defence said:

"Q. Tell us what he said about that as far as you can remember?—A. He was talking about the country being divided into seven provinces, one for the French, Germans, Irish, and I don't know what else, there were to be seven different nationalities.

"Q. Do you remember anything else besides those you have mentioned, what other foreigners?—A. Italians.

"Q. Hungarians?—A. I can't remember particularly very well, I know it was seven different provinces, and seven different nationalities.

"Q. Did he say he expected any assistance from the people?—A. Yes, he mentioned he expected assistance from them, he mentioned he expected the assistance of an army of several nationalities, and I remember he mentioned the Jews. He expected their assistance and money, he was going to give them a province as a reward for their help. That is what I understood him to say.

"Q. In his conversation with you, or with others in your presence on these subjects, did he at any time give you any intimation that he had any doubt of his success, that any obstacle could prevent him from succeeding?—A. No, he always mentioned that he was going to succeed, that it was a divine mission that he had, and that he was only an instrument in the hands of God.

"Q. When he talked of other matters than religion and the success of his plans, how did he act and talk generally?—A. I never noticed any difference in his talk on other matters, because I never had much intercourse with him only during the time of the trouble, I met him once before that.

"Q. When he spoke of religion and about the country, and in the different interviews with you or others, did you understand that he had any idea of thinking of the welfare of anyone at all except himself, that he was the sole person to be considered?—A. It seemed as if he was working in the interest of the half-breed population and the settlers generally. He mentioned that.

"Q. Did you communicate to anyone your impression of this man—what you thought of him?—A. I did.

"What did you think of him?—A. I thought the man was crazy, because he acted very foolish."

Vital Fourmond for the defence said:

"Q. Will you please state upon what facts you based your opinion that the prisoner was not sane on religious or political matters?—A. Permit me to divide the answer into two, the facts before the rebellion, and the facts during the rebellion. Before the rebellion it appeared as if there were two men in the prisoner; in private conversation he was affable, polite, pleasant and a charitable man to me. I noticed that even when he was quietly talked to about the affairs of politics and government and he was not contradicted, he was quite rational, but as soon as he was contradicted on these subjects then he became a different man and he would be carried away with his feelings. He would go so far as to use violent expressions to those who were even his friends. As soon as the rebellion commenced then he became excited, and he was carried away and he lost all control of himself and of his temper. He went so far, that when a father contradicted him he became quite excited, and he had no respect for him and he often threatened to destroy all the churches. He says: There is danger for you, but thanks for the friendship I have for you, I will protect you from any harm. Once I went to St. Antoine and there I met a number of priests, and Riel says: I have been appointed by the council to be your spiritual adviser. I said our spiritual adviser was the Bishop, and Mr. Riel would not be him. There is only one way you can be our adviser, the only way you can become so is by shooting us, the only way you can direct us is by shooting us, and then you can direct our corpses in any way you like. That was my answer to him."

Such are the opinions of Louis Riel, as disclosed by the evidence at the trial, before and at the time of the rebellion. Let me summarise them: 1. His own mission was to redress the wrongs of the half-breeds. 2. The country was to be divided into seven portions and partitioned among the Bavarians, Poles, Italians, Germans, Irish, Hungarians and Jews. 3. He was to conquer England and Canada; Quebec to be given to the Prussians, Ontario to the Irish, and the North-West Territory divided among other nationalities. 4. He never appeared to question his success. 5. He was, in his own judgment, the potentate—the sovereign of the land, and could dispose of it at pleasure. Is

it possible, can it fairly be argued, that a man of education, a man of training, laboring under such delusions, such mental hallucinations, could be held responsible for anything he did to carry out what he believed to be his manifest destiny? But Louis Riel's delusions were not limited to things material. He was, if possible, more irrational on religious questions. He imagined himself inspired. He was to be the head of a new church and the ruler of a new empire. On this subject George Ness, one of the Crown witnesses, says:

"Q. Tell us about their taking you to the church?—A. When we got to the church, they were in the front of the church, Mr. Riel commenced saying that he was a prophet, that he could foresee events."

Geo. Ness, further says:

"Q. What about the word, Protestant, you used in your examination in chief?—A. He said that on the 17th of March.

"Q. The difficulty with Father Moulin was in March?—A. Yes, and in February.

"Q. In March he said the priest was a Protestant or something to that effect?—A. Yes.

"Q. Did you consider at that time he acted as he had acted when you first knew him in July or August with reference to the priests and religion?—A. No, he acted very much otherwise.

"Q. Now, can your memory enable you to say what he said at that time on the 17th March, in his difficulty with Father Moulin?—A. It was on the 18th March.

"Q. State what took place, the words that were used and how he acted on that occasion?—A. He said the Spirit of God was in him and Father Moulin said he was making a schism against the church, and Riel said Rome had tumbled, *Rome est tombée*.

"Q. Proceed if you please, he said the Pope of Rome was not legally Pope?—A. Yes.

"Q. He said the episcopate spirit had left Rome and come into the North-West Territories?—A. No, he did not say that.

"Q. Did he say anything of that kind?—A. He said the Spirit of God was in him and that Rome had tumbled, and he could tell future events."

Charles Nolin said:

"The witness is asked if the prisoner ever told him that he considered himself a prophet, and he says yes.

"The witness is asked if after the meal something strange did not happen—if there was not a question of the Spirit of God between the witness and the prisoner? The witness says it was not after a dinner, but it was one evening they were spending the night together at his house, and there was a noise in his bowels and the prisoner asked him if he heard that, and the witness says yes, and then the prisoner told him that was his liver, and that he had inspirations which worked through every part of his body.

"The witness asked if at that moment the prisoner did not write in a book what he was inspired of, and the witness answers that he did not write in a book, but on a sheet of paper; he said he was inspired."

Then we have the evidence of the venerable priest who has devoted his life to the service of the Lord, Father André, who said:

"Q. You have had occasion to meet the prisoner between July, 1884, and the time of the rebellion?—A. Yes.

"Q. What is the name of your parish?—A. Prince Albert.

"Q. Have you had occasion to speak often to him on the political situation and on religion?—A. Frequently; it was the matter of our conversation.

"Q. Did you like to speak of religion and politics with him?—A. No, I did not like to."

"Q. Will you give me the reason why you did not like to speak of religion and politics to him?—A. Politics and religion was a subject he always spoke of in conversation, he loved those subjects.

"Q. Did he speak in a sensible manner?—A. I wish to say why I did not like to speak to him on those subjects. Upon all other matters, literature and science, he was in his ordinary state of mind.

"Q. Upon political subjects and religion?—A. Upon politics and religion he was no longer the same man; it would seem as if there were two men in him, he lost all control of himself on those questions.

"Q. When he spoke of religion and politics?—A. Yes, on those two matters he lost all control of himself.

"Q. Do you consider, after the conversations you have had with him, that when he spoke on politics and religion he had his intelligence?—A. Many times, at least twenty times, I told him, I would not speak on those subjects because he was a fool, he did not have his intelligence of mind.

"Q. Is that the practical result you have found in your conversation with Riel on political and religious questions?—A. It is my experience.

"Q. You have had a good deal of experience with people, and you have known persons who were afflicted with mania?—A. Before answering that, I want to state a fact to the court regarding the prisoner. You know the life of that man affected us during a certain time.

"Q. In what way?—A. He was a fervent Catholic, attending the church and attending to his religious duties frequently, and his state of mind was the cause of great anxiety. In conversation on politics, and

on the rebellion and on religion, he stated things which frightened the priests. I am obliged to visit every month the Fathers (priests) of the district. Once all the priests met together and they put the question, is it possible to allow that man to continue in his religious duties, and they unanimously decided that on this question he was not responsible, on these questions; that he could not suffer any contradiction on the question of religion and politics, we considered that he was completely a fool in discussing these questions; it was like showing a red flag to a bull, to use a vulgar expression.

"Q. When he spoke of religion, the principal thing of which he spoke, was it not the supremacy of Pope Leo the 13th?—A. Before the rebellion he never spoke directly on that question as to the supremacy of the Pope.

"Q. On that question he was perfectly reasonable?—A. On religious questions before that time he blamed everything, he wanted to change Mass, and the liturgy, the ceremonies and the symbols.

"Q. Is it not true that the prisoner has fixed principles in his next religion?—A. He had the principle that he was an autocrat in religion and politics, and he changed his opinion as he wished.

One further extract from Father André's evidence:

"Q. When he spoke to you of religion do you remember what he said to you?—A. I know he was talking to me about changing the Pope or some thing of that kind, wanting to name Bishop Bourget, of Montreal, Pope of the New World as he named it; he spoke to me several things about religion that I cannot remember.

"Q. Did he say anything to you about the Holy Ghost or the Spirit of God?—A. Yes, he said in my presence, not to me exactly, that the spirit of Elias was with him.

"Q. Did he say he had any of the divine attributes that are generally attributed to Elias?—A. That is what I think he meant by that.

"Q. What did he say about it as far as you can recollect?—A. He wanted the people in the meeting to acknowledge him as a prophet and he gave them to understand that he had the spirit of Elias in him and that he was prophesying."

Now, Sir, it is perfectly manifest from these extracts that on the subjects of religion and politics and Government, Louis Riel entertained most extraordinary delusions—delusions which appear to me to be wholly inconsistent with the possession of a sound and rational mind. Let me here again, for the sake of brevity, summarise: He was not only a temporal prince, he was the sovereign pontiff of a new church; he was a prophet, a priest, a king. The mantle of Elias had fallen upon him. The power of the papacy that withstood the conflicts and turmoils of countless revolutions for 2,000 years, and that stands to day as fresh and vigorous as ever, was to fall before the unaided arm of Louis Riel. He was inspired of God. He could foretell future events and was in constant communication with spirits in the unseen world. He was to redress the wrongs of humanity and especially was he to right the grievances of the half-breeds, and, as he believed, aided by the Almighty there was no such thing as failure to his mission. And yet it is argued in the press, on the public platform in Parliament, that Louis Riel was a sane and responsible being. One or two things appear to my mind incontrovertible. Either Louis Riel was the greatest fraud and the most consummate actor that ever walked the human stage or else he was a madman insane on religion and politics, and, therefore, one who ought not to be executed. In my judgment he was not a fraud; he was not the most consummate actor that ever trod the political stage. I shall now endeavor to sustain the principles of law which I have laid down, by specific authorities bearing on this case, and if I can establish that then I think I can satisfactorily establish the proposition that Louis Riel, entertaining those insane delusions on religion and politics, was not a responsible being with regard to a crime within the scope of those delusions. Woodman and Tidy in their work of Forensic Medicine at page 857, say:

"One monomaniac will insist that he is possessed by a devil, whilst another believes that he is truly the Trinity."

And at page 824 the same authors say:

"Religion and politics are enumerated by all writers on insanity as a cause of insanity."

Wharton and Stille at page 122 say:

"A common instance is where a man fully believes that the act he is doing is done by the immediate command of God; and he acts under the delusive but sincere belief that what he is doing is by the command of a superior power, which supercedes all human laws and the laws of nature."

In such a case the man acting under delusion is not responsible. The same authors say, at page 829 :

"Remember that mental unsoundness on one point does not always mean insanity on all points. In other words, a man may be perfectly capable of managing business ; his brain may have all its intellectual vigor, and yet he may be morally unsound, and his moral unsoundness may lead him into crime."

The authorities show that men laboring under these limited delusions are quiet and inoffensive except when opposed or excited or when their delusions are touched upon. Upon that subject, the evidence is perfectly clear that except upon the questions of religion and politics, Riel was quiet, inoffensive and rational. He contended that he came to the North-West to fulfil a mission and he was invited to come there. A delegation of the employés of the Government went to Montana and brought him there. He was there for some time talking in the way I have pointed out by the evidence, and laboring under those manifest delusions. But we have this startling fact to show that Louis Riel was no traitor to his Sovereign ; that at a public meeting where 150 half-breeds were present, in the open light of day, he made a speech, and in concluding that speech he proposed the health of our Sovereign Lady the Queen. Can it be argued that a man, taking that line of conduct, was a traitor? Whatever he may have been, it is quite manifest that he was not a traitor to the Queen. No doubt he was a traitor to this Government. If that constitutes crime, which deserves the punishment of death, then all I can say is, that he sinned with a host of loyal Canadians. On the theory of insanity, the authority, to which I have just referred, states further :

"Partial insanity has been much disputed, but in reality is a well marked variety, although often difficult to recognise. In this the subjects of it are often sane upon all points but one. Religious mania may be considered a monomania. Such patients are seldom violent unless they meet with opposition."

Let me now give you a few instances in the history of medical jurisprudence, taken from the law reports, of men laboring under limited delusions, who have been declared not responsible for the crimes they committed. Woodman and Tidy refer to the case of a scientist who desired, for his own satisfaction to investigate the different forms of insanity, and with that object visited an insane asylum. He knocked at a door, and the door was opened by a gentleman who he supposed was one of the keepers. The visitor went around the institution accompanied by this guide, who referred to one patient after another, described their different delusions, and gave their histories in the clearest and most intelligent manner. At last they arrived at a man who was sitting in a thoughtful and silent mood in a corner, and the stranger said to his guide: "Under what form of madness does that man labor?" "Oh," said the guide, "that man is laboring under many forms of madness. Why, that man imagines that he is the Holy Spirit, and, would you believe it, I, who am standing before you, am the Holy Spirit in truth and reality." That was the man's sole delusion. Now, let me put this case: Suppose some other man had entertained the same delusion, and had said: "I am the Holy Spirit, and I challenge you to deny it;" and suppose he had killed the other, could it be argued for a single moment that the man who committed that crime would be responsible to the law of the land? I say no, it could not be so argued. Woodman and Tidy refer to another case which occurred in the life of Lord Erskine. While practising at the English bar, Lord Erskine was retained to defend a man who indicted his brother for false imprisonment in a mad house. Lord Erskine was not informed of the peculiar nature of this man's delusion, and with the view of exposing his hallucination he cross-examined him in the witness box for a whole day. His answers were clear and distinct, and Erskine could not budge him, until, at last, Dr. Sims, the physician of the institution, came into the court room, and said to Lord Erskine: "This man believes that he is the

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Lord and Saviour of mankind." Erskine then addressed the witness who was prosecuting his brother, in that character, lamenting the indecency of his ignorant examination. At once the man forgot himself. In the face of the whole court he expressed his forgiveness to Lord Erskine for the mistake he had made, and said: "I, in truth, am the Christ," and that was the man's sole delusion. In everything else he was perfectly sane. Now, I say that Lord Erskine might have cross-examined that man for a week or month, and to every answer he would have received a sane and rational reply until he touched the man's peculiar delusion, and the moment he touched that his insanity appeared as clear as the noonday sun. Had that man been tried in a Canadian court for a political crime and been prosecuted by this Government, he would have been convicted, because, under the theory hon. gentlemen opposite are acting upon, if he could distinguish between right and wrong, he would be responsible to the laws of his country which he had violated. Another instance, given by Woodman and Tidy, is the case of a man who was tried before Lord Mansfield for a very serious crime. In order to test the man's mental condition Lord Mansfield examined him for a whole day, and he could not discover in him the slightest trace of insanity; his answers were clear and rational, until the prisoner's physician came into the court and asked him what had become of the princess with whom he had corresponded in cherry juice. Instantly, the prisoner forgot himself, and said: "It is true, I was confined in a castle, where, for the want of ink, I wrote letters in cherry juice to the princess, and threw them into the stream below where the princess received them in a boat." That was the man's sole delusion, and it settled his case at once. But if he had been tried in Canada under the direction of this Government, he would have been convicted because he could distinguish right from wrong. Let me refer to another case. Who, in reading works on medical jurisprudence and the law reports, has not come across the case of Edward Oxford, who was tried, in 1840, for high treason, in shooting at Her Majesty the Queen? Edward Oxford was a man who entertained peculiar dreams, he was a man of bad heart and ill-regulated understanding, so far as one can judge from the evidence. The delusions under which he labored bear in every feature a striking parallel to those of Louis Riel. According to the report of the trial, Oxford was a great man in his own estimation; he was to become a great hero; he was to become famous at a single bound; he was to become Admiral Sir Edward Oxford, although he had never been at sea and never had undergone any training whatever. Let us see what Riel was to be. He was to be the prince of a new nation, the arbiter of the destiny of England and Canada; he was to be the sovereign head of a new church; he was to establish a new nationality in the North-West, composed of and divided into several nationalities; he was the inspired of the Almighty; the mantle of Elias had fallen upon his shoulders; he was to conquer England and Canada; he was to be the supreme ruler over all. If anything, the delusions under which Louis Riel labored were more absurd and ridiculous than the delusions under which Edward Oxford labored. The one was tried for high treason and acquitted on the ground of insanity; the other was tried and convicted of high treason and was hanged by this Government. Every student of medical jurisprudence or who has seen the law reports knows of the case of Daniel McNaughton, who was tried, in 1843, before Chief Justice Tindal and Judges William and Coleridge, for the murder of William Drummond. The delusions of McNaughton bear the most remarkable resemblance to those under which Riel labored. McNaughton was a man of education, of some training, and of remarkable intelligence upon every question, except one. His business correspondence produced at the trial indicated great business prudence and intelligence and a

thoroughly well balanced mind. But he labored under one delusion. He imagined that the Tories of his own country persecuted him and wronged him; he imagined, that no odds where he went, they followed him; he travelled abroad to escape them, but they dogged him everywhere, and he returned to England, went to a shop, deliberately purchased a pistol, and, waiting his opportunity, he fired at and killed Mr. Drummond, believing Mr. Drummond to be Sir Robert Peel, the then chief of the Tories in England. He was arrested, tried and acquitted on the ground of insanity. The law in its leniency, spared him the penalty of his crime. It was a blessing for him and his friends he was not tried in Canada. There are many points of similarity in this case and that of Louis Riel. Riel was a man of education, considerable training, and great shrewdness in most things. Some of his correspondence shows that; other correspondence of his, that on religious and political topics, indicate, beyond doubt, that he had an ill-balanced mind; he believed the mantle of Elias had fallen on him and that he was inspired by God. He violated the law of the land, was tried and convicted, and, notwithstanding his manifest delusions and the recommendation of the jury to mercy, he was hanged. The cases I have submitted to you, Sir, are cases on all fours with the case of Louis Riel. The English prisoners properly escaped on the ground of insanity. In England they do not hang lunatics; but the Canadian prisoner, although beyond doubt a lunatic, was executed by this humane Government, not in obedience to the law, not to vindicate the majesty of the law, but in obedience to an unseen and irresistible power behind the throne. Now, I shall discuss for a moment or two the evidence of the doctors, because hon. gentlemen opposite say their testimony establishes, beyond doubt, that Riel was insane. I do not propose to analyse the testimony of Dr. Roy or Dr. Clark called for the defence, further than to say that both these men are noted experts on insanity on which subject both have something more than a Canadian reputation. Both had opportunities to examine Riel; one had him under charge for nineteen months as a lunatic, and thus had opportunity to diagnose his case and speak with absolute confidence as to his sanity or insanity. Both were decidedly of opinion that Riel labored under delusions, and was not a responsible agent in matters of religion and politics. The Crown called Dr. Wallace, of Hamilton, to rebut the evidence of the experts I have mentioned. Dr. Wallace declared that he examined Riel for one-half hour, and I recommend the evidence of Dr. Wallace to the attention of those hon. gentlemen who propose to sustain the Government on the motion under discussion. Referring to the evidence called for by the Government themselves, I say no intelligent man whose mind is unbiassed can rise from its perusal without being thoroughly impressed with the fact, that as regards religion and politics, Louis Riel was as mad as a March hare. Dr. Wallace, on being cross-examined by Mr. Fitzpatrick, gave the following evidence:—

“Cross-examined by Mr. Fitzpatrick.

“You have no doubt whatever in your mind, from the examination you have made of this man during half an hour, and from the evidence which you heard here, that he is of perfectly sound mind? A. Well, I should qualify, that is, I should qualify my answer to that question. I have had only a limited examination of him, and in any case of obscure mental disease it sometimes takes a very long time before one can make up their mind, but from what I have seen of him I say that I have discovered no symptoms of insanity.”

Here is a doctor, called by the Crown to rebut the testimony produced by the prisoner, and he says: “It would be presumption on my part to say that Riel was not insane. I have had men in my asylum for months before I could discover traces of insanity”—and yet this witness is expected to convince an intelligent House of Commons that the evidence which is based on an examination of the prisoner, lasting during the long period

of half an hour, of a man he never saw or knew anything of before, is wholly irresistible.

“Q. Therefore you are obliged to say that all that you have discovered in this case, or all that you are now in a position to say, is that you have not discovered any traces of insanity?—A. That is all my conscience will allow me to say.”

The doctor further says, speaking of megalomania:

“It is a condition in which the patient has delusions, grandiose delusions, delusions of greatness.”

And again, he says:

“Q. The delusions are that he is rich?—A. Yes.

“Q. And powerful?—A. Yes.

“Q. A great general?—A. Yes.

“Q. A great minister?—A. He may be a great anything and everything.

“Q. A great prophet?—A. Yes.

“Q. Or divinely inspired, or that he is a poet or a musician, in fact that he is an egotist and selfish man?—A. Yes.

Here is an expert, or a man who professes to be an expert, who tells us—what? That he examined the prisoner for half an hour, that his examination was a very limited one, that in obscure cases it takes a very long time to discover insanity, that it would be presumption in him to say that Riel was not insane, that his conscience would not allow him to say whether he was insane or not, that in his own experience it takes weeks to discover symptoms of insanity—a thing this doctor undertook to do in half an hour—but that Riel had all the symptoms of the disease known as magolomania. Yet, in the face of the bold and emphatic declaration of the two other medical men, a human life has been sacrificed. The only other medical man called by the Crown was Dr. Jukes, an employee of the Government, who has had the candor to tell us he knows nothing about insanity, and is therefore not an expert. He is asked the following questions, and gives the following answers:—

“Q. Have you devoted your attention to insanity at all specially, or not?—A. Never specially, there are cases of course which occasionally will come under the notice of every general practitioner, but as a special study I have never done so.

“Q. Every medical practitioner, I suppose, has his attention more or less directed to it?—A. Occasionally I have been called upon to certify in cases of insanity.

“Q. And you have never spoken to him on the particular subjects with reference to which he is supposed to have his delusions?—A. Name the subject.

“Q. On religion, and on his mission with reference to the North-West Territories?—A. I have never spoken to him on either.

“Q. You said, doctor, that you had not made any endeavor to ascertain, during the intercourse that you had with Mr. Riel, whether or not he suffered from any particular mental disease? Did you notice any form of insanity, or any mental disease, unsoundness of mind?—A. I never specially examined him as a lunatic, I never made a special examination of him as a lunatic.

“Q. You never made any special endeavor to discover whether or not he was suffering from any particular form of mental disease?—A. Never any special endeavor, anything beyond ordinary conversation of the day.

“Q. Is it not a fact there are different forms of insanity, which are not discoverable except after considerable endeavors has been made to discover them?—A. Yes; it is so, unquestionably, that you may converse with the man continually and not be aware of his insanity until you touch accidentally, or some other person touches accidentally upon the point upon which he is insane.

“Q. Had you been informed at any time of the particular mental disease from which Mr. Riel was supposed to have been suffering?—A. I don't think I ever knew as much of it as I have learned here.

“Q. So that you never made any endeavor to?—A. I never did, that is, I never spoke to him specially with regard to what he believed to be his mission, knowing that many very sane men might be so, and yet a man might be perfectly sane.

“Q. So that you have no doubt at all, doctor, from the evidence that you heard here given by the different witnesses who were examined, the conduct of Mr. Riel is perfectly compatible with a perfectly sound mind?

Now, mark this answer. The doctor says:

“Well, I regret to say that my hearing is rather imperfect in the court room and that I have not been able to hear as well as I could wish.”

He goes further than that. He says:

“If it can be proved that a man is acting under an insane delusion, then any act I should consider which he performed under the delusion, any act having special relation to his delusion, I should consider that he was not personally responsible for.”

Now, let me here again summarise the evidence of these medical men. Here is a witness called for the Crown, who honestly tells us he is not an expert, that he knows nothing about insanity, that the most he knows of insanity is that, as a medical man, he has occasionally signed the certificate to send a man to gaol who is notoriously a lunatic, that he never spoke to Louis Riel on the subject of his delusions, that he never examined him as a lunatic, that he never spoke to him on the subject or made any attempt to discover whether or not he was subject to delusions, he admitted that he was deaf and could not very well hear what was going on, and he admitted that, if a man is subject to delusions and commits a crime within the scope of those delusions, he is not responsible for it. We are asked on that evidence to justify the Government for hanging this man. I say it is not sufficient to justify them. I say it is not enough to justify the hanging of a dog, let alone the hanging of a man. There is another aspect of this case which I wish to discuss for a moment. From the 15th March, when the first indication of an uprising took place, down to the trial of Louis Riel, and down to the execution of Louis Riel, there were doubts in the minds of many thoughtful men as to Louis Riel's sanity. After the trial, there were grave doubts as to Louis Riel's sanity. There were grave doubts from the medical testimony, there were grave doubts from the facts elicited at the trial and from the acts and conduct of Louis Riel; and yet this Government never took the first step to settle these doubts until one week before Louis Riel was consigned to the gallows. One week before the day fixed for the execution, this Government authorised three medical men to examine Louis Riel, not one of whom was an expert in insanity cases, and all of whom were the paid employes of this Government. Is that the kind of commission that is reasonable, sensible, thoughtful men expected that this Government would issue to test the sanity of a man about to be executed for a crime he was alleged to have committed? When the petitioners asked the Government to appoint a commission to test this man's sanity they expected they would appoint a commission of experts, a commission of experienced men, who would be prepared to report irrespective of the views, the inclinations, the desires, or the sympathies of the Government. Instead of that they appointed three of their employes, three men who ought not to have been appointed, men who knew nothing about insanity. These men examined him, and they made their report a week before the Regina scaffold received its victim. The report of one of them is dated the 8th November. That report, in the ordinary course of mail, would reach Ottawa certainly not before the 13th November. On the 12th November, on Thanksgiving Day, this Government passed an Order in Council to execute Louis Riel, and the warrant to consign him to the scaffold was signed on the 12th November. Her Majesty's representative in this Dominion was aroused from his midnight slumbers on the 12th November to sign the warrant which consigned this man to the gallows before that report could, in the ordinary course of mail, have reached its destination at Ottawa. I charge that this Government, without waiting for the report of the medical commission, independently of the medical commission, passed the Order in Council, without knowing what the report of the medical commission was, to execute this man who was alleged to be a lunatic and whom I believe to have been laboring under these insane delusions. That fact is manifestly clear, and I challenge contradiction of it. Further, when the honorable and gallant knight who presides over the Militia Department of this country, found that he was getting into difficulties with some of his own countrymen, because it was said that he had fled to the North-West to avoid being present at the Council which decided the fate of Riel, his chief wrote him a letter on the 3rd November, stating that Sir Adolphe Caron was present

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at the Council Board when the Government decided to hang Louis Riel. I say the Government decided to hang him without waiting for the report of the medical commission, and the proof is under the hand of Sir John Macdonald himself. But does the report justify the action of the Government? No. On the contrary, I say this report in the clearest possible manner strengthens and confirms the evidence given at the trial by Dr. Clark and Dr. Roy. Dr. Valade, one of the commissioners, says:

"I have come to the conclusion that he suffers under hallucinations on religious and political subjects."

Why, that was the defence, that was the only defence, that was the real defence, that he suffered under hallucinations on these two subjects. That was proved, in my judgment, beyond all doubt. Dr. Valade, it is true, states further that Louis Riel could distinguish right from wrong, but I have shown very clearly that that "right and wrong" theory is no test of the insanity of a man who commits a crime, when insanity is set up as a defence. I say that, if you take the evidence of Dr. Valade, and leave out what he ought not to have put in his report, that "right and wrong" theory in regard to insanity, which was exploded before Dr. Valade was born, as he ought to have known, that evidence confirms in every respect the evidence of Dr. Roy and Dr. Clarke. So Dr. Lavell, who is another employe of the Government, says that Louis Riel suffered under delusions on political and religious subjects. That was a complete defence. I say this "right and wrong" theory is wholly inexcusable in medical men, I do not care who they are, and they cannot justify that theory by any modern work upon medical jurisprudence or upon insanity, and they cannot justify it by any case in the courts of any country that I know of, at all events. Now, Sir, if Dr. Valade and Dr. Lavell know no more about the other branches of their profession than they do about insanity, and the true test of insanity, all I can say is, that I would not like to be placed under their care. Then, we have the reports of Dr. Jukes. Why did the Government send Dr. Jukes? I ask the Minister of Public Works why? They knew from the report of the trial that he swore he was not an expert—that he knew nothing about insanity. The idea of sending a medical man, or any man, who knows nothing about insanity, or who is not an expert, to test a man's sanity, is a farce; in this case, unfortunately, it is too solemn a farce to be trifled with, but it is inexcusable in the Government of this country, and wholly unjustifiable at that. They were not limited in their choice. They had the United States and Canada to choose from, and they surely could have found some men known as experts to test this man's sanity. Now, Sir, let me read from the report of Dr. Jukes, of the 6th November:

"Louis Riel has been under my special care medically as surgeon of the force for upwards of five months. During that time I have visited him with few exceptions every day, have studied him closely and conversed with him long and frequently. After careful and continuous examination which under varying circumstances from day to day I cannot escape the conviction that except upon certain purely religious questions, he was when first entrusted to me and still continued to be perfectly sane and accountable for his actions."

Turn to the sworn testimony of Dr. Jukes and see how that confirms the statement he makes. He says:

"I never specially examined him as a lunatic, I never made a special examination of him as a lunatic * * * Never any special endeavor, anything beyond ordinary conversation of the day * * * It is unquestionably true that you may converse with the man continually and not be aware of his insanity until you touch accidentally, or some other person touches accidentally, upon the point on which he is insane."

Now Sir, there you have the answer of Dr. Jukes to Dr. Jukes, and he admits that Louis Riel was laboring under a delusion upon the subject of religion, and so stated at the trial. Now, Sir, we find this Government, careless and negligent as they are, must have had something more than doubts upon Riel's sanity, and to hang a man, with doubts

of that kind hanging over the question of his sanity, is nothing more than judicial murder. Why, again, did the Government hang Louis Riel? Where was the justification in the medical testimony and in the evidence of medical men, and in the examination of witnesses at Regina? I say Mr. Speaker, that the Government of this country never intended to hang him, until the power and pressure of an unseen and irresponsible power became so strong, that they compelled the Right Hon. Sir John A. Macdonald to hang Louis Riel. That power has kept this Government in power for many long years; that power was never reconciled to the expenditure of public money in order that Louis Riel might escape the vengeance of the law for the murder of brother Scott. That power demanded, at the hands of this Government, that the blood of Brother Scott should be avenged by the blood of Louis Riel. That power was too strong to resist, and brother Sir John A. Macdonald yielded to that power. Am I overstating the fact? I am not overstating the fact. Turn to the *Orange Sentinel*, the organ of the Orangemen. The hon. member who preceded me challenged contradiction upon this subject. He said the Orangemen did not thirst for the blood of Louis Riel to avenge the death of brother Thomas Scott. Sir, I say the expressions in the organ of the association and the resolutions in the lodges of the association which found their way to the Government, insisted upon the Government shedding upon the scaffold the blood of Louis Riel. The *Orange Sentinel* of 6th August, 1885, a few days after the trial, and before the question of the man's sanity or insanity was settled otherwise than by the evidence at the trial, says this:

"We hold that it is the duty of the Government to take no notice of this recommendation to mercy, but in the interests of the Dominion at large to let the law take its course."

The *Sentinel* proceeds to argue in favor of the execution of Louis Riel, because

"He committed a most foul and atrocious murder upon a loyal Protestant subject."

If he had committed it upon a Papist it would have been all right, but he committed it upon a Protestant subject.

"The blood of his many victims cries aloud for vengeance."

On the 10th September, the *Sentinel* says:

"Riel has been fairly tried and convicted, and the sentence of the court must be carried out."

That is the mandate—the sentence must be carried out—no attention to the recommendation to mercy, no attention to a further investigation as to his responsibility—that sentence of the court must be carried out. A correspondent who signs himself a Deputy Master of Loyal Orange Lodge No. 1041, Chatham, on the 29th of Oct., 1885, says:

"As a representative of the Orange body, I wish to remind Sir John Macdonald, who belongs to the same organisation, that a very solemn responsibility devolves in him in connection with the fate of Riel. If Sir John should interfere to pardon a twice-convicted rebel and the murderer of Scott, he will make justice a mere mockery, &c."

On the 29th October, 1885, the editor says:

"In pressing on the Government the necessity of hanging Riel during the first outbreak under his personal direction, a man whose only offence was loyalty to the British Crown was ruthlessly butchered. The blood of Thomas Scott yet cries aloud for justice."

Upon the 6th November, brother Morton, in Toronto, in the meeting of Loyal Orange Lodge No. 821, said:

"And shall this arch-rebel go free while loyal Orangemen have stained the ground with their blood to uphold the Queen's authority? Never. (Loud applause). And the sooner the Government of Sir John Macdonald understands the true feeling of Orangemen on this question, the better. I was pleased to notice in the speeches of County Master Somers, District Master Wilson and Bros. Graham and Low the determination expressed that if the Government allows Rome to step in on this occasion and secure a reprieve for this arch-traitor, the Conservative party can no longer count upon their services, although they have worked and voted for them for many years."

Here, Sir, from the organ of the Orangemen are a pronouncement, a declaration, a command, a threat. You must hang Louis Riel to avenge the blood of Thomas Scott, or else we, Orangemen, who have stood by you in good report and in evil report, who never deserted brother Sir John A. Macdonald—we will vote against you at the next general elections. That is not all. I propose to read the expressions of opinion given by some of the Orange associations to show the real cause why this Government disregarded the recommendation to mercy, and the evidence of insanity given at the trial. On the 10th September, at a regular meeting of the Loyal Orange Lodge No. 884, at Merriton, the following resolution was unanimously adopted, not a dissenting voice:

"At the regular meeting of L.O.L. No. 844, Merriton, held in the hall 2nd Sept., the following resolution was unanimously adopted: 'Resolved, that we, the members of the above lodge, believe that Riel, the arch-treasurer of the North-West Territory, having been tried and convicted of high treason and sentence passed, that the sentence should be carried out and Riel executed, and we will, to the utmost of our power as electors, constitutionally oppose any Government that will commute the said sentence, or interfere to prevent being carried out.'"

"Signed on behalf of the lodge,

"Wm. SMITH, W.M.,
"T. W. WILSON, Sec."

Here is the command in its bald simplicity. The sentence passed on Louis Riel, right or wrong—let the man be sane or insane, it must be carried out—otherwise every Orangeman in the lodge will vote against the Government. This resolution was no doubt sent to Bro. Sir John Macdonald, who adds to his other dignities that of Knight of the Royal Scarlet. The command had to be obeyed, it was obeyed and Riel was hanged in obedience thereto. A member of L.O.L. No. 693 writes to the *Sentinel*, in September, 1885, and declares:

"That if Riel is not executed the Conservative candidates will lose almost every supporter in the peninsula."

At the regular meeting of L. O. L. No. 1457, Nelson, Man., it was resolved:

"That we will refuse to support any Government which will not see that justice is meted out to all those who have been engaged in the rebellion."

L. O. L. No. 1505, on 22nd September, adopted the following resolution:—

"That this L. O. Lodge strongly urges upon the Government the importance of carrying these decisions into execution without delay," &c.

At a meeting held on 22nd September, 1885, in the lodge room of Dominion City, L. O. L. No. 1499, the following resolution was passed:—

"That we, as members of L. O. L. No. 1499, view with distrust the action of the Government, through the Governor General, in granting the respite to that arch traitor, Louis David Riel, and, in effect an attempt to thwart the ends of justice. We, therefore, refuse to support any Government who so interfere and permit those implicated in the North-West rebellion to escape the penalty of a righteous sentence."

The following resolution was passed by L. O. L. No. 300:

"That we, as Orangemen, view with feelings of fear and regret the present position of the Louis Riel matter—although condemned to be hanged on the 10th of last month, but still lives. We strongly recommend that no subterfuges be allowed, nor any delay given through which this justly condemned rebel leader may escape. We also strongly wish our brethren throughout Canada to join hands in preventing any outrage in this matter to our Queen and country, whom we as Orangemen have united to cherish and protect."

At the regular meeting of L. O. L. No. 80, Peterborough, held the 30th November, 1885, the following resolution was passed:—

"That L. O. L. No. 80 sees with regret the obstacles that are being put forward to prevent the just penalty from being meted out on the scaffold to the rebel Riel for his many crimes; and that this lodge is of the opinion that no further respite should be granted him, but that he should suffer the extreme penalty of the law, and be hanged in fulfilment of the sentence passed upon him; and that a copy of this resolution be forwarded to the Right Hon. Sir John A. Macdonald."

"Wm. JAMIESON, Secretary."

At a meeting of L. O. L. No. 425, held on the 5th November, 1885, it was resolved:

"That we, as loyal subjects of Her Gracious Majesty the Queen, deem it our duty to urge upon our representatives in Parliament the necessity of an honest, manly and fearless administration of justice in the execution of the fairly tried, twice condemned and sentenced arch rebel and murderer Louis Riel."

Time will not permit to read all the resolutions, even those under my control. Not only do I charge this Government with being influenced by the loyal Orange body, but to the everlasting disgrace of the members of that body, scarcely had the soul of Louis Riel appeared before his Maker than they gloated over the execution which had taken place on the Regina scaffold. At the regular meeting of L. O. L. No. 1528, held at Moosomin, four days after the execution, the following resolution was passed:—

"That we, the members of L.O.L. No. 1528, do hereby congratulate the Government in carrying out the death sentence passed on the arch rebel and traitor, Louis Riel, and that the blood of our murdered brother Scott is at last avenged after a period of fifteen years, and we pledge ourselves to support the Government which has shown that justice will be dealt out to all classes, no matter what their creed may be, and, furthermore, should any trouble arise through French or Roman Catholics interference with the administration of our laws or rights, we will support the Government and our constitution and laws, even to shedding our blood in defence of the same."

Not satisfied with having executed Riel they met in solemn conclave and passed a resolution congratulating the Government on the tragedy that had taken place. At the regular meeting of L. O. L. No. 1222, the following resolution was passed:—

"That we the members of Boyne L. O. L. No. 1222, here assembled, desire to express our satisfaction that the law has been permitted to take its course in the case of Louis Riel, the leader of the North-West rebellion, who, on Monday, the 16th November, paid the penalty of his many crimes, and who was responsible for the loss of many valuable lives, among whom were two members of our noble order."

A manifesto was issued by the Royal Grand Black Chapter of Western Ontario, and in that manifesto appears the following language:—

"We believe that in no time in our history as a Grand Black Chapter have our principles of loyalty, love, and truth been more confirmed than at present, when treasonable devices are so glaringly accomplished, and when Romanism is so energetically engraving itself into our civil institutions, and when even a late rebel and arrant traitor to our country is held up as a saint and martyr, beatified by large portions of the Liberal press, even the *Globe* itself, trying to turn the world upside down on the axis of the rotten Riel agitation."

"Never did we need to be more watchful than to-day in the view of the aggressive policy of our vigilant enemies, and, when not only men, but our very institutions are in danger. But we are persuaded that He who rideth on the Heavens will laugh, the Lord will have them in derision."

Sir, I charge further; I charge this Government and the First Minister of this Government, with having on the day of the execution, within a few hours of that event, received more than one telegram from members of Orange lodges declaring: "Well done, thou good and faithful servant; we will all vote for thee for ever more!" Will they deny that? Will the First Minister or the Minister of Public Works deny it? We shall see. But that is not all. Not only did the Orange lodges and Orangemen clamor for the blood of Riel and gloat over his tragic fate, but they threatened those who believed that a lunatic was executed by this Government. Let us see what they said:

"Let it be proclaimed that the rights and liberties of Britons in an English colony, hang upon the breath of an alien race."

That is to say, Frenchmen!

"But English Canadians will not longer suffer the galling bondage; and the day may not be far distant when the call to arms will again resound throughout the Dominion."

Not satisfied with pressing on the execution, and gloating over the tragic fate of Louis Riel, they threatened those who honestly believed that the Government did wrong in executing a semi-lunatic. The *Mail*, the organ of hon. gentlemen opposite, said on 3rd November, 1885:

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"Let us solemnly assure them (the French Canadians) again that rather than submit to such a yoke, Ontario would smash Confederation into its original fragments, preferring that the dream of a united Canada should be shattered forever."

That is a warning to you, French Canadians, to take care of yourselves. If you vote against the Government, if you vote to turn them out of place and power for hanging a man whom you honestly believed insane, we will shatter Confederation into its original fragments. The *Mail* said further:

"As Britons we believe the conquest will have to be fought over again, and Lower Canada may depend upon it there will be no treaty of 1763. The victors will not capitulate next time. * * But the French Canadian people would lose everything. The wreck of their fortunes and their happiness would be swift, complete, and irremediable."

Beware, take care, French Canadians! British law does not protect you in the eyes of the *Mail* and the Orangemen of Ontario, if you vote against the Government. If you vote with them it is all right, but vote against the Government who hanged a man whom you believe to be a madman, and the conquest of Quebec will be fought over again, and there will this time be no treaty of 1763. This time the conquerors will not yield to those who were the vanquished. Was there ever anything in any country, in any party, in any organisation more scandalous, more disgraceful and outrageous than this? Thirsting with unquenchable thirst for the victim's blood, gloating with inhuman delight over the victim of the Regina scaffold, and then threatening with conquest a free Province and denouncing a great and chivalrous race because they saw fit to oppose a Government who they honestly believed executed a man who ought not to have been executed. Now, Sir, I say that in view of all these facts, in view of the refusal of this Government—a course, as I say, unknown in criminal practice—to give this man a reasonable time to prepare his defence; in view of the obstructions of every kind thrown in the way of the defence at the trial and before the trial; in view of the objections to the admission of evidence which would prove as clear as the noonday sun which shines above our heads at mid-day, that the Government of this country are alone responsible for all the misfortunes that followed the rebellion in the North-West; in view of the surrender of Louis Riel, as I honestly believe, under the impression that by so surrendering his life would be spared; in view of what I believe to be clearly established—the insanity of Louis Riel; or taking the lowest possible view of it, in view of the fact that his sanity was in doubt, and the disregard of this Government for the plainest principles of common justice, to give every person the benefit of the doubt; in view of the evidence in this case, the facts I have submitted to you, I say I am amply justified in the conclusion I have come to: that the Government of this country deserve condemnation at the hands of the people of this country. I say, moreover, that for four months—the period that elapsed between the conviction and the execution—this Government literally trafficked in the destiny of a fellow mortal. I say that during all the time from the conviction of Louis Riel to his execution this Government were balancing in the scales the problem of a human life. I say that during all that period this Government were throwing the political dice over the living body of Louis Riel—fixing his fate as Orange or Bleu might prevail. I say that Louis Riel was not executed to vindicate justice or maintain the majesty of the law. I say he was executed because of the pressure of this irresponsible power, and I say that the motives by which the present corrupt, incompetent, imbecile Administration, were actuated and moved, when a human life was concerned, deserve the condemnation of this House, and I believe they will receive that condemnation at the hands of the people of this country. I shall vote for the motion.

Mr. CURRAN moved the adjournment of the debate.

Motion agreed to.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to; and the House adjourned at 11:20 p.m.

HOUSE OF COMMONS.

MONDAY, 15th March, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

EXECUTION OF LOUIS RIEL.

Sir HECTOR LANGEVIN. The First Minister stated, the other day, that it was desirable that we should go on from day to day with the debate on the motion of the hon. member for Montmagny (Mr. Landry), and as I see that the motion stands at the foot of the list, I would move, seconded by Sir Adolphe Caron:

That immediately after questions put by members, this House resume the adjourned debate on Mr. Landry's proposed motion, being the 35th Order of the Day, and that the said Order shall continue to be the first Order of the Day until disposed of.

Mr. BLAKE. Is that motion in order?

Mr. SPEAKER. It requires the unanimous consent of the House.

Sir HECTOR LANGEVIN. If the hon. gentleman objects, of course I withdraw the motion.

Mr. BLAKE. I object because the Government has not fulfilled its duty in preparing the House for the motion which it seeks to press on.

Motion withdrawn.

FIRST READINGS.

Bill (No. 44) to incorporate the Bow River Coal Mine and Transportation Co.—(Mr. Robertson, Hastings.)

Bill (No. 45) respecting the Dominion Lands and Colonisation Companies, Limited.—(Mr. Beaty.)

RIVER ST. LAWRENCE NAVIGATION.

Mr. LANGELIER moved for leave to introduce Bill (No. 46) for facilitating the navigation of the River St. Lawrence in and near the harbor of Quebec.

Sir HECTOR LANGEVIN. Would the hon. member say if his Bill contains anything else than the repeal of the Act of last Session?

Mr. LANGELIER. The Bill repeals the Act of last Session, and puts into force the by-laws which were repealed by the Act.

Motion agreed to, and Bill read the first time.

RAILWAY FROM ESQUIMALT TO NANAIMO, B.C.

Mr. POPE moved for leave to introduce Bill (No. 47) respecting the railway from Esquimalt to Nanaimo, B.C.

Mr. BLAKE. Explain.

Mr. POPE. There is not very much to explain. The curvature on the road was fixed by statute, and it has been

found, in building the railway, that sharper curves are necessary and will not be detrimental. It is intended to change the curvature from 7 to 10.

Mr. BLAKE. Do you think it is necessary to have an Act of Parliament to take a sharp curve like that?

Mr. POPE. All I can say is, that I am being instructed very rapidly. I hope in another year or two to be able to take it.

Motion agreed to, and Bill read the first time.

ENQUIRIES RESPECTING RETURNS.

Mr. BLAKE. Before the Orders of the Day I desire to call attention to an Order of the House passed on 29th April last, for copies of correspondence between the Indians of the Fort William Reserve, or any one on their behalf, and the Indian Department, and between the Indian Department and Indian Agent, whether by telegraph or otherwise, on the subject of the action taken under the existing timber licenses. That Order has not been complied with as yet, and I am desirous of making a motion on the subject to which it refers.

Sir HECTOR LANGEVIN. Will the hon. gentleman send a memorandum across the House.

SECOND READINGS.

Bill (No. 26) to incorporate the Tecumseh Insurance Company of Canada.—(Mr. Macmillan, Middlesex.)

Bill (No. 30) to incorporate the E. B. Eddy Manufacturing Company.—(Mr. Wright.)

Bill (No. 31) to incorporate the Alberta Railway Company.—(Mr. Shanly.)

Bill (No. 34) to incorporate the Lake Superior Mineral Railway Company.—(Mr. Dawson.)

Bill (No. 35) to amend the Act to incorporate the Lake Nipissing and James' Bay Railway Company.—(Mr. Sutherland, Oxford.)

Bill (No. 36) to grant certain powers to the Sable and Spanish Boom and Slide Company, Algoma, Limited.—(Mr. Sutherland, Oxford.)

Bill (No. 41) to reduce the Capital Stock of the Union Bank of Lower Canada and to change the corporate name thereof to the "Union Bank of Canada."—(Mr. Bossé.)

Bill (No. 42) respecting the Saskatchewan Land and Homestead Company, Limited.—(Mr. Orton.)

Bill (No. 43) to amend the Act incorporating the Canada Atlantic Railway Company.—(Mr. Mackintosh.)

THE NORTH-WEST DISTURBANCE—MAJOR-GEN. LAURIE AND MAJOR-GEN. STRANGE.

Mr. CASEY asked, Was Major-General Laurie on the list of the active militia when he went to the North-West, and was he ordered to proceed there on duty? Was he gazetted as an officer of the active militia during the campaign? If so, when and to what rank? In what capacity did he serve, and at what rate of pay? Was Major-General Strange on the active militia list on March 27th, 85? If not, when was he gazetted, and to what rank? What command did he hold during the campaign? By whom appointed, when, and at what rate of pay?

Sir ADOLPHE CARON. Major-General Laurie, when he went to the North-West, was retired from active command in the militia. The date of his retirement was 30th

June, 1882. He was sent out by the Minister with instructions to report himself to the Major-General in command, who gave him a command. He was not gazetted as an officer of the active militia during the campaign. He served as commander at the base of operations at Swift Current and Moose Jaw. His rate of pay was \$8.76 per diem. Major-General Strange was not on the active militia list on March 25th, 1885. He was appointed to the temporary rank of Colonel in the militia during the period the militia was called out for active service in the North-West, by an Order in Council of 27th April, 1885. He was gazetted on 15th May, 1885, by general orders. He held the command of the Alberta field force. He was appointed by Order in Council as above stated. His rate of pay was \$12.16 per diem.

NORTH-WEST LAND SALES.

Mr. LANDERKIN asked, What number of sales of land was made by the Department of the Interior in the North-west Territory during the year 1884, also in 1885, and the gross amount received each year from such sales?

Mr. WHITE (Cardwell). It would take considerable time to prepare the number of sales of land made, and I cannot therefore answer the question put by the hon. gentleman. Such an answer would involve an examination and calculation of all the fortnightly returns made by the agents, which would occupy time. The amount received by the Department in 1884 was \$640,295; 1885, \$240,059.

CASE OF LOUIS RIEL—PETITIONS, &c.

Mr. VANASSE asked, Whether the Government received, during the months of August, September, October and November last, petitions, letters, telegrams, or other communications, written or *vis à voce*, from Hon. François Langelier, M.P., Hon. W. Laurier, M.P., Hon. M. R. Laflamme, Hon. M. H. Mercier, M.P., Hon. F. X. A. Trudel, Senator, Hon. J. Bellerose, Senator, Hon. J. Bte. Guévremont, Senator, Mr. Ernest Pacaud, Editor of *L'Electeur*, Quebec, or from other persons, praying for a commutation or for the exercise of the Royal clemency as regards the sentence of death pronounced against Louis Riel, for the crime of high treason of which he was found guilty?

Mr. CHAPLEAU. I am not aware that the Department over which I preside has received any such communications. Of course, some of the names mentioned appear in some of the petitions, a list of which is at the end of the pamphlet which is now before the House. In connection with the matter I beg to say that if the mover for copies of the petitions wants the whole of the petitions re-copied, I am informed it will take a great deal more time than is necessary. I had intended, as many petitions appear under one heading, to arrange the headings and give the number of signatures under each, if that would be sufficient for the object of the hon. gentleman, and then we could have them soon. If not, it will take a great deal of time.

HOMESTEADS IN THE CANADIAN PACIFIC RAILWAY BELT.

Mr. BLAKE asked, How many homesteads have been entered within the Canadian Pacific Railway belt up to 31st December last, between: 1. The first and second principal meridians; 2. The second and third; 3. The third and fourth; 4. The fourth and fifth?

Mr. WHITE (Cardwell). The answer to this question is being prepared, and as some of the enquiries involve a good deal of examination, if the hon. gentleman allows the Sir ADOLPHE CARON,

question to stand as a motion, the papers will be brought down in a day or two.

NEGOTIATIONS ON THE FISHERY QUESTION

Mr. MITCHELL asked, Whether there are any further despatches, or other papers connected with negotiations on the fishery question, in addition to those laid before the House of Commons during the last Session of Parliament, and if there are, will they be brought down to date?

Mr. FOSTER. There are some further despatches, and they will be brought down as soon as, and as far as they can be, consistently with the public interest.

POINT PELEE (NAVAL RESERVE).

Mr. LISTER asked, 1. Whether the residents of Point Pelee (Naval Reserve) have petitioned the Government to make grants to them of the lands which they claim to be in occupation of at that place? 2. Whether the Government appointed a surveyor to make a survey of the said reserve? And if so, what is the name of the surveyor? When was he appointed? Was such survey made? And has a report been submitted to the Government? 3. Was, or is it, the intention of the Government to make grants to such occupants? 4. Whether the Government has leased the said reserve or any portion thereof? If a part only, what part? Who is the lessee? What is the date of the lease? What is the term created thereby? The rent reserved, and how is it payable?

Mr. WHITE (Cardwell). The squatters on Point Pelee have petitioned the Government to give them grants of their holdings. Mr. Alexander Baird was authorised, 10th September, 1881, to make a survey. His plan and report are filed in the Department of the Interior. It is the intention of the Government to make grants to such occupants, if the Admiralty authorities make no objection. The portion of Point Pelee not held by squatters was leased to Albert Chatfield *et al*, for 21 years from 6th April, 1885, at an annual rental of \$400, payable half yearly in advance.

CASE OF LOUIS RIEL—REPORTS OF DR. VALADE AND LAVELL.

Mr. AMYOT asked, 1. When were the reports of Drs. Valade and Lavell received by the Government? 2. Were the medical reports of Drs. Lavell and Valade, which are brought down, made by telegraph or by letter? 3. Were there any reports, telegrams or letters as to the mental condition of Louis Riel sent to the Government by either Dr. Valade or Dr. Lavell, other than those already brought down, and if so, will they be laid before the House?

Mr. THOMPSON (Antigonish). The reports of Drs. Valade and Lavell were received by the Government shortly before the passing of the Order in Council of the 12th November, recommending that the law should take its course. The medical reports of Drs. Valade and Lavell which are brought down—that is, the documents submitted to the House, as the hon. gentleman is probably aware, are themselves in the form of letters. The substance of these reports—that is to the same effect and almost in the same words—were, however, communicated by telegraph in advance of the letters. The third question is therefore partially answered by what I have said, the same report having been made, as I have said, by telegraph. It is not intended that these telegrams shall be laid before the House; in fact, the telegrams, which were sent in cipher, and which were of the same nature as the reports laid on the Table, were returned to those who sent them, when the formal and official papers were sent.

QUEBEC AND LEVIS FERRY SERVICE.

Mr. LESAGE asked, Whether it is the intention of the Government to take in hand forthwith the establishment of the ferry to connect the two shores between Quebec and Lévis and thus afford us direct communication with the railway systems of the other Provinces and of the United States?

Mr. POPE. Some time ago there was an amount put in the Estimates for this purpose, and I presume, when the Estimates come down, an amount will be included for that purpose.

HAY TAX IN THE NORTH-WEST.

Mr. LANDERKIN asked, What tax per ton is charged the actual settler in the North-West, who cuts for his own use, over fifty tons of hay on Government land in that territory? When the quantity exceeds a hundred tons, what tax per ton is imposed?

Mr. WHITE (Cardwell). Recently instructions have been sent to the Land Board at Winnipeg to alter the regulations with regard to hay, so that now settlers buying hay for themselves pay ten cents per ton for any quantity they may require. Persons like merchants who buy hay for trade, pay \$1 per ton, as under the former regulations.

Mr. LANDERKIN. What were the former rates?

Mr. WHITE (Cardwell). From 1 to 20 tons, ten cents per ton; from 20 and up to 50, 25 cents per ton; over 50 and up to 100, 50 cents per ton, and over 100, \$1 per ton.

EDWARD MIALL'S PAMPHLET AGAINST CANADA TEMPERANCE ACT.

Mr. McCRAVEY asked, By whose authority did Edward Miall, Commissioner of Inland Revenue, prepare, publish and circulate, during 1885, a pamphlet containing arguments against the Canada Temperance Act and the principle of prohibition? Did he do so under instructions from, or with the approval of the Government? By whom was the cost of printing and publication defrayed; if by the Government, what was the cost, and what remuneration did Mr. Miall receive?

Mr. COSTIGAN. I do not know that Edward Miall did publish and circulate, during 1885, a pamphlet containing arguments against the Canada Temperance Act and the principle of prohibition. If any such pamphlet was published, it was not by instructions from the Government, nor was the cost of publishing paid by the Government.

CANADIAN PACIFIC RAILWAY—B. C. SECTION.

Mr. EDGAR asked, 1. Was the Government section of the Canadian Pacific Railway in British Columbia completed and accepted by the Government when the Order in Council of 29th July, 1885, was passed, which recites that it was then completed, and authorises its transfer to the Canadian Pacific Railway Company? 2. Has that section of the railway been yet completed to the satisfaction of the Government? 3. Has it yet been transferred to or accepted by the Canadian Pacific Railway Company? 4. If not yet accepted by the Government, are the contractors still operating it for their own benefit? 5. Have the Government received a copy of the tariff put in force by the contractors on this section? 6. Has the Minister of Railways obtained any legal advice since 18th May, 1885, with respect to the right of the contractors to use the rails supplied by the Government for the transport of traffic for their own profit, and, if obtained, is it favorable to the contractors?

Mr. POPE. 1. It was practically completed, but not accepted by the Government; 2. The chief engineer has not reported, nor has his final certificate been issued; 3. It has not yet been transferred to or accepted by the Canadian Pacific Railway Company; 4. Mr. Onderdonk is carrying the mails for the Government; 5. If Mr. Onderdonk is carrying freight and passengers, it must be at the request and for the accommodation of the people of the interior of that Province; 6. The Minister of Railways has obtained no legal advice.

Mr. EDGAR asked, 1. What is the total amount paid by the Government to the contractors for the Government section of the Canadian Pacific Railway in British Columbia? 2. Have any claims been made by the contractors for further payments on account of their work on this section; and, if so, to what amount and for what description of work?

Mr. POPE. The total amount paid for the five Government sections to which I suppose the hon. gentleman refers, is \$10,220,357. No claim has been made to the Department, but Mr. Onderdonk has verbally intimated that he has some claim.

CANADIAN PACIFIC RAILWAY—STATEMENTS TO THE GOVERNMENT.

Mr. CHARLTON asked, 1. Have the Government any statements as to cost of operating the main line of the Canadian Pacific Railway from Montreal to the end of line; and of receipts from sales? 2. Have the Government requested any such statement from the Canadian Pacific Railway; and, if not, do they intend to do so? 3. Have the Government received or demanded from the Canadian Pacific Railway any statement of the amount of their receipts due to articles or persons conveyed on said road in connection with construction? 4. Does the Government intend to require separate statements from the Canadian Pacific Railway in reference to receipts and expenditures on—(a) The main line of the Canadian Pacific Railway, (b) The several lines leased by the said company?

Mr. POPE. 1. Nothing further than appears in the papers laid on the Table, giving the operations of the railway since its completion; 2. All statements asked by the House have been applied for; 3. They have not; 4. This has been applied for, but the company state that they are unable to furnish it, as they have not kept their accounts separate.

COUNTERFEIT GOVERNMENT BONDS.

Mr. LANDERKIN asked, Have any of the 5 per cent. bonds recently redeemed by the Government turned out to be counterfeit, and, if so, to what amount?

Mr. McLELAN. No.

INDEMNITY OF MEMBERS—CASE OF LOUIS RIEL.

Mr. FARROW moved:

That it is expedient to provide that members of the House of Commons of Canada and members of the Senate of Canada who may be absent from the House by sickness, in themselves or families, though not in Ottawa during such sickness, shall not be deprived of their indemnity by such absence.

Sir HECTOR LANGEVIN. I move in amendment that the 35th Order of the Day be now called.

Mr. BLAKE. I beg to enquire whether the motion of the hon. member for Huron (Mr. Farrow) is in order. As

I understand, there are two objections to it—1st, that any procedure of this description must be initiated in committee; and, 2nd, that at the very commencement it must be recommended by the Crown. As the First Minister asked that it might stand, in order that he might bring down that recommendation, and he has not brought it down, I presume that the motion of the hon. member for Huron is not in order.

Mr. SPEAKER. The resolution of the hon. member for Huron is not a motion to go into committee. It is only an abstract resolution barren of result. It is quite in the power of the House to adopt that resolution if it thinks fit, although a Bill could not be founded upon it. There would have to be some further proceedings taken, such as going into committee on a similar resolution, and such a resolution would have to be recommended by the Crown before being adopted. But I do not see anything objectionable in this abstract resolution. Resolutions in similar words have been adopted in the English House of Commons.

Mr. BLAKE. Is the motion in amendment of the hon. Minister of Public Works in order?

Mr. SPEAKER. Oh, yes. Last Session there was a similar motion made to supersede a motion before the House and to pass to another Order of the Day. A motion was made to supersede the consideration of the Canada Temperance Act.

Mr. BLAKE. My recollection is that your ruling was that one Order of the Day could be superseded by another Order of the Day. However, if it be your ruling that this amendment is in order, I wish very briefly to state my reasons for objecting to it, which I have already indicated in exercising my right of objecting to the procedure proposed by the hon. Minister of Public Works a little while ago. I object to it because the Administration are pressing on the consideration of this question, while, at the same time, they are failing to fulfil their obvious and imperative obligation to the House of providing it with the materials in their hands for the proper consideration of the question. I say they have no right to arrange this debate as they propose to arrange it, and it is nothing less than indecent for them to press on the decision of this question while they withhold the materials which are necessary to a right judgment upon it. Why, Sir, what did we hear a moment ago? Look at the answer which was given to the question of the hon. member for Bellechasse. Look at the fact that the materials on which the Administration acted with reference to the question whether this sentence should be commuted or not, have been suppressed, that the Government have handed them back to the men who sent them. They have been handed back—why? Because they were the same as those brought down? No, Sir. If so, they would never have been handed back, but because they differed from those brought down, because we have here cooked-up documents. The Government did not choose to bring down the documents we required; these documents are not accessible, they are not available, they are not to be had—and they ought to be had before we proceed to discuss this question. It was but a few weeks ago we saw in the public papers the statement that Dr. Lavell was up in Ottawa arranging about his report in the case of the Riel investigation. I suppose it was at this time these letters were prepared. I know not when they were prepared or received, but it is obvious from the dates they could not have been sent by mail in time to form the basis of action by the Administration. The Administration acted upon the cipher telegrams, and we find the Government has placed these telegrams out of their possession and put them in possession of the doctors who sent them. The Government ought to call on the doctors to bring them back, and

Mr. BLAKE.

the Government should bring them down to the House, so that the House may see exactly what was said, and the difference between what was said then and what is said now, which difference was so material that it was deemed expedient to hand back the telegrams to the gentlemen who sent them and have these letters prepared in their stead. There are other statements asked by this House, which I will not enumerate, because they are in the Orders which have not been brought down. The necessity for the production of these was unanimously agreed to by this House; the Administration did not decline to produce them, but they practically say: We will not let you have them although we agreed to your demand for their production, because we insist upon your coming to a decision before you get them. It was the duty of the Administration, knowing that these papers would be wanted, to have had them prepared and ready to bring them down, and to have brought down voluntarily all of them instead of some. Some they have brought down. They have brought down their own selection; the rest it was their duty to have prepared. Not having prepared them, it is not their duty to insist on departing from the customary Order of the House by pressing on the debate, saying, on the one hand, It is too soon to bring down the papers, and, on the other, We want you immediately to proceed to judgment.

Mr. THOMPSON (Antigonish). If it had not been for the warmth with which the hon. gentleman has just spoken, I should have been exceedingly surprised at the charge he made against the Department over which I unworthily preside, in reference to the question put by the hon. member for Bellechasse (Mr. Amyot), which I answered a few moments ago. I should have been surprised to hear it stated, in relation to so important a matter as this, by a gentleman occupying that hon. gentleman's position, that the material on which the Executive acted has been, in any sense of the word, suppressed, or that the telegrams, which I stated to the House were in effect the same as the documents laid on the Table, were not the same, or were suppressed, destroyed, or delivered back to those who sent them because they were not the same. I should have been surprised also at his statement that the documents laid on the Table were cooked documents. I beg to say, on the responsibility which rests upon me as a Minister of the Crown, and speaking for my colleagues as well, to give those three statements the most direct contradiction. The documents have not been suppressed. The hon. member for Bellechasse (Mr. Amyot) did not even ask that they should be produced, but asked whether it was the intention of the Government to bring them down; and my reply stated it was not proposed to bring them down, and I gave the reason. The documents are substantially the same, and therefore the statement that the telegrams have been suppressed because they are not the same as the documents on the Table is not correct, and the documents on the Table, so far from being cooked, represent to the House what those doctors represented in the cipher telegrams and contain the information upon which the Government acted. I regret that the hon. gentleman should have seen fit to make such grave charges of mal-administration, as he avows he did, upon the mere fact that he saw in some paper the statement that one of the physicians was manufacturing his report in Ottawa. I have only to say, with regard to the papers wanted from my Department, that papers have been asked for which require to be sent for as far as Regina. They have been telegraphed for, and are on their way, and other papers—a wheelbarrow of papers—the copying of which will take some time yet, will be brought down as soon as possible. I have laid on the Table, however, all the documents immediately connected with the trial, which are all it was possible to prepare at so short a notice.

Mr. MILLS. I do not see why the hon. Minister had any occasion for surprise, after the explanations he gave. If I rightly understood him he informed the House the telegrams were not exactly the same as the letters, though to the same purport, and he does not inform the House why the Government should have taken so extraordinary a course as to return those telegrams.

Mr. THOMPSON (Antigonish). I did not say they were not the same.

Mr. MILLS. If the Government acted on those telegrams, they must have known that their production, and not the production of letters written or received subsequent to the action of the Government would be required by the House. It is not the opinion of those gentlemen after the determination of the Government was arrived at, that we want, but their opinion before, and on which the Government acted, and if the hon. gentleman had submitted those telegrams he would not have been called on to make any defence. We saw a letter published in the papers not long since of the First Minister defending his colleague, the Minister of Militia. That letter informed the country that the Minister of Militia was in his place in the Council Chamber at the time it was determined that Riel should be executed. He left for Winnipeg long before the 12th; and here we have information given to the House that this determination was arrived at and the Order in Council was passed on the 12th November, after the hon. gentleman had been at Winnipeg. We are anxious to know why Mr. Crawford, the leader of the Orangemen, waited on the hon. Minister, and what the information which he imparted to the Minister as to the state of public feeling in Winnipeg, and what were the communications which the Minister made to the leader of the Government as to that feeling before the execution of Riel. It will strike a great many as very extraordinary, if the Government had determined on the execution of Riel, that no communication should have been had before the Minister went to Winnipeg. Up to this moment the House is left largely in the dark on this question, and we find the Minister of Public Works seeking at this moment to force on this question, when the Minister of Justice tells him that the Government have not themselves in their possession the necessary papers to communicate to the House. Surely it is important that the House should have an opportunity of fully considering this question. Under our system certain judicial functions devolve upon the Government. The Government have in some measure to act as a court of review to consider criminal cases, and we want to know upon what grounds the Government proceeded, especially seeing that the Government carried out the extreme penalty in the case of a person who was recommended to mercy by the jury who found him guilty. The hon. gentleman proposes that the House shall go it blind, and that the Government shall be sustained before the House has an opportunity of considering all the papers relating to the subject.

Mr. CASEY. I think there is one sentence alone in the remarks made by the hon. Minister of Justice which is quite sufficient to defeat this amendment. I will not deal with the disappearance of the telegrams which he tells us have disappeared, but which he says were not suppressed, because that is too obvious a matter; but, in his explanation, he says he has to-day laid a mass of evidence upon the Table of the House, a lot of important papers which were vital to the case, yet, in ten minutes after he has laid those papers upon the Table of the House, he expects us to go on and consider the question to the consideration of which they are necessary. Can those papers be taken off the Table and handed around to everyone to read? How can we consider them until they are printed and distributed? The proposition is so absurd on the face of it that it shows that the Government do not wish us to see those papers before

we discuss that question. If they did, they would not propose to go on with the discussion on the very day and at the very moment when those papers were laid upon the Table of the House. To suppose that they could be of any use to us in this discussion is quite absurd, and the Government do not suppose it. The hon. gentleman told us that for a number of the papers required he would have to send up to Regina. He does not say, but we can easily understand, what papers are there. We know they are some of the most important papers in the case. Is it not an extraordinary and outrageous thing that papers of this vital and important character, which it was known that Parliament would ask for, should have been left in Regina for all the months that have elapsed since the execution was carried out? Why are they in Regina, and not in the Department of Justice? Why are they not prepared and printed and ready to be laid on the Table? The answer is not far to seek. It is because the Government do not wish us to have this information. Their whole course since the beginning of the discussion shows that they do not wish us to have the information, if they did they would have had it ready before the House met. So far from that, it was the motion of the member for Montmagny which they had ready before the House met, while the necessary information was in Regina or in Winnipeg, or in the ends of the earth—everywhere, in fact, except where it ought to have been, in the Department of Justice, or in the printing office or ready to be laid on the Table of this House. Then, the day of the motion is arranged between the Government and the hon. gentleman who poses as the opponent of the Government, but who will be found not to be an opponent of the Government, who does not pretend to be their opponent except for the purpose of this motion. I say the day is arranged between him and those whom he appears to accuse. The Government are on their trial. They select their accuser; they select the form of the indictment; they arrange the day of the trial; they select the evidence to be laid before the jury which is to try them; and then, when the ordinary rules of the House stand in their way, when it appears that these rules are going to give the House some of that opportunity for obtaining information from the meagre and stunted evidence laid before it, the Government, by a side wind, by what I cannot call anything but a trick, avail themselves of a technical opportunity to bring on the question by an amendment to the first motion on the notice paper. It is a bad stroke of policy on the part of the Government. The Minister of Public Works may think it is a clever stroke to get on the debate, but he will find that before the country it is a bad stroke of policy. It is an evidence of cowardice. The Minister of Justice may make all the statements which he has about the contents of these papers being the same—and we have to take his statement as a Minister of the Crown and a member of this House, but can the House believe that all this mystery was got up for nothing, can we believe that there was any reason for this mystery unless it be that there was something to hide? The House will not believe it, and the country will not believe it, and the only effect of the course pursued by the Minister of Public Works—a course of which I should not have believed him capable until to-day—is to prove the cowardice and the abject fear of the Government lest we should get the facts in regard to this case. The Government are on their trial in regard to a matter which they say is such a grave question that they will not go on with any business until it has been tried. If so it is too grave to be tried on the pretence of evidence, the make-believe of evidence, which they have laid before us. That evidence is lacking in the documents which are necessary to a decision, and this House cannot protest too warmly or vote too strongly against the extraordinary proposition of the hon. Minister of Public Works.

Mr. LAURIER. Ever since the events of November last, the Government have professed that they were anxious to meet their adversaries face to face, and yet they thought it necessary to lay their defence before the public in the memorandum of Sir Alexander Campbell, in the first part of which he says :

"The opponents of the Government have asserted that the rebellion was provoked, if not justified, by their mal-administration of the affairs of the North-West Territories, and inattention to the just claims of the half-breeds. With this question, which has been made one of party politics, it is not thought becoming to deal here. Upon such a charge, when made in a constitutional manner, the Government will be responsible to the representatives of the people, and before them they will be prepared to meet and disprove it."

But when this question was brought before the House the other day, the Minister of Public Works professed his gladness that he was able to meet his adversaries face to face. Well, is the Minister anxious for a fair fight? Is this the way he wants this question to be settled before this Parliament? Why, he wants to fight the battle in darkness, not in the open light of day and, Sir, the more I look into this matter, the more it seems unwarrantable on the part of the Government; for, if I understand aright the explanations which have been given to-day by the Minister of Justice, this report, which was recently laid before this House, of the doctors who examined Riel, was actually written after Riel was in his grave. Therefore, I say the question now before the House is whether we are ready to discuss this question with all the facts before us, or to discuss it in darkness. I hope my hon. friend beside me will press this motion to a division, so that we may know whether the House is willing to approve or disapprove of the Government without any of the facts before us.

Mr. MITCHELL. This question is of so much importance that I think we ought carefully to consider what we are doing before we vote upon it. Now, Sir, I will not say whether the Government have challenged the sentiment of the House upon this question, by inducing the motion which is under consideration; but I say this, that they have fairly and broadly met the motion by accepting the gage which has been thrown down, and challenged public discussion in relation to it. Now, Sir, how have they done it? We find we are shut off by the previous question being moved, and are shut off from having that free discussion.

Some hon. MEMBERS. No, no.

Mr. MITCHELL. Yes; I say yes. I say they have prevented that free discussion which every member in this House has a right to expect, because we can formulate no distinctive motion upon which to test the opinion of the House upon it, therefore I say they have not met this question as I would like to have seen it met by gentlemen with whom I have acted so long—met it in a manly, independent way. Again we find to-day another step taken in the way of avoiding free discussion and interfering, as they do interfere, with the right of private members to deal with the business which is before this House, a large amount of important business having to be postponed in order to discuss this question which may take up many days yet. Now, Sir, I am as ready for the discussion of the Riel question as any man in this House, and as ready to express my opinion in relation to it; but I am not prepared to say that all the business we private members have, much of which is upon the paper to-day, should be postponed, and perhaps delayed from week to week, and, finally, at the end of the Session, the Government doing as they always have done—as both Governments have done—come in and take up the whole week, and thus prevent the private members from conducting their legislation before this House. Now, Sir, I simply wish to express my opinion upon this matter, and I think the course pursued is unfair. If we are to have a discussion on the merits of the Riel question, we should have it with the papers

Mr. CASEY.

before us. We should not leave it in the mouth of the hon. gentlemen opposite, who have been challenging the Government for not bringing down the papers which they have asked for, to say that anybody in this House voted to prevent the consideration and discussion of this question before we had the fullest information which is in possession of the Government, in order to enable gentlemen on both sides to arrive at a proper and just conclusion. Therefore, I feel compelled to say it is unfair for the Minister of Public Works to press his motion. I am not going to express an opinion favorably or adversely to the remarks made by the leader of the Opposition in relation to the statement made by the Minister of Justice; I am not going to offer an opinion whether the papers laid before this House are a correct transcription of the cipher telegrams or report of the medical experts appointed to examine the sanitary condition of the late Riel; but I will say this, that it does look very shady and looks very suspicious to find that this written report which is laid upon the Table of the House was received by the Government after Riel was executed, and that the cipher telegrams, which they state are substantially the same as the written report, have been returned to the persons who wrote them. What is the object of that return? Is it for concealment? or was it to promote the ends of public justice? or what end was to be served by it? I regret to say that the case presents such features as makes me, at least, very suspicious about the correctness of the returns sent in.

House divided on motion of Sir Hector Langevin:

YEAS :

Messieurs

Allison,	Fortin,	O'Brien,
Bain (Soulanges),	Foster,	Orton,
Baker (Missisquoi),	Gagné,	Paint,
Baker (Victoria),	Gaudet,	Pinsooneault,
Barnard,	Gault,	Pope,
Beaty,	Gordon,	Pruyn,
Bell,	Grandbois,	Reid,
Benoit,	Guilbault,	Riopel,
Billy,	Guillet,	Robertson (Hastings),
Blondeau,	Hackett,	Ross,
Bowell,	Haggart,	Rykert,
Bryson,	Hall,	Scott,
Burnham,	Hay,	Shakespeare,
Burns,	Hesson,	Shanly,
Cameron (Inverness),	Hickey,	Smyth,
Campbell (Victoria),	Homer,	Sproule,
Carling,	Ives,	Stairs,
Caron (Sir Adolphe),	Jamieson,	Tassé,
Chapleau,	Jenkins,	Taylor,
Cimon,	Kaulbach,	Temple,
Cochrane,	Kilvert,	Thompson (Antigonish),
Colby,	Kinney,	Townshend,
Costigan,	Landry (Kent),	Tupper,
Coughlin,	Langevin (Sir Hector),	Tyrwhitt,
Curran,	Lessage,	Valin,
Daly,	Macedonald (King's),	Vanasse,
Dawson,	Mackintosh,	Wallace (Albert),
Desaulniers (St. Maurice),	Macmaster,	Wallace (York),
Dickinson,	McCallum,	Ward,
Dodd,	McDougald (Picton),	White (Cardwell),
Dugas,	McDougall (U. Breton),	White (Renfrew),
Dundas,	McLelan,	Wood (Brockville),
Everett,	McNeill,	Wood (Westmoreland),
Farrow,	Moffat,	Woodworth,
Ferguson (Welland),	Montplaisir,	Wright.—105.

NAYS :

Messieurs

Allen,	Fairbank,	McMillan (Vaudreuil),
Amyot,	Fisher,	McCraney,
Armstrong,	Forbes,	McIntyre,
Auger,	Geoffrion,	Mills,
Béchar,	Gillmor,	Mitchell,
Bergeron,	Glen,	Mulock,
Bernier,	Guay,	Paterson (Brant),
Blake,	Gunn,	Ray,
Bourassa,	Harley,	Rinfret,
Burpee,	Innes,	Robertson (Sheburne),
Cameron (Huron),	Irvine,	Somerville (Brant),
Cameron (Middlesex),	Jackson,	Somerville (Bruce),

Campbell (Renfrew),	King,	Springer,
Casey,	Kirk,	Sutherland (Oxford),
Casgrain,	Landerkin,	Trow,
Charlton,	Landry (Montmagny),	Vail,
Cockburn,	Langelier,	Watson,
Cook,	Laurier,	Weldon,
Coursol,	Lister,	Wilson,
Dessaulniers (Maskin'6),	Mackenzie,	Yeo.—61.
Edgar,		

Amendment agreed to.

EXECUTION OF LOUIS RIEL.

The House resumed adjourned debate on the proposed motion of Mr. Landry (Montmagny): "That this House feels it its duty to express its deep regret that the sentence of death passed upon Louis Riel, convicted of high treason, was allowed to be carried into execution," and the motion of Sir Hector Langevin: "That this Question be now put."

Mr. CURRAN. Mr. Speaker, I deem it proper, in rising to address this House to-day on this most important question, to say one or two words with respect to the position I occupy in connection with this debate. It has been my duty upon former occasions to address this House upon questions involving very great feeling, and I may say here in presence of all my friends, that whatever I have said on former occasions upon any question affecting the interests of the country, or affecting the interests of any class in the country, I adhere to to-day. It is my painful duty on this occasion to differ with a large number of those with whom I have been in the habit of working in the past, and I regret to see them separating themselves from me and the friends that surround me; but whilst I do regret that, whilst I regret to be obliged to raise my voice in opposition to their views, I feel I should be unworthy of the position I occupy if I did not come out boldly and manfully, and state what I believe to be for the true interests of the country in this great agitation that has been brought about by men who, I think, have acted with precipitation and without duly considering the results of their action. Not only in one section of this country, where I have had an opportunity of denying the statements made, but even in my own division slanders have been circulated with regard to myself. All I have to say, and I take this opportunity of saying it, in the presence of this House and the country, is, that my ambition has been to represent my fellow citizens of Montreal Centre, that they have sent me here by an overwhelming majority, and having placed their confidence in me, I shall not desert them so long as they stand by me in this Parliament, and I trust, with their confidence and still greater assent, if possible, more emphatically given, to have the honor of representing them in the next Parliament. It becomes my duty to follow one of the speakers on the other side of the House who made a most violent address last Friday night. Some portions of that speech I will refer to very briefly indeed. The gist of nearly all the hon. gentleman said he chose to say on an exceedingly low level, and if I am obliged to follow him upon that ground, he cannot complain; if I am obliged to fight him on the ground he has chosen himself, he cannot complain; and he cannot complain if I am obliged to show that while in the political parties in this country, as in the political parties of every country, there is in both sides bigotry to be found, yet in the Conservative party the brains are ahead of the bigotry, whilst in the Reform party the bigotry is ahead of the brains. The hon. gentleman spoke in the first instance with respect to the legality of the trial. He agrees with the hon. member for Rouville (Mr. Gigault) that the trial was a legal trial, that it had all the elements of legality about it, but he pretended to say that the trial was not a fair trial. I say on this occasion that I am surprised to find a gentleman calling himself a lawyer who pretends to say that a trial can be legal without being fair,

What is the test of fairness? The only test of fairness is that which is established by law; you cannot go beyond that; the judge cannot go beyond the law, and if a man has had his full benefit of the law—for the law as it stands on the Statute Book is the test of fairness—he has had a fair trial. But I find in this respect the hon. gentleman is absolutely and positively in contradiction with his own chief. The leader of the Opposition made a speech some time ago at the city of London, where a great banquet was given him on his return from England, and speaking on this very subject he said:

"I think it right to say that, in my opinion, the Government acted in a very proper spirit in providing for the attendance of the prisoner's witnesses, and, from what I know of the leading counsel, I should think it impossible that in their management of the case there was anything unfair to the prisoner or derogatory to the high character they deservedly enjoy in the responsible duties they undertook to perform."

The hon. gentleman, however, said that there was one great element of unfairness in the trial—that his trial had taken place before a jury composed exclusively of Protestants.

Mr. CAMERON (Huron). I did not say that.

Mr. CURRAN. Would the hon. gentleman have wished that Riel upon that occasion should have been tried by a jury composed exclusively of Catholics? What a howl would have gone throughout the length and breadth of the country if at that time Louis Riel, who was an apostate from his Church, was at variance with the authorities, who had committed many acts of cruelty, of sacrilege, and other acts which it will be my duty to mention in the course of this speech, had been put upon trial before men whose faith he had trampled on, whose Church he had desecrated, and whose most cherished convictions he had despised and spat upon. What was the statement of that unfortunate man in the course of the speech that he addressed to the jury upon that occasion? I hold in my hand the official report of that trial, and at page 150 I find the infamous language that that unfortunate man used to the venerable Archbishop who had brought him up, clothed him, fed him and educated him. He spoke of him, and in reference to one of the witnesses, a Mr. Ness, he said:

"One of the witnesses here, George Ness, I think, said that I spoke of Archbishop Taché and told him that he was a thief. If I had had the opportunity I proposed I would have questioned him as to what I said so that you would understand me. I have known Archbishop Taché as a great benefactor, I have seen him surrounded by his great property, the property of a widow whose road was passing near; he bought the land around and took that way to try and get her property at a cheap price. I read in the gospel: 'Ye Pharisees with your long prayers devour the widows.' And as Archbishop Taché is my great benefactor, and as he is my father I would say, because he has done me an immense deal of good, and because there was no one who had the courage to tell him, I did, because I love him, because I acknowledge all he has done for me. As to Bishop Grandin, it was on the same grounds. I have other instances of Bishop Taché, and the witness could have said as the Rev. Father Monlin: 'When you speak of such persons as Archbishop Taché you ought to say he made a mistake, not that he committed robbery.' I say that we have been patient a long time, and when we see that mild words only serve as covers for great ones to do wrong, it is time when we are justified in saying that robbery is robbery everywhere and the guilty ones are bound by the force of public opinion to take notice of it. The one who has the courage to speak out in that way instead of being an outrageous man becomes in fact a benefactor to those men themselves and to society."

Why did he make that speech? Because the jury were Protestants, and he thought he could raise in their minds prejudices and sentiments towards himself of a more friendly kind. Now, we have also heard from the last speaker that the recommendation to mercy had been entirely ignored. Before I get through with my observations I may refer to some other cases in which this recommendation has also been overlooked; and I can say, having had considerable experience myself in matters of that kind and from what I have read, that this recommendation to mercy is in a great measure just as the hon. Minister of Public Works has expressed it—a desire on the part of the jury to relieve themselves to some extent of the responsibility for the

verdict which they gave, and throw that responsibility through that means on the shoulders of the Executive. But we have also heard from the hon. gentleman that this unfortunate man Riel had given himself up to General Middleton, and that therefore he should be free—that therefore he should never have experienced the sad fate which befel him. Why, Sir, do we not all know, have not we all lived through those troubles, have not we all seen what took place, and is it not in the memory of every man that Riel was not on that occasion afraid of the trial that was to come, on the part of the Dominion Government, but was afraid that he would be murdered on the spot by the indignant volunteers—was afraid not only of the whites who were there, but was afraid and perhaps still more afraid, of the dire vengeance of the half-breeds whom he had deceived? The last point to which the hon. gentleman has referred, and referred at very great length, was with reference to the insanity of the prisoner, and as that question has been raised by other speakers as well, I shall endeavor to deal with his arguments and those of the other speakers at the same time. However, he wound up his speech, Sir, by an appeal to the feelings of the Catholics of this country. He sought to arouse in their minds the idea that this man had been sacrificed to Orange fanaticism, and with that point I shall endeavor to deal in the course of my remarks. But before proceeding to do so, allow me not only on general grounds, but more particularly from the debate which has taken place this afternoon upon the question of proceeding with the motion of the hon. member for Montmagny (Mr. Landry)—let me refer to the astounding position of certain gentlemen in this House upon this question. Why, Sir, is it possible that these men think they can throw dust in the eyes of the whole people of Canada? Is it possible that these gentlemen imagine for one moment that the people of Canada do not know what has taken place, not only in the city of Montreal, but throughout the length and breadth of the Province of Quebec? These gentlemen get up and say: We want papers; we want documents; we cannot make up our minds; we are absolutely in the dark; we do not know how to vote; we cannot decide this question. I ask, what papers did these men ask on the Champ de Mars? What papers did they ask when they manufactured effigies of the right hon. leader of the Government and effigies of the gentlemen who represent the French Canadian nationality in this Cabinet? When they manufactured them and set fire to them, after hanging them up, what documents did they ask for? Had they any doubt upon their minds then? Did they ask for documents to show that these men had acted like honest and upright men and good citizens of this country? What documents were asked for by the hon. member for West Ontario (Mr. Edgar), when he stood on the Champ de Mars that day? Did he stand up and say—

Mr. EDGAR. Will the hon. gentleman allow me to correct him? I did not stand on the Champ de Mars. I was not there.

Mr. CURRAN. The gas question was occupying that hon. gentleman's mind; he was there endeavoring to throw light upon the subject. But, Sir, a more important man than the hon. member for West Ontario was there—a man of greater importance on this question and in this Parliament, the hon. member for Quebec East (Mr. Laurier) was there when the resolution was passed declaring these hon. gentlemen traitors to their country, their nationality and their creed. Did he hesitate? Did he want documents then, when he stood up and said that if he had been on the borders of the Saskatchewan he would have had his musket on his shoulder. Did he stop there? Why, no, Sir, he did not. He was on the point of carrying out a steady march away off to the city of Toronto, there to exhibit the Saskatchewan musket. True, he changed his mind; true, he did not go

Mr. CURRAN.

there with his musket. And later on, Queen's Hall in Montreal was engaged for the hon. gentleman and his friends to speak once more as he had spoken on the Champ de Mars. He was to go there with his musket and show them the drill, but the only drill he performed was, right about face and march home again. There is still more than that in the picture presented to us, when members' counties were invaded, and when as honest and upright men they said, Let us have time; we in the Province of Quebec have followed our leaders for years; we have had confidence in them; we have believed them to be honest and conscientious men; give us time to read the documents and we will then pronounce. No; they were denounced as traitors, and a whole army invaded every county; they were taken by the throat and forced to give expression to their opinions whether they liked it or not. We have had this magnificent spectacle to-day just as we had on the occasions I have referred to. On both those occasions we have had three different lines adopted with regard to this unfortunate man Riel. We had him paraded and gibbeted before the public as a hero, a martyr, and a fool; those were the three points upon which they spoke with such tremendous force. Now, Sir, why was this agitation confined to the Province of Quebec? Why was this hero, this martyr, this unfortunate and insane man merely made a martyr, a hero and a fool of in the Province of Quebec? We have been told here by the able and eloquent representative of the Metis in this House, and we have all read in the admirable speech of the hon. Senator Girard in the other House, that the Metis are a distinct people, that they have their own genius and their own customs, that they are no more French Canadians than they are Irish Canadians, that although they have some French blood in their veins, they are a distinct people by themselves. Louis Riel was at one time the leader of that people. Why have we not seen in the heart of the settlements of the Metis in Manitoba or in the North-West Territories a single meeting called by any of the Metis people whom he was supposed to represent, to protest against his execution, or to say that it was either an act of cruelty or one for which the Government should be condemned? More than that, we have had an appeal made to the Irish Catholics of the Dominion to join in this Quebec national movement. What would have been the result if a warning voice had not gone over the length and breadth of the land, if it had been possible for those who were stirring up this agitation to join together in one all the French Canadian and Irish Catholics of this Dominion? Why, Sir, we should not only have had the war of races these gentlemen threaten us with, but we should have had a war of religions as well; and looking at the state of the population, I ask my Irish Canadian friends and my French Canadian friends as well, what must have been the inevitable result of the contest these men were seeking to force upon us? Have we been told what these gentlemen protested? Have we been told that they took any action in regard to the matter with the Irish representatives of the House, of whom six are on this side of the House, and not one on the other side, which is in itself a pretty strong mark of where the bigotry lies? Neither myself nor any of the other five Irish Catholic representatives in this House was ever approached by any of the French Canadian members and asked to take part in any proceedings for a reprieve for Riel. But, living as I do in the city of Montreal—having been born and brought up there—amongst my French Canadian friends, and having among them as many sincere and warm-hearted friends as among any other section of the community, I took upon myself, when I heard that a report was going about, that in spite of the agitation made by the newspapers, that certain parties had told the French Ministers that the people of Quebec would not be excited if this man were executed—I took the trouble myself to come and tell the

hon. Ministers that any man who said the French Canadian people would not be excited was speaking either on a subject he did not know anything about, or else in a manner that he thought would suit his own purposes. I told the Ministers that it must be understood that, through the agitation of the Rouge party in the Province of Quebec, there would be an attempt made to excite the people there, and they must adopt the course that was best calculated to serve the interests of the country—that if it was possible, consistently with the interest of the country to extend mercy to do so; but I felt it my duty to inform them what the state of the public mind was at the time. That I did without any solicitation on the part of any member of this House of the French nationality, and I take this opportunity of saying so publicly. Well, Sir, on the eve of execution I was called upon to express myself. It had probably never been thought worth while by the gentlemen taking part in the agitation to call upon me, until it was all over with this unfortunate man. Then I was called upon to sign a telegram to the Premier of this Government to tell them that this act was an act of cruelty. I was called upon to do this by men who to-day say that they cannot decide, that they are in the dark, that the documents have all been concealed, that there is nothing before this House. Why, Sir, what do these gentlemen mean? Have we not the information before this House? Have we not the indictment? Have we not the evidence? Have we not the verdict? Have we not the charge to the jury? Have we not the documents of the appeal from one end to the other? Yet these hon. gentlemen tell us we have no documents. To those who sought to coerce and who did threaten me, I replied, Gentlemen, if I never give another vote in the House of Commons, I will stand up for what I conceive to be right; during the 25 years that I have been working hand-in-hand with the French Canadian Conservatives in the Province of Quebec—during all those years in which I have sacrificed time and labor to help to return many of those gentlemen to this House as they have returned the compliment to me, I have never yet backed down from doing what I thought the French Canadian people were entitled to; and come what may, I never shall. I admire and love that people for their great virtues, noble chivalry, and the many marks of resemblance between them and the nationality to which I belong; but on an occasion of that kind, when the country, I conceived, was imperilled by the action of agitators, no consideration could induce me to fail in performing that which I felt to be a duty in conscience, in honor, and in patriotism. Now, Sir, as regards the position of this unfortunate man and his first rebellion, I do not intend to speak myself; but I do intend to give this House, at a later stage, perhaps, the evidence of a witness who spoke not merely as a private citizen of the Dominion, but as the leader of the Opposition in the Province of Ontario. If we take the history of the second rebellion, we find, put before the country, a document signed by six reverend gentlemen at Prince Albert. That document has been published and circulated and quoted upon the platform, and I have heard men who actually have had the audacity to say that it had been prepared by Government officials, and that these six clergymen were so lost to all sense of shame and consideration for their holy office that they signed it and sent it forth to the country, although it did not contain the truth. I do not propose for one moment to use that document again; I have other and more important papers to which to refer, and my reference shall not be made to any speech of the leader of the Opposition, or to any quotations from statements of his, or to any documents formulated or issued by the Government or in any of the Departments of the Government. I hold in my hand a work that, at all events, every Catholic throughout the length and breadth of the Dominion will believe, namely, the "Annals of the Propaga-

tion of the Faith." These volumes are published in London, and the one I refer to is the November number of 1885, number 276. These annals are published with reference to Catholic missions all over the world, and are under the special patronage of Leo the XIII and the Cardinals and Archbishops of the Church. I find here not merely what regards this trial itself, but, in fact, all the information those hon. gentlemen are so anxious to have before they will undertake to pronounce their verdict. An article in the September number says:

"We publish a touching letter on the civil war which ravaged Canada and caused the deaths of two missionaries, the Rev. Fathers Faford and Marchand."

I shall not read the whole of the document, but will begin at the point where the insurrection itself is spoken of. It says on page 333:

"The following narrative, forwarded to us by the Rev. Father Fourmond, completes the account given by the venerable Bishop, points out the causes of the different phases of the insurrection, and records several episodes illustrating the admirable faith of the Christians of the diocese of St. Albert:—

"About a year ago, some 30 agitators, under pretence that the Government violated their most sacred rights, frequently assembled secretly in the woods, and beneath the shadow of the gigantic firs, hatched their plots and bound themselves by oath not to divulge to any one the subject that had in view. Of course we disapproved highly of these secret proceedings, and the consequence was a sudden irritation excited against the clergy: the populace accusing us of no longer favoring their interest as we used to do. One of the first acts of these assemblies was to send to the shores of the Missouri, across the Canadian border, in search of the too famous Riel, the great chief of the Metis movement in 1870, who had since that event become an American citizen, and discharged the humble duties of teacher, under the direction of the Rev. Fathers of the Society of Jesus at Montana."

It goes on to state how this man was received in triumph by the people. He made long prayers, professed the most loyal sentiments, and, says the good missionary: "I congratulated him on his good qualities; he caused great edification, and was looked upon as a saint." On the 4th September, however, Monseigneur Grandin came to the settlement. Monseigneur, who know Mr. Riel well, could not share in the general feeling of confidence. He said:

"I cannot help feeling a great fear or dread of that man's influence and a heavy fear for the future that awaits us. These fears were only too well justified. During the six months and that followed, Riel continued to deceive the public and clergy by his persuasive words and apparent piety, and played the true wolf in sheep's clothing—the angel of darkness disguised as an angel of light. He chose the beautiful feast of St. Joseph, the patron given by Monseigneur to the half-caste nation, and under pretext of solemnizing the occasion, and also doing honor to the baptism of an English neophyte, he assembled the most devoted of his friends and put them under arms from the day before. On the evening of the same day, in order to bring the people together, and to have a pretext for making a general appeal to the nation, he spread a false report everywhere of the arrival of 500 police to massacre the fanatics, burn the houses and seize the lands. 'We must march out to meet them,' he said. 'If we are united they will not be able to stand against us.' A large number unwilling to believe the news, as they had no other proof of it, refused to revolt, but were soon forced to take up arms, as they were threatened with being shot themselves and having their farms pillaged. They almost all yielded to force; only some of them standing firm and braving death. On St. Joseph's eve, amidst the darkness of night, a provisional Government was proclaimed, and its first act was a sacrilegious one, the seizure of the Church of Saint Antony at Batoche, in spite of the earnest protestations of the Rev. Father Moulin. On Sunday the 22th March, a fervent and pious half-caste, one of the authors of the movement, seeing the bad turn affairs had taken, refused to take part in the revolt. On St. Joseph's day, he had preferred to submit to be taken prisoner rather than to participate in all the crimes which inaugurated it, and which must for ever brand this terrible revolution with disgrace."

He proceeds then to speak of the various acts done by the noble Metis, who thought to resist this man's authority. He speaks of the terrible influence Riel had over the Metis, and how he carried out his nefarious designs through that influence. He says that the Metis assembled together for the purpose of prayer and the carrying out of a counter movement, but Riel and his followers discovered this.

"They were bent on revenge and their vengeance was frightful, terrible, truly diabolical. I will tell you some of its principal workings. On the 25th March, Riel in his turn assembled his warmest partisans in the profaned church of St. Antony, and there, in the midst of scenes

rivalling each other in absurdity, folly and impiety, he publicly renounced the Holy Church of God, which was henceforth to be contemptuously to be called by him the *old woman of Rome*. Having proclaimed his intended mission as a prophet sent from God to reform religion, the reformer gave himself the name *Exovide*, and his council the *Exovidat*. Orders were given for the persecution of the faithful, and especially the clergy, and they tore us from our dwellings, us and our pious, faithful companions of Jesus; and placed us in a place of siege and exposed us to the greatest dangers in the new presbytery of St. Antony at Batoche. We were indicted several times before the *Exovidat*, where, listening to the impieties and blasphemies of the *Exovidat*, Rev. Fathers Moulin, Vegreville and myself had to confess and defend our insulted faith, thereby drawing upon ourselves a deluge of outrages and threats, and exposing us to the fire of the enemy if we remain obstinate in refusing to submit to the will of the tyrant.

"Meanwhile"—

And here is a point which has been contested upon the public hustings by the friends of Riel—

"Meanwhile, messengers had been sent to the poor savages of the prairie, for the most part obstinate infidels, always discontent with the domination of the white man, and asking nothing better than to see the hour of deliverance, if not of vengeance, arrive. Barbarism has returned to the bloody ferocity of its worst days, and in some places, particularly at Frog Lake, the whites have been massacred, and with them the missionaries who tried to save them and prevent the revolt. The latter were the Rev. Fathers Faford and Marchand. Their mission has been burned as well as all the dwellings of the whites."

He goes on to speak of how Louis Riel assembled the families of the St. Laurent district under the pretext of protecting them, and how he maltreated them when he found them in his power. What does he say about other instances of this man's conduct, about other persecutions?

"The most admirable of all is our dear Baptiste Hamelin, the father of a large family reared in piety and the fear of the Lord. He also, like our good M. Melin, has received in his home a special favor from the Blessed Virgin, his wife having been also miraculously cured. He was one of those who resisted all provocations, and who, in answer to my appeal in the midst of the camp and in presence of the seducer, raised a loud and triumphant cry of 'long live the old woman of Rome! long live our holy father the Pope.' Persecuted more and more, condemned to be shot, he saw himself surrounded on all sides by fanatics of the *Exovide*. The martyr's crown hung suspended over his noble head, and by his side were his poor wife and large family of children, trembling for his fate, but standing firm like himself. A superhuman courage animated him, his looks, usually so gentle, became suddenly terrible. 'Well,' cried he, 'since you must have the sacrifice of either my faith or my life, my choice was made long ago, and the good God will give me strength enough to brave your threats and your rifles. If one of my brothers here present has the heart to do so, let him strike. You can shoot me, of course, but make me renounce my religion—never?' The vanquished apostates retired abashed, not daring to imbrue their hands in their brother's blood, and once more the tyrant's rage was baffled by the firmness of one just man."

After giving other accounts of the horrible treatment to which many people were subjected, how does the Rev. Father Fourmond wind up his letter?—

"What evils have the folly and hypocrisy of one man heaped upon our poor little population. About twenty killed, as many wounded, fires, sackings; a dark and gloomy picture we have now before our eyes. All is not over yet, either, for about thirty of our unfortunate Christians are prisoners of war and await their trial at Regina, the capital of the North-West Territory. Riel, the *Exovide*, is among the number, and is the one, it is generally believed, who will suffer death in expiation of the crimes he has committed and the blood he has caused to be shed. Mgr. Grandin has just left us, having shed abundant tears over our condition, but what a blessing his paternal charity has been to us, the weak have been strengthened by his presence, and we have great confidence that this trial will in the end serve for the greater glory of God who has permitted it. This will be the fruits of the mercy won by the prayers of everyone here, for we have indeed prayed night and day among the apostates. I am thoroughly convinced that it is a marvellous effect of this incessant prayer that we have not all been annihilated."

"FOURMOND, O. M. I.,

"Missioner Apostolic."

I will merely ask, having now read this church record of Louis Riel's proceedings, this one question, though I do not intend to deal with that branch of the subject at this moment—is there one hint of insanity throughout the whole of that letter?

Mr. MILLS. He swears insanity later.

Mr. CURRAN. Well, I will try to convince the hon. gentleman who, upon the floor of this House, casts an aspersion upon the Rev. Mr. Fourmond for what he spoke and swore to, that he spoke with Christian charity of that man, that he said he would be "too great a criminal" unless

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they put the charitable construction upon it that he was insane. Those were the words. Now, I do not think that very many people in this country, that very many of those who have been excited by the terrible harangues that have been made throughout the length and breadth of the Province of Quebec, by the writings of those who have not studied this question—I do not think that many of the Catholic people of the Dominion of Canada will consider Riel either a hero or a martyr. Now the next question comes—was he insane? And, in reading an interview with the leading counsel for the defence from the Province of Quebec, we have found it stated here that His Grace Archbishop Taché refused to go and give evidence on that occasion. Well, it is not for one in my humble position to speak of one so exalted as His Grace, but I will say that throughout this country, wherever his name is known, it is revered and respected, and that not only for his qualities of intellect but for his nobleness and generosity of heart. He is as widely known as any man in Canada, and when we know that fact, when we know the interest he took in this unfortunate man, when we know that unfortunate man owed everything to him, is it to be supposed that His Grace would not have gone to Regina, or even to the furthest extremity of the earth, if he could have given the testimony that this man did not know right from wrong, that he was insane, that he knew him to be so beyond what appears in the letter published by His Grace? We all know that His Grace would have gone, not only to Regina, but to the furthest extremity of the earth, to give evidence for his bitterest enemy if that evidence could have been of any benefit to him. We have had a medical commission which has been spoken of here to-day as one concocted for the occasion; we have had three respectable medical gentlemen slandered, I may say, on the floor of this House. We have had them held up as men who were willing to write and sign their names to a document which in their consciences they could not acquiesce in. We have had all this not from a man low in position, but from the leader of the Opposition himself. What right has the hon. the leader of the Opposition to make this assertion? What has been the past character of those three gentlemen? Do they stand high in this community, or are they miserable characterless physicians, who would lend themselves to an outrage such as he accuses them of having been guilty of? and are we to be told that not only have these men been guilty of an act of this kind, but that the Ministers of the Crown, men of every creed and every nationality, men who have served their country well and have enjoyed the confidence of the vast majority of the people of Canada, were a lot of reprobates who, in order to justify their act of having steeped their hands in the blood of an insane man, would turn round and make three respectable physicians perjure themselves—for it is nothing less—in producing a document in the manner in which he has accused them of having produced it? Now, does not every lawyer know what the legal definition of insanity is? It is not necessary to go into that point, because every man knows what has been the ruling of the highest tribunal in the Empire; but, if we are not satisfied with the testimony that has been adduced here to-day from that commission, if we are not satisfied with the documents which have been laid before us, if we think that Dr. Jukes and Dr. Valade and Dr. Lavell are three scoundrels, let us ask what has been the testimony of those who, without being medical experts in insanity, are people of common sense, are men who have watched the doings and the sayings of this unfortunate man Riel. And the first witness to whom I shall refer, one who has written over his own signature, is the Rev. Mr. Piquet, writing from Batoche in June last:

"Who is the author of the North-West troubles? It is Louis Riel, and as he is the author of them, it is he alone who deserves to be punished. If, like me, you had followed the steps and studied the hypocrisy, the

cunning and the secret arts that Riel has used to deceive and seduce these people and drag them into rebellion, whether they would or not, you would, as I do, cast upon that cruel and tyrannical man all the blame of that revolt. Riel made use of their religion, he made use of their ignorance, of their simplicity, touching every sensitive cord to make them the dupes of his ambition.

"There are persons who say that Riel is mad, but the more his conduct is examined the stronger must be the conviction that that nefarious man, under the appearance of his madness, preserves the plenitude of his reason. All his plans have a sequence and a directness which show a fixed purpose to attain his end, and at the same time to escape the gallows if his criminal undertakings should fail. Riel must bear all the responsibility of this rebellion. He alone is to blame for all the calamities that have happened or are still to happen, the necessary consequences of those troubles which have caused us all so much suffering."

This is the testimony of another member of the Order of Mary Immaculate. Now, Sir, as I was interrupted a moment ago by the hon. member for Bothwell (Mr. Mills), let us see what Rev. Father Fourmond really did say :

"Q. Have you made up your mind about the prisoner being sane as far as religious matters are concerned?—A. We were very much embarrassed first, because sometimes he looked reasonable and sometimes he looked like a man who really did not know what he was saying.

"Q. Finally? A.—We made up our minds that there was no way to explain his conduct but that he was insane; otherwise he would have to be too big a criminal."

Now, Sir, a great point has been sought to be made from the fact that Dr. Howard, a distinguished alienist in this country, and one who has made a name for himself abroad, was not procured for the defence, that he had been asked for, but that, owing to the doctor having demanded the sum of \$500 to go there, his evidence had to be dispensed with. Now, Sir, it is a well-known fact that the lawyers for the defence in that case really chose to take Dr. Clarke in his stead; but I deem it only right and due to Dr. Howard to say that the fact that he is a man of 70 years and over, and that he could not travel alone, was the reason of his apparent unwillingness to go up there without having money enough to take with him a person to assist him in his advanced years. In the correspondence which took place then, he said, writing to the solicitors of the Government, in the city of Montreal, to whom this matter had been referred :

"MONTREAL, 96 University St., 29th July, 1885.

"GENTLEMEN,—I beg leave to acknowledge the receipt of yours of this morning, informing me that the Hon. Sir Alexander Campbell refuses to pay me \$500 to pay my expenses to and from Regina as witness in the case of Riel, for the defence. I asked that amount because, in my delicate state of health, I cannot go alone; I must have one of my family to accompany me. I wish, however, to have a record of the fact that I don't refuse to go."

He would not have refused to go. I had the pleasure of meeting Dr. Howard yesterday, and in the course of conversation, going home from church, he said to me that he wished to give me a document to show that he could not possibly have done Riel any good, even if he had gone to Regina; that he had had this man for nine months under his care, and the certificate he must have given was the one which I will now read :

"MONTREAL, 14th March, 1886.

"MY DEAR MR. CURRAN,—I notice by the papers that you are going to speak on the Riel question in the Dominion Parliament to-morrow. My name having been mentioned as one of the witnesses who should have given testimony for the defence at the trial of the unfortunate man, I enclose you a copy of a memorandum forwarded by me to the Government solicitors in this city.

"I think it well to say, however, that in my opinion my presence at the trial could not possibly have done Riel any good. You know my views on the question of responsibility, but when it came to the legal test, I should have been obliged to say that Riel was as responsible for his acts as any other criminal man.

"Yours sincerely,

"HENRY HOWARD,

"Medical Superintendent, Asylum St. Jean de Dieu."

I may say that Dr. Howard informed me that he had been solicited time and again to write something differently from this by the friends of Louis Riel and that he was desirous to have his opinion upon record. Now, Mr. Speaker, I think we have shown from the "Annals of the Propagation of the Faith," and from the documents I have just read, that this

man was neither a hero nor a martyr, and that he was not insane. No doubt he was devoured by an insatiable ambition, and, like Mahomet, he wished to establish a new religion as well as a new nationality. But, Sir, the idea of comparing this man to Emmet, the idea of comparing this man to the brilliant Meagher, or to any of the noble patriots of Ireland, as has been done upon the hustings, and I think, in this House, is the greatest insult that could be offered to the Irish; because, Sir, I believe that the humblest Fenian who ever shed his blood upon the gallows, would be disgraced for ever by such a comparison. Why do I say so? Not that I have any antipathy for the unfortunate man, whom I have never seen. No, Sir; but I am obliged to take account of the evidence of men—not the evidence of people who were opposed to him in religion or politics, but those who had done him good service in the past, those who had always stood by him, those who had welcomed him there amongst them, and who wished him to succeed in doing what was right. I speak now of the evidence of Father André, given at the trial, and what does he say about this man, who has been represented to us as a hero, a martyr and a patriot? This is what he says :

"Q. Will you please state what the prisoner asked of the Federal Government?—A. I had two interviews with the prisoner on that subject.

"Q. The prisoner claimed a certain indemnity from the Federal Government, didn't he?—A. When the prisoner made his claim I was there with another gentleman, and he asked from the Government \$100,000. We thought that was exorbitant, and the prisoner said: 'Wait a little, I will take at once \$35,000.'

"Q. And on that condition the prisoner was to leave the country if the Government gave him \$35,000?—A. Yes, that was the condition he put.

"Q. When was this?—A. This was on the 23rd December, 1884.

"Q. There was also another interview between you and the prisoner?—A. There has been about twenty interviews between us.

"Q. He was always after you to ask you to use your influence with the Federal Government to obtain an indemnity?—A. The first time he spoke of it was on the 12th December; he had never spoken a word of it before, and on the 23rd December he spoke about it again.

"Q. He talked about it very frequently?—A. On these two occasions only.

"Q. That was his great occupation?—A. Yes, at those times.

"Q. Is it not true that the prisoner told you that he himself was the half-breed question?—A. He did not say so in express terms, but he conveyed that idea; he said, 'if I am satisfied the half-breeds will be.' I must explain this. This objection was made to him that even if the Government granted him \$35,000, the half-breed question would remain the same, and he said in answer to that 'if I am satisfied the half-breeds will be.'

"Q. Is it not a fact he told you he would even accept a less sum than \$35,000?—A. Yes, he said, 'use all the influence you can, you may not get all that but get all you can, and if you get less we will see.'"

This testimony of the Oblate Father, which will be found on page 113 of the official report, is supported by the evidence of a half-breed, Charles Nolin. On page 94 of the same report we read :

"Q. Did the prisoner tell you what he would do if they paid him, if the Government paid him the indemnity in question?—A. Yes.

"Q. What did he tell you?—A. He said if he got the money he wanted from the Government he would go wherever the Government wished to send him.

"Q. When did you finally differ from the prisoner in opinion?—A. About twenty days before they took up arms, I broke with the prisoner and made open war upon him.

"Q. What happened on the 19th?—A. On the 19th of March I and the prisoner were to meet to explain the situation, I was taken prisoner by four armed men.

"Q. Who were the armed men?—A. Philipp Gardupuy, David Tourond, Francis Vermette and Joseph Lemoine. I was taken to the Church of St. Antoine. I saw some Indians and half-breeds armed in the church.

"Q. Did you have occasion to go to the council after that?—A. During the night I was brought before the council.

"Q. Was the prisoner there?—A. Yes.

"Q. What did he say?—A. I was brought before the council at ten o'clock at night; the prisoner made the accusation against me.

"Q. What did you do?—A. I defended myself.

"Q. What did you say, in a few words?—A. I proved to the council that the prisoner had made use of the movement to claim the indemnity for his own pocket."

I think, Mr. Speaker, we may well say that we have disposed of the patriotism of this man. But during all this time there was an agitation going on in the country. There

was an agitation by the Reform party in one direction in the Province of Ontario, and there was an agitation of a similar kind, but in a different direction, going on in the Province of Quebec. We have had from the hon. member for Provencher (Mr. Royal) several extracts from the writings of the *Globe* newspaper, which was trying to influence the minds of the people of Ontario at the time; and I propose, if the House will allow me, in view of the importance of the debate now going on, to make a few quotations from the *Globe* during that time. The first quotation to which I shall refer is dated 24th July, 1885, in which the *Globe* says:

"The trial programme points all in this one direction: Hurry through the case; hurry through the case. Remember that every moment the court is open there is danger that something may be blurted out that will damage the Government. Let the judge somewhat brusquely set aside all objections, though every one of them may hold large material for an appeal. Let what many think are reasonable facilities for securing evidence for the defence, be refused, and everything be proceeded with as if conviction were a foregone conclusion. Then what follows? A good case is made out on which Riel's friends and co-patriots can say that the criminal has not had a fair trial. The Imperial Government can be worked upon to bring its influences to bear on Sir John A. Macdonald. Lord Salisbury will never face the country without having first tried all he can to avoid in British Territory the shedding of a surrendered rebel's blood. There will be sent to Sir John A. Macdonald a communication to the effect that, inasmuch as a large number of Her Majesty's subjects are of opinion that Riel's trial was unfairly conducted, therefore it is Her Majesty's earnest wish that the criminal's life should be spared. Sir John will shelter himself behind Her Majesty, will reprieve Riel, will 'wish to God he could catch him,' will point to the *Globe* to prove that he tried very hard to convict Riel, and every Tory politician in the land will be satisfied."

They kept it up. They kept up the old cry and continued to set Province against Province and man against man. On 12th August the following appeared:—

"*La Patrie* is afraid that after all Riel will be hanged, as Sir John needs to surrender some victim to satisfy Upper Canada. And it adds very naively: 'It is understood that when the English of Upper Canada have spoken nothing remains for us (the French) but to obey.' The impression up here is that Room No. 8 has still the advantage and uses it to this day as ingeniously and as successfully as when the well-known place was first used. Sir John would no more think of resisting what his Quebec followers insist upon than he would of flying—whether they ask millions for a railway, amnesty for a rebel, \$500 each extra pay for themselves, it is all the same, he cannot choose but yield."

But we were told that the Orangemen were being aroused and were excited. Who was exciting them? At that time we had the election in Cardwell going on, the hon. member for Cardwell having been made a Minister of the Crown; and who excited the Orangemen on that occasion? Take the *Globe* and see how anxious it was to put down party bickerings, sectional bitterness and all those unfortunate feelings that crop up in election matters and which tend to set man against man. The *Globe* on 25th August had the following:—

"The campaign in Cardwell is almost over and still the electors do not know whether Mr. White favors the execution or reprieve of Riel. Does Mr. White propose to compel the Orangemen of Cardwell to go to the polls blindfolded?"

On September 18, the *Globe* published the following:—

"On the 15th September, *La Presse* got the length of saying: All the English papers which don't wish to be fanatical or absurd not only believe but suggest that Riel is not going to be hanged on Friday; such hanging would be at once an iniquity and an inconvenience.' English papers in general have not suggested that 'Riel should not be hanged,' but it took a very small amount, not of second sight, but of ordinary intelligence, to foresee that he would not. Sir John knows better than to offend his masters, especially masters who know so many of his discreditable tricks and to whom he has yielded so often before. The first bell rang to say nothing of the second."

Now, Sir, about this time an outburst of indignation went up throughout the land from the independent papers at the course pursued by the *Globe*. Even the *Daily Witness*, a paper unfavorable to this Government, denounced the conduct of the *Globe*, and that paper felt bound to say something in reply. It said:

"As to the statement that the *Globe* expects to make political capital out of Riel's case, the *Globe* is not so wholly ignorant of latter-day torism as not to know that whatever is done to Riel, not one of those

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votes which Sir John calls his own will be lost to him. Had Riel's plans for raising the Indians succeeded, had his second rebellion deluged the North-West with blood, and there had been two thousand instead of two hundred slaughtered as at one time seemed possible, had the whole country been laid desolate, we know enough of the unprincipled gang which supports Sir John A. Macdonald to know that he would not have lost one vote in Parliament."

Now, Sir, I would ask what the Rouge press were doing during all this time. Were they following up the same tack? Were they denouncing the Government and agreeing with the *Globe*, or were not they and those acting for them—the Riel committee—not only stating that they would not be satisfied even with the reprieve of Riel, but when that was granted they would go further, and they would have what must have eventually turned out to be another amnesty agitation in this country.

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

After Recess.

Mr. CURRAN. Up to the present time in the course of the remarks I have addressed to this honorable House, I have not used my own words, I have not given my own ideas. I have given the words, the written language of missionaries, who, with a devotion almost unparalleled, have sacrificed their lives to go out to convert the heathen in our North-Western Territories. But, Sir, if I must proceed now with another branch of my subject, I can assure you that I do so with feelings of pain and sorrow. I have always sought, ever since I have been in public life, to cultivate as far as lay within my power, a feeling of good fellowship among all sections of Canadians. That has been my aim, although I have had on one occasion on the floor of this House to speak up for those principles in which I have been educated, which I entertain now, and which I intend to die still entertaining. If, Sir, we look at the history of the world we find that nations generally have been consolidated by the shedding of blood in defence of the fatherland and in the maintenance of its integrity. We believed—every good man, every good citizen, every person that has within his breast a cherished idea for the future of this great country—believed when the alarm sounded, when our volunteers, our citizen soldiers, were called from one section of this great country to another to go and defend the integrity of Canadian soil, that the day was come when this Confederation, based on an Act of Parliament only, would be consolidated by the blood of our young men, shed upon a common field in the defence of this Canada of ours. But, unfortunately, that belief has not been realised, through the machinations of those who have sought to make this unfortunate question which we are now discussing one of a sectional character. We find that instead of our country being consolidated we have Province arrayed against Province, people against people, section against section, and creed against creed; and we find on the floor of this House an hon. gentleman standing up here and endeavoring to revive over this man's sad end—to revive in the hearts of the Irish people of this Dominion the old fight of Orange and Green. We find him endeavoring to rekindle the hatred of days gone by, and undoing the good work that has been progressing for so many years when we found Orangemen and Irish Catholics, in so far as the material interests of this country are concerned, standing shoulder to shoulder and laboring together, laboring for the fiscal policy and for the railway policy, that will ensure the prosperity of this country—laboring together in every great national enterprise. And, Sir, if there is a man in this Dominion who has taken the sting out of the bigoted associations of the past, that man is the right hon. Sir John A. Macdonald. It was under his guidance and management, it was with the admirable skill he has always displayed, that we have been enabled up to the present time to see our people working harmoniously together.

And, as I said before, if we want to know where the bigotry and sectionalism, where the spirit of animosity against the race to whom I belong, are to be found, look at the benches on the other side of the House. Look there, and you will not see an Irish Catholic following the hon. gentleman. The party which he leads has too great a hatred of our race and our creed to return even one man, whilst the party which has been denounced as the Orange party, the bigoted party, the party without principle, the corrupt party, the party which has sought to crush out a noble and generous patriotism—this party has combined not only Englishmen, Scotchmen and Frenchmen, but it includes Scotch Catholics, Irish Catholics and French Catholics, who are all working together harmoniously for the development of the great material interests of the country. Now, Sir, was it generous or patriotic in the hon. gentleman who preceded me to try to revive the animosities of the past, to send it broadcast throughout the length and breadth of every land where the English and French languages are spoken, that in this country any one sect, the Orange or any other sect, could trample on the necks of their fellow citizens? Can any attempt at justification be made for sending it abroad that the Dominion of Canada is ground down beneath the heel of the Orange Association? If we look at the past history of the question we are now discussing, if it has become a provincial question, a question of Protestantism or Catholicism, if this question has been embittered, there is one man in the country who is responsible for it, and who cannot avoid the responsibility; there is one man whose responsibility is down in black and white and will remain so as long as the records of this country last, and that man is the leader of the Opposition. We had from that hon. gentleman some time ago, a speech in which he spoke about the noble and generous efforts he had made all through his career to cement the union of the different sections of this country. Why, Sir, I was surprised that he could have spoken in such language. After having made a tedious argument to arrive at the point, he endeavored to express his views in a metaphor, by saying that he was not going to construct a political platform out of the scaffold of Regina. No, Sir, he was not; but I tell this House and this country that if he did not wish to construct a political platform out of that material, there was one thing he did, which I will prove beyond contradiction, and that is, he constructed a political banner out of the blood-stained garments of Thomas Scott and with his own hand he wrote the device upon it, "\$5,000 reward for the rope that hangs Louis Riel." What did he say on that memorable occasion? The following is the Toronto *Globe's* report of the proceedings in the Ontario Legislature on the 3rd of February, 1871:

"Mr. BLAKE moved the following resolution:—

"That the cold-blooded murder (for his outspoken loyalty to the Queen) of Thomas Scott, lately a resident of this Province, and an emigrant thence to the North West, has impressed this House with a feeling of sorrow and indignation, and in the opinion of this House every effort should be made to bring to trial the perpetrators of this great crime, who as yet go unwhipt of justice."

"After tracing the progress of the rebellion of 1870, Mr. Blake said: While I am disposed to treat legally anything which may properly be called a political offence, I cannot treat this murder as a political offence, if it were to be so treated. I call your attention, Sir, to the mode in which the 'political offences' of the victim were treated by Riel. What, I ask, was his crime? It was loyalty to his Queen, loyalty to the constitution, loyalty to the country. For this he was done to death in a way which I shall presently lay before the House. I am not going to trust myself to a statement of that barbarous event. It is better I should read to you the official report of the Hon. Donald A. Smith, who was on the spot at the time."

Then the hon. gentleman proceeds to read that harrowing account—

"Now, Sir, we have also before us the evidence which, on a motion of mine, was brought before the House and was printed—the evidences of eye-witnesses of that barbarous crime. At that time justice could have been done on Riel here in Ontario and, perhaps, also in England. He fled to the United States, but there was no demand made for his

extradition. But, Sir, it is a son of ours that he has murdered. It is our justice that he has violated; it is our duty to see, as necessary, that this justice is vindicated. This person, Riel, is living a little way outside the boundaries of the North-West, in the United States. He is receiving deputation from the people of that country, asking him to stand as a candidate for the Local Legislature and for the Parliament of Canada. Yes, for the Parliament of Canada. We find him declining for the good of the country and from patriotic motives to allow himself to be nominated. But, Sir, I say that unless this Province speaks out it will not be long that he will act thus, and we may yet undergo the humiliation and disgrace of seeing the murderer of one of our people, elected to the Parliament of Canada, and representatives from Ottawa sitting in council on the affairs of the country with one guilty of murder. I warn this House and this Province that unless we act in this matter the murderers will go unpunished. This, Sir, is no ordinary murder. It was no murder for revenge, for money, or for any of the causes that generally provoke that great crime. This is no case of hurried, passionate transaction in which the excuse of want of time or deliberation, or of passionate emotion, may be pleaded. Even in the presence of the delegate sent by the Canadian Government to treat with these people, and while he was engaged in his mission, and this deed was done, and its enormity was enhanced by the solemn mockery of a pretended court-martial and a so-called condemnation of death. The victim died because he was a loyal man; he died because he would not aid rebels; he died because he resisted rebellion—he died in fact for loyalty to Queen and country.

"That this is no ordinary murder is proved by the fact that it provoked an universal fever of indignation throughout this Province. If the indignation has subsided, if it does not blaze so high after this interval, still that indignation burns deeply, and is not to be soothed by anything less than the meting out of justice to the perpetrators of the crime. We have been told that we have nothing to do with this matter. We Canadians, we men of Ontario—we the representatives of the people of Ontario—sembled here to express the feelings of the Province of Ontario—have nothing to do with one of our sons. (Cheers.) We are told that it is our duty, our right, our pleasure to express to the Governor General our joy on the occasion of his blood being ennobled. We were asked to discharge that duty and we did it with pleasure and with decent warmth. But, Sir, am I to compare for an instant the feeling of the people of the country on the ennoblement of the Governor General's blood with the feeling that was evoked by the spilling of the blood of one of our sons. No, Sir, we have learned here to value the lives of the people. We recognise the truth of the poet's words:—

'The king may make a belted knight,
A marquis, duke, and a' that;
But an honest man's aboon his might,
Guid faith he mauna fa' that.'

"It is true that we have solemnly recorded our satisfaction because the blood of the Governor General has been ennobled; and as the blood of one of our sons has been spilled, it is our duty, it is our privilege, it is our right to express our sorrow and indignation at that event. I hope that we shall show that we are bound to one another by a tie as men of Ontario, bound by the tie of kinship; that we shall show that our Province is dear to us; that our people are dear to us, and that the men of Ontario have but one feeling on this subject. Let us join our sorrow to the sorrow of his kinsfolk. To them has been denied the poor consolation of giving a decent sepulchre to his ashes, and of mourning over the place where they await the Great Day. That spot is unknown; nor can any monument be placed over his remains. Let his country write his epitaph in the records of her assembly, and express a people's sorrow for his untimely death, and a people's stern resolve that that death shall be avenged."

To be avenged—under what circumstances? Does the hon. gentleman pretend that when he was doing this in spite of protestations of the Conservative party in the Assembly of Ontario, who stood up and said: This crime has been committed outside our jurisdiction, outside the boundaries of Ontario, and asked that this act, which would leave a standing barrier between the people of the two Provinces, be not committed—does the hon. gentleman pretend that he was then acting in the interests of harmony and peace? Did he seek on that occasion to do otherwise than to sink deeper and deeper into the hearts of the people of Ontario those feelings of hatred, which he and his men say are the cause of the death of Riel to-day? Does he pretend to tell any hon. member of this House that he was blind to what was going on in Quebec all that time? Does he pretend that he did not know the people of Quebec were up in arms and clamoring, in a state of feverish excitement, for the protection of Riel, just as he was clamoring for his blood? Was that the way to cement the Provinces together, to cement the different races together? Or was it the way to drive them apart and make them enemies for years to come? I say, if we have the state of affairs which the hon. gentleman who preceded

me has depicted, it is due mainly, almost solely, to the unpatriotic and fiery denunciations which were made on that occasion by the leader of the Opposition. We have been told by the hon. gentleman who spoke last (Mr. Cameron, Huron) that some of the Orange lodges of Ontario passed resolutions asking for the execution of Riel. Now, Sir, I do not pretend to say that those resolutions were not passed, but I have it on the best authority, and it has been shown here by other hon. gentlemen, that the men whose names are mentioned in connection with these resolutions are not Conservatives but are Grit Orangemen, who passed those resolutions and published them for the purpose of embarrassing the Government and exciting feud between Quebec and Ontario. These resolutions were passed for the special purpose of driving from the ranks of Sir John the French Conservatives who supported him for so many years. I will not refer much longer to this point, but will say that upon that particular section of this subject my words never had any uncertain sound. I felt, when this unfortunate excitement broke out and I saw the turn things were taking—the excitement in Quebec and the counter excitement in Ontario, an anti-Riel meeting having been publicly called in Toronto—that it was the duty of every man, who felt he had any influence, no matter how little, to exert it as an honest man in the endeavor to stem the tide of the terrible excitement which was then rushing forward. I undertook to write to a friend of mine—not a political friend, but, at all events, a friend in whom I had confidence—and asked him to publish in his paper my views. I knew that in doing so I was cutting ties that bound me to many with whom I had been associated for years; but when I sent my words abroad, through the press, did I then seek more than I do now to conciliate the Orange body? No, Sir. In that letter, referring to the Grit Orange lodges which had passed those resolutions—hon. gentlemen opposite may laugh—I said, referring to the allegation that Riel was hanged because the decree went forth from the Orange lodges, that any resolution calling for his execution, whether it came from a Conservative or a Grit Orange lodge was a disgrace to them and to the country, I consider that allegation utterly unfounded and capable of working incalculable injury to our Dominion. "Granted that certain lodges did go so far as to pass such resolutions, as certain preachers, in platform outpourings, thought fit to call on the Government to hang Riel, I say all this was cruel and disgraceful. At almost any moment in any civilised community, you will get men to sign a paper asking the Government to exercise clemency, but it remains for the Black Lodge at Peterboro and a minister of the Gospel, Oversorth, to clamor for a man's blood." When the hon. member for York (Mr. Wallace) spoke the other night, he had not one word to say in defence of the action of those who called on the Executive to see that the sentence of death was carried out. The responsibility that devolved on the shoulders of the Ministers of the Crown to meet in council to decide upon the fate of a human being, was a heavy one; but people to sit down where they have no responsibility, and in cold blood to clamor for the life of any man is something I cannot conceive, yet we are told that the Orange body, as a body, had made these representations. I say there is no proof of anything of this kind, there is not one tittle of evidence to support such a statement. Whilst all the public meetings were going on in Quebec, whilst all the outpourings of excited feeling appeared in the press of Quebec, not one meeting was held in Ontario to force the Government to carry out the sentence. But we are told that this case turns on Orangism, that we ourselves are Orange Catholics. I ask any hon. gentleman in this House—

Mr. LANGELIER. Hear, hear.

Mr. CURRAN. The hon. member for Megantic says, "hear, hear." Who sent him to this House to oppose the
Mr. CURRAN.

Government? Who voted for him to oppose the leader of the Government? The Orangemen of Megantic, the men who, he says, clamored for the blood of this man. These are the men who voted for him and sent him here to oppose the leader of the Government. Who have sent other representatives from the Province of Quebec? Why, surely the hon. member from Huntingdon (Mr. Scriver) will not deny that he sits in this House to oppose the right hon. gentleman, the leader of the Government, by virtue of the Orange votes of Huntingdon, and throughout the length and breadth of Lower Canada every Orange lodge has been arrayed, on all occasions, against the Conservative party in every election. When the Conservative party were driven out of office, did the Reform party forget the good services they had received from the Orange body? Why, the only Orange procession we have had in the city of Montreal within my recollection, under the guise of a funeral, with bands playing and banners flying, was carried out under Grit bayonets furnished by the Reform Government; and, Sir, when the Reform Government arrived in power, when they reached the Government benches, who was the first man to be recognised, whose services were the first to be rewarded in the city of Montreal, who first received the favors of the Government, if it was not Mr. Dunbar Brown, who had published *The Altar and the Throne*, who had established that paper in the interest of the Reform party, had devoted to it all his time and all his energy. He was rewarded by being made Collector of Inland Revenue of the district of Montreal. And that was not all. There was the ex-grand master to be provided for. He too had labored day and night for the Reform party. He had never taken any rest until he succeeded in placing his great Reform leaders in office; and, when I tell you that the past grand master, Mr. George Smith, had an office—not an ordinary office but a brand new office, an office created for him—that he was made shipping master of the port of Montreal, an office that had always been filled before by the collector of Customs, there is the best proof that upon all occasions these people, although now they raise the Orange cry in order to revive the old feud between the Irish Catholic and the Irish Orangeman on an issue as foreign to their differences as day is from night, have always sought to curry the favor of Orangemen wherever they could manage to do it. But it is not merely with regard to old times, not merely in years gone by that this has been going on, that we have seen and heard and read how great the love of these hon. gentlemen has been for Irish Catholics, how great their love has been for Ireland, how greatly that love has been manifested in their public press whenever a man happened to come forward as an Irish Catholic candidate. On those occasions, how did they manifest it? I will not go back to days gone by. I will not go back to 1863, when the late Hon. D'Arcy McGee was opposed by the late Hon. John Young, and the principal grounds taken against him was that he had been connected with the '48 movement. Though he had given them the benefit of his great talents and had been connected with them for years, when he parted from them they revived the cry that he had been connected with the movement of '48. I remember hearing the great outburst of the Hon. Thomas D'Arcy McGee on the Haymarket Square in Montreal, when he spoke in reply to that charge, and told what had transpired before his own eyes in Ireland when a young boy of 18 or 19 in that country, how he saw the unfortunate people dying by the thousand from famine and from fever, how he saw them pitched out of their houses into the ditch by heartless landlords. He said that his heart revolted at the sight, and he stood up, and no doubt he raised the flag of rebellion; and "Great God," said he, "older as I am to-day, if I saw the same thing happening over again, I feel that my heart would lead me to take the same stand as I did on that occasion." And yet it is these people, even after the six hours' speech of the

hon. leader of the Opposition had been delivered here in reference to the sufferings of the half-breeds, whom we find stating in one of their papers that :

"They had farms provided with agricultural machinery, and comfortable homesteads, which the correspondent of the St. Paul, Minn., *Pioneer Press* said might have been put alongside the average farm of Minnesota without fearing comparison. These were in jeopardy through the neglect of the Government to grant them titles to their land. They feared that they were about to be driven off them, and they took up arms in the defence of their hearths."

These people justify the rebellion on the ground that the Government had not sent patents to them. As the leader of the Government said, not one man, woman or child was disturbed; not one man, woman or child was put into the street; not one man lost his property; and yet they were justified in the rebellion, they were justified in taking up arms against the Dominion of Canada, but the downtrodden Irishman, who saw his people dying of famine and sickness, who saw his roof torn down, was not to be so justified. The Grit party said the half-breeds had a right, but the Irishman in his own land had no right. But I need not refer to ancient history. It is only a few years ago that my young friend, Mr. C. J. Doherty, was a candidate for the city of Montreal in the Conservative interest. The *Montreal Gazette* took up his case, and laid before the people of Montreal the fact that he was the first prize scholar of the St. Mary's College, that he was the gold medallist of McGill University, that he possessed all the talents and educational requirements to make him a first class representative. Well, what was the result? I may tell this House that, since that time, when the alarm sounded that this country was in danger, Mr. Doherty went with his regiment, the 65th Battalion of Montreal, and fought like a man with his French Canadian friends, left his sick bed and went up to the North-West like a Canadian who felt he had a duty to perform to his country. But what was that man said to be when he came out as a candidate? Take the *Montreal Herald* of that time, then the recognised organ of the Liberal party. What did it say on the 29th November, 1881?

"What will be the effect in the business circles of England should the tidings be cabled over that the largest and in fact the only strictly commercial electoral district in Canada should find no more fitting representative than a pronounced land leaguer? We may well ask, what has Montreal West done to be branded with such an odious stigma as this?"

Then on the 30th November, 1881, it said :

"If Mr. Doherty should be lucky enough to get elected for Montreal West it would be an enlivening piece of news to send to the Old Country to say that the greatest city in British America had returned the President of the Land League as a member of Parliament. The Land Leaguers in Ireland would be greatly encouraged and all the more, as Mr. Doherty is to go in if he can on the Conservative ticket. They say the Conservatives and Liberals are getting to be good friends at home, and so it would be all right. But the society for preventing cruelty to animals here would have to look sharp, as after the election some of the Liberals' cows might find themselves without their tails."

And, again, the evening organ of the Reform party said :

"What would be the effect if it were cabled over to Parnell in Kilmainham that the President of the Land League has been elected as a member of Parliament for the city of Montreal.

These are a few specimens of what has been done in the recent past by the great Reform party, and they show the great love which they bear to the people whose votes they now seek to obtain. But we have been speaking here about an execution, about an unfortunate man having been hanged under a Conservative Administration when that man was recommended to mercy by the jury which tried him. One would imagine, from the outpourings on the other side that no man or woman had ever been executed in this country under similar circumstances before. But, Sir, I find recorded in the *True Witness*, of 23rd January, 1863, when the Reform party was in power, a case against that party—not of the execution of one man, but of the execution of an unfortunate man and his wife, who had been strongly recommended to the mercy of the court; and that man and

his wife were both hanged, despite the strong recommendation of the jury and despite the most piteous appeals made from all parties in their favor. Let us read, Sir, a brief extract from the paper I have just mentioned. This man was named Aylward and he had settled with his wife in a township in the rear of the county of Hastings. Their neighbor was a man named Munro. The parties lived in good fellowship until, unfortunately, some hens belonging to Munro had caused depredations in a wheat field belonging to Aylward. One thing brought on another, and three or four days after this had taken place, one of the hens belonging to Munro was shot by Aylward; Munro and his son went to Aylward's house to see him about it, they spoke about the hen, and were told, it might be found upon the land where it had committed the depredation. They went out together, Aylward taking his gun; a scuffle took place between Aylward and Munro and his son. During its progress the wife of Aylward came to the assistance of her husband, and a wound was inflicted upon Munro which produced death sometime after. This is how the *True Witness* narrated some of the facts :

"The husband and wife were Irish Catholics, both young and much attached to each other. The man was twenty-six years of age, of medium size, but strong and robust; of intelligent cast of feature, and, like the generality of his countrymen, capable of displaying strong friendship, but easily estranged by unkindness or acts of selfishness. Mrs. Aylward had a very youthful appearance and did not look to be more than eighteen or nineteen years of age, although some two or three years older. She was considered to possess more than the ordinary share of beauty, and was of light and elastic figure. Any person who visited their home could not but be struck with the neatness and cleanliness with which everything about it was kept, and which gave an air of comfort and cheerfulness to their humble home. At the time of her death she was the mother of three small children, girls, the youngest an infant at the breast."

Chief Justice Draper presided at the trial, the jury found a verdict of guilty, accompanied with a strong recommendation to mercy, and says the paper :

"And now comes the application to the Executive for a commutation of the sentence. The petition was prepared by Mr. Finn, the prisoner's attorney and was signed by all the leading inhabitants of the county of Hastings, by high and low, by rich and poor. There was no distinction of rank or class or creed, the Orangemen of the county being the foremost on the petition. In fact every one felt with the exception of the Grit M.P.F., that their lives ought to be spared. The Grit Government refused the petition. Everyone thought they should not be executed and a respite of one month was asked. All of no avail, they were hanged by the neck until dead, on the morning of the feast of the Immaculate Conception."

That, Sir, is a statement of the facts as they happened under a Reform Government. And the Reform party now appeals to the people of the country and to the heart of the French Canadians, and says that the execution of Riel was an outrage, that it was a brutal murder, that it was a judicial murder. But what did they say when this poor unfortunate Aylward and his young wife were both launched into eternity? Because no appeals that they made would be listened to, although that appeal was signed by all classes and creeds in the community, with the exception of the Grit member of the Legislature of that county. Mr. Speaker, in this matter what was the position in which I found myself placed? I have read here, from the writings of the missionaries, what had been the career of the unfortunate man whose fate we are discussing. I was asked to do what? To stand up for him in the name of the French Canadian race—to stand up for him and do what? To roll in the gutter, and to disgrace and degrade, and denounce as traitors, the three French Canadian gentlemen in the Ministry who have stood by the French Canadian people for years and years. Was I doing more honor to the French Canadian people by standing up for the hon. Minister of Public Works in this House, the chosen friend of the late lamented Sir George E. Cartier, his chosen lieutenant, his chosen successor in this House and country, who had labored for thirty years and never once betrayed the interests that were confided to him by his peo-

ple? Was I to sacrifice him? Was I to degrade and disgrace him for the sake of Louis Riel, because the people clamoured against him and called him a traitor? Was I to see my hon. friend the Minister of Militia treated in the same manner, whom I have known, respected and admired for his pluck, and for the manner in which he has stood up for his countrymen upon all occasions? Was I to sacrifice that hon. gentleman for the sake of Louis Riel? Was I doing more honor and more credit to the Canadian people by believing that these men were instigated by honest, and high and pure motives, than by espousing the cause of the wretched man, Louis Riel? Was I, Sir, to sacrifice the friend of my youth, the man with whom I have grown up side by side, whom I have seen raised to the highest position in his own Province, the idol of the French Canadian people for his noble, generous and brilliant eloquence—was I to sacrifice my hon. friend Mr. Chapleau, the Secretary of State? Was I doing more honor to the French Canadian people by believing that these three hon. gentlemen remained true to their people, and was I to be justified in preferring Louis Riel to them? And, Sir, more than all that, I was asked to sacrifice the right hon. leader of this Government, and to believe that he was capable—he and his colleagues—for the satisfaction of any organisation in this country whatever, of steeping their hands in the blood of a fellow-creature? And I was asked, Sir, to sacrifice the man in this Government who belongs to my own race and creed—all for the sake of Louis Riel. I was asked to sacrifice the hon. Minister of Inland Revenue, the man who had carried the Irish resolutions in this House, which had caused joy and gladness to my fellow-countrymen on the other side of the Atlantic—I was asked to sacrifice him. I was asked to sacrifice everything that is near and dear to me! Could I do it? Could I do it in the face of my experience in the past? Could I do it after what I knew had transpired in the North-West?—in the face of the history of this unfortunate rebellion, and all for the sake of a man whose character has been described by the missionaries whose evidence I have quoted? No, Sir, I could not do it. I felt that I should be unworthy of the position I hold, if, standing up here, speaking in behalf of the people I have the honor to represent, I allowed myself, under these circumstances, to be carried away by this passionate cry. I acted, Sir, knowing and feeling fully how painful my duty was; but in performing that duty, I have acted as a man who felt the responsibility of his position, as a man who loved the race who have taken this unfortunate man for a time to their hearts; but who will find out their mistake before very long; and I feel, Sir, that the future will justify me and prove that I acted as a man of honor, as a man of conscience, as a man who loves his country, and who hopes to see that country great and glorious in the future.

Mr. COURSOL. Mr. Speaker, before giving my vote on this question, a question which I believe is classed among the *causes célèbres* of this Dominion, I desire to offer a few remarks in order to explain my position and my views on this case. During the last eight years I have given to the men in power a fair support. In 1878, when I was called to give up a judicial position which I had held for 20 years past, I did so in order to support the National Policy, a policy which I believed was calculated to do good to the country, to bring it back to its former prosperity, to assist our manufacturers and to protect our manufactures. I also supported and pledged myself at the time to support any well matured scheme which would give the Dominion that long desired work, the Canadian Pacific Railway. On those points I am happy to say that nothing has since occurred to check my confidence in the Government, and I am sure the Government must themselves feel that I have been loyal to the promises I then made. But I regret to say that in the course

Mr. CURRAN,

of last fall events occurred in the North-West which have considerably strained the *entente cordiale* between the Government and many of its best and most faithful supporters, men who had supported the Government for many years past and would have been prepared to continue their support, which they cannot continue on the Riel question. I have studied that question in all its details, and, after a review of all the evidence adduced at the trial, I came to the conclusion that the Government has committed an act of cruelty in sending the prisoner to the scaffold, and I am satisfied they committed a great political blunder in hanging him. After I had come to that conclusion and had made up my mind that the Government had committed an act of cruelty, what was my proper course as a former supporter of the Government? I felt bound to oppose the Government in this matter; I felt bound to place my duty before my party and my conscience before my leaders. And who are the men who brought about the whole agitation; who are the men guilty of placing the Province of Quebec in a state of complete turmoil? The very ones sitting on the Treasury benches. The newspapers under the fostering care of those Ministers have published article after article that have set the whole Province on fire. They have newspapers publicly acknowledged as their organs, and those organs have published by thousands, copies of articles of a vile description against the respected leader of the Government, against the Minister of Public Works, against the Minister of Militia, denouncing them in advance as traitors, as cowards and using even stronger expressions, if Riel was hanged. One of the papers, the organ of one of the principal Ministers, stated while the trial was going on, that the jury had been packed, that the judge was unfair, that the witnesses were bribed, that the whole trial was illegal and unconstitutional. That was published while the case was before the Court, and also when it was before the Privy Council. And after the case came back and it became apparent that Riel was doomed, then they agitated still more. When they were asked as to the position into which they were bringing the people they said: The Liberals had Riel condemned, we, Conservatives, will save his life and take him from the hands of the executioner. When further pressed they declared that Riel would not be hanged, and I remember that, on the Saturday before the execution the paper I am alluding to said: It had received an official announcement or a positive announcement that Riel would not be hanged. In view of those facts, is there any wonder that the people have been excited and that the whole Province of Quebec has been in a state of agitation? And by whom was this caused? If Riel was to be hanged, if it was decided on the 8th of November that he was to be hanged on the 16th or 22nd, why did not the Government say so openly and in a manly manner to their friends and the public? They sent a commission, a sham commission, composed of doctors who were their own employees, to make a report. That report has been published. How did those gentlemen go to the North-West? Did they travel as medical men generally do, as do gentlemen belonging to a noble profession? No; they changed their names and travelled incognito. They arrived at Regina and proceeded to ascertain whether Riel had become insane and was in a worse condition than before the trial. Why did they not give notice to Riel of their arrival? because, as every medical work will tell them, that is the course generally followed. If the report was favorable, why did not the Government publish it broadcast over the country before Riel was executed? and then the people might have said: "We have the report, and it declares Riel sane, or that he is subject to hallucinations only; we have nothing therefore to say; the Government has considered the matter and has decided what ought to be done." Ministers are now pretending to wonder that the people have been

excited. What we wonder at is that the men who have been the cause of their excitement are now surprised that the people have been and are excited. The execution of Riel, and the want of information as to his state of mind, were the sole causes of the agitation; there was no war of race and revenge, as it is called. The Province of Quebec had no reason to be antagonistic to any other race. The French Canadians in the Province of Quebec have lived in peace for years and years past with the people of other races. The large city I have the honor to represent is composed of English, French, Irish and Scotch, who live together in peace, and among whom there is no war and revenge party. The idea of a race and revenge party only existed in the mind of an Ontario editor, who invented it to raise his Province against our own. I say those who use that cry use it purposely to injure French Canadians and to save the Government. There has been no danger of race and revenge, and the newspaper which has said that is the newspaper which is known to the public as the principal organ of the Conservative party in the Province of Ontario. It has published articles which are libellous against our race, our civil institutions and our laws. Is that the way that a paper generally representing the Government on all occasions is to bring peace into the country—by assailing a race as fair, as proud and as courageous as any other in this Dominion—a race who have proved their loyalty everywhere, and are ready to do it now—a race who can carry the banner of England as proudly and as courageously as any coming from the Province of Ontario. This Government organ, which, not long ago, was in the habit of doing justice to French Canadians, became, all of a sudden, its bitter enemy, threatening to tear to pieces the treaty of Paris, and to reconquer the Province of Quebec—threats and boasts as silly as its former praises were hollow and interested. It has been asked, Sir, why the French Canadians took an interest in the Metis and in the Riel matter—why they were so friendly, apparently, to the Metis race. Those who are putting that question ought to know that over 100 years ago, La Verendrye, when he went to the Rocky Mountains on his first visit had with him a number of Canadians; that from every part of the Province of Quebec there went to the North-West and Hudson Bay hundreds and hundreds of French Canadians, the hardiest pioneers to be found in America, leaving behind them their friends, their wives and their families. Well, Sir, it is natural enough that those French Canadians, leaving their families behind them, would also leave remembrances of that time as they had occasional opportunities of communicating with their friends and families up to the present day by means of correspondence. Is it not natural that we should feel for them? I feel for them because my father was a pioneer of the North West, and worked there like many other traders who were the great support of the Hudson Bay Company. Is it not natural, then, that we should send forth our prayers in favor of Riel and of his friends? I would ask those who have spoken so much about the murder of Scott, if he had not been an Orangeman, if he had been an Irishman, or a French Canadian who had been murdered, would they have given themselves so much trouble? I shall not follow my friend and colleague from Montreal Centre (Mr. Curran) in all he has said. I am sorry that he has introduced the name of His Grace Archbishop Taché into this discussion, and the names of some of the priests of the North-West. He has said that His Grace would not have gone to Regina, and would not have testified under oath that Riel was insane. I think the hon. gentleman has ventured a great deal when he said so, and I doubt his authority on that point. I am sorry he has said so, because Archbishop Taché had a different opinion which he has published in a letter, and to make the matter right I am bound to read an extract from

that letter to show that the hon. gentleman had not read it, and so was deceiving himself. His Grace said:

"The Government allowed the execution to take place. The Government have then the responsibility, and it is an indignity to them to lay the blame on others. For my part, a close observation of twenty years have given me a conviction diametrically opposed to those who are now calling the matter in question. I had many reasons to study the character of Riel in its most minute details, and the disposition and acts of my unfortunate protégé, in order to be able to give an account of what had driven him to this deplorable course. For many years I have been convinced beyond all possibility of a doubt, that apart from the brilliant qualities of his mind and heart, the unfortunate chief of the Metis was subject to megalomania, which alone can explain the position he has taken and the acts he has committed."

This is the character given to Louis Riel by his Grace Archbishop Taché, quite a different character from that which the hon. member for Montreal Centre (Mr. Curran) has given him. That hon. gentleman said that Riel was a great deal worse than the vilest of the Fenians. I do not know what authority he had for saying that. But I am sorry he saw fit to bring the Fenians into the matter, and still more sorry that he brought into it the name of His Grace Archbishop Taché. Now, when I concluded that the Government had not acted properly in hanging Riel, I looked upon the question as a question of law. After carefully examining the record, I came to this conclusion for the following reasons: Riel had received a letter from General Middleton, a most extraordinary letter, stating that if he and his council would surrender, he would give him up to the authorities, meaning—what such letters written by any General in the field to a belligerent party must mean—that his life would be spared. In this sense the letter was sent and received. Riel was taken a few days afterwards with the letter in his hand, and he asked where and when he could surrender. He was frightened, because he knew that if he was caught he would be shot. Well, Sir, the trial which has been termed an illegal one, was not so in my opinion; it was a legal trial; but it was an un-British trial, because every man living under the flag of England in any part of the world is entitled to be tried by twelve of his fellow countrymen, whereas, in this case there were only six jurors, and a magistrate, not a judge, presided. That magistrate selected the jury. His selection may have been perfectly fair. I have no possible desire to impugn the motives of the magistrate or the jury. I simply take the case as it stands, and I find that these jurymen, with the facts fresh in their minds, returned the verdict of guilty, recommending the prisoner to the clemency of the court. The indictment was for high treason, and there was no other plea than the plea of insanity. There was nothing clearer than that the prisoner was guilty of high treason, and why did the jury recommend him to the clemency of the court if it was not because they had doubts about his sanity? Moreover, this is one of those cases in which the recommendation of the jury ought to tell in favor of the accused. The two doctors called in his behalf were examined as closely as possible. I do not remember any case in any criminal court in my experience in which the medical men were cross-examined so severely as the doctors for the defence have been in this case; yet their evidence was strong enough to convince these jurymen that there were some doubts as to the prisoner's sanity. I shall take the liberty of citing in the presence of the hon. Minister of Justice, the definition of the crime in the "General View of the Criminal Law of England" by Stephen. [The hon. gentleman here read from the work referred to.] This shows that the recommendation of the jury, when given in cases of this description, is given for an object, and that object is the clemency of the Government; and I contend that in this case, where the troubles had arisen suddenly, and as to which the Government could not say that they were entirely free from blame, they ought to have taken the verdict into consideration. Notwithstanding that the Privy Council of England had affirmed the legality

of the trial, the Government became the judges of the case themselves. In ordinary cases, where the accused is condemned, the Government may interfere, and if they do not the man is hanged. But in a case like this, it is the Government who order the prisoner to be hanged, so that they become the judges in the case, and their duty is to review the whole case when it comes before them. Well, I contend that in this case they did not need to have gone further than the verdict of the jury. That verdict meant something. It meant the desire of the jury to save the man's life. The Province of Quebec, which has long been faithful to the Government of this country, and has kept it in a constant majority, and has been loyal to the core to the Premier, from one end to the other, sent petitions asking, not that a man of that description, so dangerous to society, and the cause of so much harm and bloodshed, should be set free, but asking for mercy. No, Sir; we asked merely that life should be saved, and we had good grounds for doing so; and it seems to me that a Government, which has so often exercised clemency, might have done so in this instance. I know their position was a difficult one. On the one side they had the whole Province of Quebec, their devoted friends, asking them to save Riel's life; and on the other were men calling for his blood. But, Sir, they were a strong Government and should have had courage enough to do their duty by exercising clemency. The Government's own friends in Ontario, who threatened them, would have seen after a time that the sentiment of mercy was really the one which should have prevailed. But the Government decided not to exercise their prerogative. To his credit, be it said, one of the Ministers of the Crown went to a public meeting, and there declared that he had done his best to save Riel's life but could not succeed. This showed that in the Administration there were some who believed Riel's life should have been saved. In making these few remarks, I want to be well understood that it is not any personal sympathies I might be supposed to have for Riel that actuates me; on the contrary, from the very first day that I heard of his exploits in the first rebellion, from the day I heard how he had sacrificed Scott, I never had any feeling of sympathy for him. But, it seemed to me that Riel, who was a subject of Her Majesty, ought to have been tried like others, and that his case deserved looking into. I wish it to be understood that the sentiment in the Province of Quebec, so far as Riel personally is concerned, is not that of men who wanted to save Riel simply because he was a French Canadian. It is unfair to state, as it has been stated in some papers, that what French Canadians want is a law for themselves. Such a statement is a calumny against our race. I hope that all that has been done and said may be forgotten, but there are certain acts that live and certain acts that are forgotten. The conduct of the Government in this case may be forgotten by many members of this House, but it will rest with the people at large to decide if it can be forgiven. I hope, however, that peace and harmony will return, that friendship will be again our common aim, and that these different origins and classes and creeds in all the Provinces will be on the best relations with each other. But I should like to ask any hon. gentleman opposite whether we, in the Province of Quebec, had not a right to agitate on this point. Is it because Quebec is inhabited by French Canadians that we are to have no right to blame the Government? Our movement was a legal and a constitutional one, one open to every British subject in the land, and I hope French Canadians are considered as British subjects and as having the rights and privileges of British subjects. We have the right to blame the Government if we think proper, but that need not be a cause of ill-feeling between us and other Canadians. If the Conservative friends of the Government, when the Government have committed an unjust act, when our consciences tell us clearly that the Government is wrong, are not to be allowed to express their opinion,

Mr. COURSOLO,

but are supposed to sit here as slaves, for my part I believe the sooner we leave public life the better. I shall not further enter into the matter under discussion. I have no desire whatever to say anything that would excite the feelings of others. I think many imprudent expressions have fallen here, and have found their way into the press, but I know that many have been recalled after sober second thought, and I hope that expressions which were used in former days and have been used again against the Province of Quebec, our institutions, laws and religion, will shortly cease to be used. We have, for instance, the *Mail* the other day, referring to the tithes paid to our clergy in a manner which showed evidently that the editor did not know of what he was speaking, as otherwise he would have known that the system in use with us was the most simple and economical way in which the Province of Quebec could support its clergy, which it is bound to support and of which it is proud. If editors of newspapers would only be more careful in what they say, in attacking the origin or religion of any one sect of the Dominion, the whole community would benefit by their moderation. I shall record my vote, Sir, in favor of the motion of the hon. member for Montmagny (Mr. Landry.)

Mr. WOOD (Brockville). I am sure every hon. gentleman has listened with a great deal of pleasure to the moderation in which the last speaker couched the remarks he has made on the subject under discussion. I regret exceedingly that all those who have preceded him on that side have not been as moderate in their tone as the hon. member for Montreal West (Mr. Coursol). For him I have always entertained feelings of the highest respect, and I trust and believe those feelings will remain undiminished in their strength, notwithstanding that in the future we may occupy seats on opposite sides of the House. For the patriotic sentiments that he has just given utterance to, I am sure that no one upon this side of the House felt more like applauding him than I did. He was quite right when he said that this subject was one peculiarly of a legal nature. This Parliament has for the time being been transformed into a court, a court of review, reviewing the action of the Executive in ordering that the execution of Louis Riel should proceed. It is a case of more than ordinary importance, because it is the first time in the history of this country, so far as I am aware, that the Parliament of the country was ever called upon to review, or sit in judgment upon, the Executive for making such an executive order; and it has been given greater prominence by the turn that certain members sitting on the Opposition benches have given it in introducing subjects that I am sure we all regret in connection with this discussion. I see no reason why the question of Orange and Blue should be raised in connection with this matter at all. I see no reason why the hon. member for West Huron (Mr. Cameron) should have introduced into his speech the language he did, having, as it must, a tendency to excite race against race and creed against creed. I was born after that period in our history when those men who are our political fathers have said it was the day-dream of their youth that there should be a confederacy of all these scattered Provinces of British North America, and that one day the Canadian people would be proud of its nationality and every man who was a subject of this country would be proud to say he was a Canadian. I have indulged in fond hopes that, whatever might be the future of this country from a political standpoint—using the word political in its widest sense—though we might in course of time be separated from the Mother Country, though we might be independent, or whatever might be the future of our nationality in that respect, a sentiment of Canadian nationality would remain strong within us, that we would be one people, a united people; but I confess that the events of the past few months

have driven into my mind the first suspicion that I might be wrong. I regret that a certain section of the people in one Province—not the whole people, not a majority of those people, I firmly believe—have been led to make of the execution of Louis Riel a national cry, and thereby to raise an issue which in its consequences may result, unless timely counsels prevail and moderate men, such as the hon. member who preceded me, take a foremost part in leading that movement, in great danger to the young confederacy of which we are so proud. I care not, so far as I am concerned personally in the discussion of this subject, whether Louis Riel was a Catholic, a very good Catholic or a very indifferent one, whether he was a Protestant, or what his religious views may have been, I have simply to regard this in a legal aspect, and as such I will endeavor to explain to you, Sir, to the House and to my constituents in the country, the reason why I shall oppose the motion of the hon. member for Montmagny (Mr. Landry). Now, the case made by the Opposition against the Government is based upon three grounds. First, that the half-breed population of the North-West had very grievous complaints. None of them, I think, go so far as to justify rebellion, or to say that the crime with which Louis Riel was charged was not properly termed high treason. In the second place, they say that, supposing that was true, the prisoner was undoubtedly insane, and upon the ground of his having been insane, the Executive should not have ordered his execution. They say, thirdly, that the recommendation of the jury should have been taken into consideration, or that the Government did not attach proper weight to that recommendation. I think these three grounds are the grounds upon which those who are opposed to the Administration for the course they have taken upon this matter rely, and I shall endeavor very briefly to answer the case made out by the opponents of the Government upon those points. I do not suppose that any hon. gentleman who is a lawyer, would say that there is any law that lays it down that a judge has any other option than to impose the death penalty for the crime of high treason. Notwithstanding it has been said that this offence is of a political nature, no country in the civilised world to-day would for a moment think of establishing it as a law that the death penalty should not be carried out in cases of high treason. If a law was introduced into this Parliament, I do not suppose we could pass it, but if it were introduced in the British Parliament providing that the death penalty should in future not be carried out in cases of high treason, or, to use a term which has become so popular of late, in cases where the offence was of a political nature, I do not suppose there is a Legislature in the world to-day that would enact such a law. They would be crazy to do it. Well, it is said by those who oppose the action of the Government in ordering the execution of Louis Riel that, his offence being a political offence, the Government should have acted in accordance with the custom of modern nations, and should never have allowed the death penalty to be carried into effect. I shall devote a few minutes to that, and, however my views may impress the House, they carry conviction to my own mind that the action of the Government was just in the case of Louis Riel. There is not a case upon record, as far as I am aware, where a man who has been twice guilty of the offence of high treason has escaped. This theory, to which such prominence has been given, that a man should not be hanged for high treason because it is a political offence, turns wholly, in my opinion, upon the circumstances surrounding the particular case. Reference has been made by analogy to the case of Jefferson Davis in the United States. I say it would have been wrong to execute Jefferson Davis for the crime of high treason, because it is not considered advisable in the case of one accused for the first time of such an offence, having in view the future interest of the country; but, if Jefferson Davis had

a second time raised the standard of rebellion in the United States, he would have met the same fate as that of Louis Riel; and, if Louis Riel had profited by his previous experience, he would in all probability have been alive to-day; he brought himself to his own fate by wholly disregarding the law of the land not only once, but twice. Now, it seems to me that, if it is made out that the first offence of which Louis Riel was guilty, the rebellion of 1870, can properly be called a rebellion, you cannot reason otherwise than that was a political offence on his part. I do not mean to say that every effort on the part of the leader of a mob can be termed a rebellion. I say, Sir, speaking from memory, the force which Louis Riel commanded in 1871 was larger than the force he had at his command during the recent trouble. In so far as the number of men were concerned, and having regard to their discipline and equipment, the former rebellion was more worthy the name than that which he so recently originated and organised in the North-West. Now, Sir, he was pardoned for his first offence, including the murder of Thomas Scott. Louis Riel left this country and became an alien, but not satisfied with his first offence, he came a second time and raised the standard of rebellion, and by that act excluded himself from the operation of the modern rule of not hanging a man for political offences. Now, I want to ask these hon. gentlemen one question. They say that this Government was in the position of a judge; so said the last speaker, and I agree with him. I have no desire to deny that at all. The course of procedure in a trial in the North-West is different, as we have heard more than once in this discussion, from that obtaining in any other Province. Here a man is arrested, brought before a magistrate and committed. A grand jury sit upon his case, and find either a true bill or not, and afterwards a petty jury of twelve men decide whether he is guilty, and if he is found guilty, sentence of the court is pronounced upon him. In the case of the prisoner at Regina, he was tried by a jury of six men. The stipendiary magistrate must be a lawyer of five years' standing, and so far as legal ability is concerned, he is on a par, no doubt, with most of the judges of our land. Well, Sir, there is no grand jury there. Louis Riel was not brought before a magistrate and committed, it is true. In all these respects, the formality of the procedure by which Louis Riel was tried differs from that which obtains in any of the other Provinces. But that being the case the law of the land has made provision that special care must be taken to review the judgment and to see that a man under those circumstances is not improperly executed. Therefore, it is said that before the execution can proceed, the Executive must convey word to that effect to the Lieut. Governor, and the execution is carried into effect. That makes it an executive act, and makes the Government responsible for that act, just the same as they would be responsible for any other executive act. That brings this Parliament, then, in the position of reviewing that act of the Government. The Government being the judges, and when you say that, you are right, they have a right to take into consideration all the different circumstances attending the case; they have a right, not only to go into one portion of it, but to go into any other; they have a right to give just and due consideration to every single circumstance that would weigh in favor of the prisoner. I agree with that view, but I say on the other hand, that they have a right, at the same time, and it is their duty, to take into consideration every single circumstance in the previous character of the prisoner, which would aid them to form a favorable opinion of the man himself and the wisdom of allowing him to go loose again. Sir, that course of procedure is seen in our courts of law every day. If a prisoner has been more than once before a judge, if it is his second offence, the judge does

not impose the same penalty as he would if it were his first offence. Hence, I say that the Government of the day, in deciding as judges in the case of Louis Riel, had a perfect right, and it was their duty, to go back into the circumstances of the prisoner's history, and in doing so they found that he was a man more than ordinarily dangerous to the State. Mr. Speaker, that is a feature in this case that those who strongly condemn the execution of Riel, do not seem to take into consideration at all, and I submit, Sir, that it is a most important consideration. But they say again: How can we take into consideration all the circumstances of the case when we have not certain papers before us. I do not know, Mr. Speaker, what papers they want. I am afraid that if we waited for the hon. member for West Durham (Mr. Blake) to get all the papers he wants, we would be here till next January. I do not see what in the world that has to do with the consideration of this case by this Parliament. You take your stand upon the question of Riel's insanity, that is your strong plea. The speaker who has just taken his seat stated that that was the only defence raised in the trial. The records show that; it was the only defence that was raised in behalf of Riel. If there were any other defences existing, they were abandoned by the counsel acting for the prisoner. Well, Sir, supposing you had all the papers that went from the Department of the Interior to the North-West; supposing they were all laid upon the Table; supposing they were to show that the Metis had very great grievances; supposing—to go to the very limit—that they were justified in rebelling against the law in that country; supposing all that, our opponents would then say: What does that amount to? The man was insane, he was not responsible at all; it is a question of insanity. It does not make any difference at all whether they had grievances or not, they will say, this man was not a free moral agent; he was insane. Well, Mr. Speaker, taking that view of it, I ask any reasonable man among those who are opposed to the action of the Government, what possible good it could do to their cause if they had all the papers they want in connection with the grievances of the Metis. Surely, Mr. Speaker, they could have no possible weight or bearing upon the question. Then, as to this question of insanity, it has a direct legal bearing upon the discussion before Parliament. I want to ask those hon. gentlemen another question: Can they point out, in the history of criminal jurisprudence, a single case where the defence of insanity being the only one raised at the trial on behalf of the prisoner—whether they ever knew of a medical commission being appointed immediately afterwards to examine the prisoner and find out his condition, and do exactly the work the jury had to do? I do not wish to be misunderstood now in what I am going to say. I would not oppose the issuing of a medical commission to satisfy those who are doubting that justice had been done; but I do say that the Government would have been thoroughly justified in not appointing a medical commission, and for this reason: the defence of insanity being the only one raised at the trial, what right have those who come forward a couple of months afterwards to ask for the appointment of a commission? The time between the man's conviction and the request that they made to the Government for a commission to be issued, was too recent to make it reasonable that such a demand should be made by the Government. I think, Mr. Speaker, that point is well taken, and that, at all events, the least these parties can do is not to find fault with the Government for doing that which, in one sense, they had no right to do. Now, in connection with this subject, and with the recommendation of the jury to mercy, I am astonished that some gentlemen who profess to be lawyers, and who are lawyers, and who have attained a standing at the bar in their own Province, assign so much importance to that act of the jury. Any person who has had experience in our courts

Mr. Wood (Brockville.)

must know that the recommendation to mercy, after a jury has brought in a verdict of guilty, follows almost as a matter of course. It seems to me that it is a way a jury have of consoling themselves when they place the noose about an unfortunate man's neck. Can it be said that this jury at Regina, when they added a recommendation of mercy to the verdict they had given, really thought that Riel was insane? Then, Sir, it is the greatest reflection that could be made upon the honesty of those six men. If by that recommendation to mercy, they mean that Louis Riel was not responsible for his acts, they inflicted a cruel wrong upon a human being when they made their verdict, the only defence raised being that he was not sane. We can take from that recommendation but one meaning, we can draw but one inference—namely, that in making that recommendation to mercy they were letting themselves down easily. They were naturally sorry, as jurors will be, that it was their painful duty by their verdict to perhaps consign a fellow being to an ignominious death, and they took that means of satisfying their own consciences as they supposed. In the remarks of the hon. member for West Huron (Mr. Cameron) on this case he commented on the action of the counsel engaged by the Crown, and I was somewhat surprised at the nature of his comments. First, he paid a very high eulogium to the character and abilities of the gentlemen employed by the Government to conduct the prosecution. Any person who knows the character of those men in the Province where they have so long lived and practised their profession, can agree with him on those points. But speaking at the time of the refusal of the Crown counsel to grant a delay in the progress of the case, the hon. gentleman said it must have been this Government that gave the order, and he characterised it as a cruel and dishonorable thing for the Government to do. Now, no counsel engaged in any case is bound to do a dishonorable act; whether he be acting for the Crown or a private individual it matters not. Counsel engaged in the prosecution of that case when they received that dishonorable order, as the hon. gentleman calls it, if they ever did receive it, had no right to act upon it; their duty was to withdraw from the case if they deemed it dishonorable. So the hon. member for West Huron (Mr. Cameron), in making that statement must have made it for political effect alone, because I am satisfied, the trial, so far as regards the formalities prescribed, was one in which those formalities were fairly observed, and Riel had, according to the laws of that country, a fair and honest trial. If a man goes into a country and stirs up rebellion, goes into a community where peace reigns and changes it into a state of war, if he is guilty of acts of cruelty such as have been laid to the charge of Riel, if he shows himself to be a man devoid of sympathy, as Riel is proven to have been, certainly it does not lie in the mouths of his defenders to say that his conduct ought not to be judged by the law of the land in which he happens to have stirred up strife and turmoil. It comes with very bad grace now from some hon. members to say that Louis Riel did not receive what is called a British trial. Riel received a trial that very few men are fortunate enough to receive. He received at Regina a trial according to the prescribed laws and forms of the country. His case was tried thoroughly, it was reviewed thoroughly by three able judges in Manitoba, one of whom, I can safely assert, was amongst the ablest lawyers in Ontario, if two of them were not. Again, no obstruction was placed in the way of the Privy Council reviewing it again. We are here called to review it, and judging by the attitude of certain members of the opposite side of the House, I suppose the great tribunal of the people will yet judge of the action of the Government in this case, and if they do, I feel sure that the result in the country will be as it will be in this House when parties come to decide upon it. There seems to be an idea prevailing in this country that political offen-

ders are never to be executed for the crime of high treason. I wish to read—and it is the only extract I will read—the remarks made by the late President Johnston to a deputation from Illinois which called upon him after the death of President Lincoln. He said:

“Here, gentlemen, you expect me to present some indications of my future policy. One thing I will say, every era teaches its lessons. The times we live in are not without instruction. The American people must be taught, if they do not already feel that treason is a crime, and that it must be punished—that the Government will not bear with its enemies, and that it is strong not only to protect but to punish. When we turn to the criminal code and examine the catalogue of crimes, we find arson laid down as a crime with its appropriate penalty. We find there, too, theft and robbery and murder given as crimes, and there, too, we find the least and highest of all crimes, treason with other and inferior offences our people are familiar. But in our peaceful history treason has been almost unknown. The people must understand that it is the blackest of crimes, and will surely be punished. I make this allusion not to excite the already exasperated feelings of the public, but to point out the principle of public justice which should guide our action at this particular juncture, and which accords with sound public morals. Let it be engraved in every heart that treason is a crime, and traitors shall suffer the penalty. While we are appalled, overwhelmed at the fall of one man in our midst by the hand of a traitor, shall we allow men, I care not by what weapon, to attempt the life of the State with impunity? While we strain our minds to comprehend the enormity of this assassination, shall we allow the nation to be assassinated? I speak in no spirit of unkindness. I leave the events of the future to be disposed of as they arise regarding myself, as the humble instrument of the American people. In this, as in all things, justice and judgment shall be determined by them. In general terms, I would say that public morals and opinion should be established on the sure and inflexible principle of justice. When the question of exercising mercy comes before me it will be considered calmly and judicially, remembering that I am the executor of the nation. I know men love to have their names spoken of in connection with acts of mercy, and how easy it is to yield to this impulse, but we must not forget that what would be mercy to the individual is cruelty to the State. In the exercise of mercy there should be no doubt left that this high prerogative is not used to relieve a few at the expense of many.”

I think the remarks I have quoted particularly applicable to the position of the Government which I support. When they came to the conclusion after what was, I am sure, a most careful investigation, when they came to the conclusion with sorrow that it was their duty to order that a human being should lose his life upon the scaffold—when they came to that conclusion, I am sure they did so with great reluctance; but I say it was in the interest of the public, in the interest of the State, and they would in my humble opinion be untrue to their oaths of office, untrue to the Canadian people, untrue to themselves, if they had acted otherwise than they did.

Mr. LANGELIER. Before addressing myself particularly to the subject before the House, I must say a few words in answer to a remark which was made by the hon. member for Montreal Centre (Mr. Curran). He reproached me for having made some remarks during the course of his speech, and seemed to think that I had no right to say anything in this debate because, as he said, I was here by the votes of Orangemen. Well, I can tell the hon. gentleman that he is entirely mistaken. There are Orangemen in my county, and there is no more respectable or law-abiding class of electors. There are some who vote in my favor and some who oppose me, but I can say that those who voted for me did not do so because I made them any promise in favor of the Orange order. They voted for me on the merits of the questions discussed before them and nothing else. They considered that the affairs of the country were badly administered by the present Government, and they voted for me because I said I was opposed to that Government. I distinctly refused to make any engagement when asked to do so, if a Bill was proposed to incorporate an Orange order, and I said I would see when the time came what course I would take.

Some hon. MEMBERS. Hear, hear.

Mr. LANGELIER. And I added—if it is any satisfaction to the hon. member for East Hastings—that as presently advised I would vote against it unless my feelings

and opinions changed. I probably lost some Orange votes, but here is the answer made to me by one Orangeman. He said he preferred a man who told the truth to a man like my predecessor, a good Tory, who got the votes of almost all those Orangemen by promising that he would vote for the incorporation of the Orange order, but who, when the time came, failed to redeem the promise he made. That is my answer to the hon. member for Montreal West. I am prepared to meet him in my own county before my Orange and Irish Catholic electors. I have not two ways of addressing the electors. I have not one kind of a speech for the Orangemen of my county and another kind for the Irish Catholics. I do not do as I have seen some gentlemen do who are now on the Treasury benches. I have known one of the gentlemen on the Treasury benches coming into my county and making a most violent speech against me on account of the speech of the member for West Durham; and at that speech he was asked by an Orangeman, who was a most intelligent elector, whether he would be prepared to repeat that speech before the Irish Catholics in another portion of the county. He did not say that he would be prepared to do so. Any speech I make here or in any other place, I am prepared to make before an Irish Catholic audience, a French Canadian audience, or an Orange audience.

There is no denying the fact that no event during the last twenty years has excited so much interest and feeling in the Province of Quebec, or rather I should say in the French Canadian portion of that Province, as the execution of that unfortunate man, Louis Riel. For several days, if not for weeks, not one man desiring to have the respect of his compatriots in the Province of Quebec, would have dared to show himself on a public platform and say publicly that he approved of that execution, and few dare to do so at the present time. For a long time all the French Canadians in the Province of Quebec, and in Ontario and the United States, were unanimous in denouncing the Government for that act. The speakers of both political parties at meetings largely attended have denounced the Government in very strong terms. I can speak on that subject in a very impartial manner because I took little part in that agitation, not because I condemned it, however, for I said enough to show the views I held on that subject.

If a convincing proof was wanted of the unanimous feeling of the Province of Quebec on that subject, it would be found in the motion now before this House. That motion is proposed by the hon. member for Montmagny (Mr. Landry), a gentleman who has been returned twice to this House as a supporter of the Government, and every one knows that he has supported the Government through thick and thin. But what do we see to-day? We see him moving a motion of censure against the Government on this question. When a gentleman in his position is compelled to move such a motion, hon. members may understand what is the public feeling in the Province to which he belongs.

This makes it of much interest to enquire what is the cause of that great agitation which has been going on since the 16th of November, and which has caused such a disruption of party ties—I might say such an upheaval of the political world in the Province of Quebec. Is it because Riel was a French Canadian? The *Mail* and some other organs of the Government have been trying to impress the public with the idea that the agitation which was going on in the Province of Quebec was due only to the fact that Riel was a French Canadian. Well, it is useless to go into a long and elaborate argument to prove that such is not the case. It is sufficient to recall what was said by the hon. member for Montreal East (Mr. Coursol), that this is not the first execution of a French Canadian. Unfortunately, some of our countrymen have lost their lives on the scaffold, and I defy any member of

this House or any man out of it, to mention one single case where an attempt was made to save the lives of any of those parties because they were French Canadians. It never entered into the minds of anybody in the Province of Quebec, to save a man from the scaffold because he was a French Canadian. In almost all cases where those men have been condemned and executed, they were convicted by French Canadian jurors and condemned by French Canadian judges, and no one tried to throw any blame on them for the course they took. Why has the execution of Louis Riel caused so much agitation? It is because the offence for which he was condemned and executed is not an ordinary offence, and his execution is not an ordinary one. The present Government can boast, not only of having had two rebellions during their administration, but of having shown this country what we have not seen before since the dark days of 1838, when a certain number of our countrymen lost their lives for political reasons; this Government can boast of having raised again in this country political scaffolds, which we might have thought had passed away forever. Riel was not an ordinary criminal. If he had been an ordinary criminal, some of his friends closely related to him might have taken an interest in his fate; but the whole public would not have taken that interest in his execution which has been shown in the Province of Quebec on this occasion.

At the same time that we have seen nearly a whole Province asking that that man should not be executed, we have been confronted with a most remarkable occurrence. I do not think that within the memory of any member of this House there has been an occasion when the execution of a man has been insisted upon by any class of people. A country where men could be found to demand that a victim should be put to death would be a considered a country of cannibals. What people are accustomed to do on such occasions is to abstain from interference; but we have heard resolutions of public bodies quoted before this House, asking that the sentence of death should be carried out. If newspaper reports can be believed, public men have even come to Ottawa on purpose to insist on the Government that Riel should be executed. I avail myself of this occasion to correct an injustice which I unintentionally did to an hon. member of this House, at a public meeting held at St. Hyacinthe in the month of December last. I stated that the member for East Hastings (Mr. White) had come to Ottawa to ask that the sentence of death on Louis Riel should be carried out. I have since met the hon. gentleman, and he has told me that not only did he not come to Ottawa for that purpose, but that if it had rested personally with him Riel would not have been executed. I am glad to be able to correct that mistake, which I was led into by newspaper reports, and I am glad to find that the hon. gentleman had no share in the measures which were taken to secure the execution of that unfortunate man.

Riel not being an ordinary criminal, but a political offender, we have to consider the nature of his offence and the circumstances of the rebellion in which he took part. I do not intend to enter at length into the causes of the North-West troubles of last year, but a few remarks are necessary to enable us to understand the circumstances under which Riel came into this country in the summer of 1884. During the latter part of the last century and the early part of the present century, a great many French Canadians left the Province of Quebec and went to what was then called the Great West, that is, the country between Lake Superior and the Rocky Mountains. Many of them belonged to the best families in the Province of Quebec, and they were the best in their families—the most plucky and the most adventurous. It required a great deal of courage at that time to go into that country, which was inhabited only by barbarous Indians. Still, the great companies, the Hudson Bay Company and the North-West Com-

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pany, never had any trouble in finding young men in the Province of Quebec ready to enter their service in the North-West. The Great West was not entirely new to the French population of Quebec. Everybody knows that at the time when the Dutch scarcely dared to go beyond Manhattan Island, and when the settlers of New England would not go far from the sea, the French *voyageurs* had gone over nearly the whole Northern continent of America, and had penetrated into almost every part of the North-West. Things had come to such a pass that the Sovereign Council of new France was compelled to pass a law forbidding those expeditions, because of the frequent loss of life that took place; yet they still went on during the whole period of the French *régime*. A great many of those who went to the North-West married with Indian women; and if we are to believe the reports of travellers, who have lived a long time in that country, the Indian population was not then what it is to-day. The Indian women were remarkable for their purity and good morals. The French half-breeds of the North-West of the present day, are the descendants of those French-Canadian *voyageurs* who married Indian women. They were living in a very happy manner when the North-West was annexed to the Dominion of Canada, most of them by fishing and hunting, and a few by agriculture. Coming from Lower Canada, it was natural that they should adopt a mode of dividing their land which was in existence in the Province of Quebec. Everyone knows the way the land is divided in that Province, extending in long and narrow strips from the rivers. It has been said that this system of the division of property was taken from France. That is a mistake. Nothing of the kind is to be found in France; it is entirely Canadian, arising from the peculiar circumstances in which the population of New France was living. Being constantly exposed to attacks from the Indians, especially the ferocious Iroquois, who committed many murders among them, if they had been scattered in villages, they would have been in great danger of being killed. But by dividing the lands as they were divided, they were put in a position to call on their neighbors for assistance, so that within a few minutes of an Indian attack, some twenty farmers, with their sons and servants, could be gathered together for their defence. Such are the causes of the settlements of lands as they were settled in the Province of Quebec. It was attempted at first to divide the lands otherwise. In the neighborhood of the city of Quebec there are villages which had been laid out just as villages are laid out in France; in Charlesbourg you will find a village from which all the lands of the Parish radiate. It was intended the people should live in the village, and not on their lands, but this system had to be given up on account of the danger of attack from the Indians. After that custom was established, social habits were brought which caused the maintenance of the system.

Such was the universal system of dividing lands in the Province of Quebec when the French Canadians left the country, at the end of the last century and the beginning of this, to go to the North-West. It was natural they should there adopt the same division of property; that is, take up the lands along the rivers, even if there was not the same local necessity for that system. But the same necessity did exist, because in the North-West they were exposed to attacks of Indians as the French population in New France had been exposed to the attacks of the Iroquois. Although the large majority of the half-breeds were living pretty much like Indians when the North-West was annexed to Canada in 1869, a good many of the half-breeds had settled themselves on the principal rivers of the North-West, on the Saskatchewan and Qu'Appelle; and as soon as the settlement of the country by the Dominion commenced two difficulties arose: Were those already in possession of lands to continue occupying them and those who had none to get some, and were the limits to be kept

as they were before. It is to the knowledge of every hon. member that those two questions were the main causes of the first rebellion in Manitoba in 1870. It is useless to examine the question whether the half-breeds had or had not the right to their property. The Statute of 1870, passed after and in consequence of a kind of treaty or arrangement entered into between the Government of Canada and the half-breeds of the North-West, enacted that 1,400,000 acres of lands should be set aside to extinguish the Indian title of the half-breeds of Manitoba. According to that Statute, an enumeration of the half-breeds in Manitoba, who were in the country on the 15th July, 1870, was made, and the lands were apportioned to them at the rate of 160 acres for each head of a family and 240 acres for their children. No further difficulty occurred in Manitoba under that settlement, but there remained a great many half-breeds belonging to Manitoba, who were out of the Province during the distribution of the 1,400,000 acres and who got no share in the distribution, and there was still a larger number of half-breeds who had never belonged to the Province of Manitoba. If there is any doubt, and there can be none, as to the rights of the half-breeds in Manitoba in getting lands, there can be no doubt either as to the rights of the half-breeds outside Manitoba, because, as remarked last year by the hon. member for West Durham (Mr. Blake), there cannot be one justice for Manitoba and another for the North-West Territories. If it was right to grant the lands to the half-breeds of Manitoba, it must be right to grant lands to the half-breeds of the North-West Territories.

It is that right to lands to extinguish the Indian title which the half-breeds of the North-West have been claiming since 1873. It is a sacred right, the right of property, for which they contend, and if they have rebelled it was in order to defend that right. If the half-breeds have a right to some property to extinguish their Indian title, it cannot be contended that they have obtained the land to which they are entitled. It is within the recollection of all hon. members that on the 30th March last year, just four days after the first fight between the half-breeds and the troops of the Dominion, a commission was issued to enquire into the claims of those half-breeds. What has been the result? Within a few months 2,000 claims of half-breeds have been recognised by the commission, so that it cannot be contended that those who are claiming lands in the North-West Territories were half-breeds who had already obtained scrip in Manitoba. Nobody sets out such a pretention now, it would be impossible to do so, because that commission has admitted, as well founded, over 2,000 claims within a few months, which admission, if it had been made before by the Government, would have prevented the rebellion of 1885. If the Government had done, not only few years but only a few months, perhaps a few weeks, a before the 30th March, 1885, what they then did, if they had issued a commission to enquire into the representations of the half-breeds, there never would have been a rebellion in the North-West.

But it is contended by the Government that the half-breeds, admitting their right to get lands, are criminal because they did not resort to legal and constitutional means to enforce their rights. Everyone remembers the celebrated letter written by the Secretary of State in answer to a petition or letter which he had received from certain French Canadians of Fall River, U. S. He said, in substance, that the half-breeds did not deserve any consideration, because they had never resorted to the constitutional means at their disposal.

Let us see what were those constitutional means, and whether they could have availed themselves of them. The first legal means available in a civilised country is recourse to courts of justice. Had they courts of justice? It is well known there were no regular courts of justice in the North-

West; there are none there now. We have only stipendiary magistrates, appointed principally to administer the criminal law. There are no regular civil tribunals, and even if there were the half-breeds could not have recourse to them, because their rights are more treaty rights than regular titles which could be enforced before a court of justice. No one could show, except those who had already lands on which they were settled, and for which they had obtained patents, titles to property which could be enforced in a regular court of justice. Therefore, they could have no resort to a regular court of justice.

Another constitutional means at the disposition of Her Majesty's subjects is the right to apply to Parliament through duly elected representatives. The North-West was not represented. It was proposed last year, I think, by the hon. member for West Huron (Mr. Cameron) to give representation to the North-West Territories. The Bill was not passed. The Speech from the Throne this year announces a measure of that kind, but at this moment the people of the North-West Territories have no representation in Parliament. How can they, then, avail themselves of the right to apply to Parliament? And even if they had, it is very doubtful if they could have obtained any redress, judging from what took place, two years ago, when the hon. member for West Huron (Mr. Cameron) moved for the appointment of a committee to take into consideration the claims and grievances of the people of the North-West, and especially the half-breeds, and his motion was voted down by an immense majority. This shows that that very important and efficient constitutional means of redress was not open to the half-breeds of the North-West Territories.

Then, what remained to them? The right to apply to the Executive. Did they so apply? Is it true, as stated by the Secretary of State in that letter to which I referred, that they did not avail themselves of the right to petition the Executive? Why, the half-breeds have been doing nothing else since 1879. When we look at the documents laid before the House last year, we see that they petitioned singly, petitioned collectively, petitioned at public meetings, addressed themselves to the North-West Council, to the Lieutenant Governor of the North-West Territories, to the Minister of the Interior, to the Prime Minister, to the Governor General, to the House of Commons and to the Senate. They did that not once, twice, or ten times but hundreds of times. What could they do more than they have done?

They did not content themselves with petitioning, but, in the winter of 1883, seeing that their petitions and memoranda had had no effect, they decided to send a deputation to Ottawa, and, although very poor, they subscribed among themselves \$700 to pay the travelling expenses of their delegates, Father Leduc and Mr. Maloney. Those delegates came to Ottawa. How were they received? Judging by the report of Father Leduc, it took weeks before they could be admitted into the august presence of the minister of the Interior. They had to obtain the influence of Ministerial supporters in order to get admission to his presence. Most probably, if they had been election wire-pullers, or if they had come to Ottawa to get grants of land in the North-West or British Columbia, or if they had been speculators or people asking for Government appointments, they would at once have been admitted to the presence of the Minister of the Interior; but as they came there as representatives of a poor though very brave people, who had no representatives in Parliament, who could not elect Ministerial supporters, they had to wait weeks and weeks before they were admitted. What answer did they get? They were very politely received, so politely that Father Leduc said at once—as we say in French—*c'est de l'eau bénite de cour*, and he would not content himself with *eau bénite de cour*, and he asked the Government to put in writing the promises

made verbally to them—promises of complete satisfaction of their grievances. The minister of the Interior said: Put your demands in writing and we shall put our answer in writing. They put their demands in writing, and then the Minister of the Interior told them to go home quietly, and that the answer in writing would reach the Saskatchewan before they did. They went away quietly, and I do not know whether the answer has ever reached them yet. I do not think it ever reached them. In 1884, having exhausted all the means at their disposal to obtain the redress of their grievances, they thought of sending for Louis Riel.

It may at first seem extraordinary that they should have thought of sending for Louis Riel. Why did they do so? They remembered that, in 1870, Louis Riel had been the means of obtaining redress for the Manitoba half-breeds, for grievances of exactly the same nature, and they thought that, by bringing him into the country, they would succeed, as the Manitoba half-breeds had succeeded. This is very well explained in the instructions given to the delegates who were sent to him. Riel was then living in Montana in the United States. It is very important to understand this circumstance. The hon. member for Brockville (Mr. Wood) stated that Riel had stirred up the rebellion. That is not in accordance with the facts which are of record in this House. If anyone stirred up the rebellion, it was this Government and not Riel. It was the state in which the negligence of the Government had put the half-breeds which was the first cause of all the troubles in the North-West. Riel was only asked to come into the territory when all other means of redress had been exhausted without any result whatever. Riel, after some hesitation, consented to come into the country, but he said to the delegates that he would come into the country—why? To rebel against the authority of the Queen? To raise a civil war? There is not a word of that kind to be found in the papers which are before the House. He said he would come to agitate legally with them. He said he had the same grievances, he was himself entitled to lands as a Manitoba half-breed, lands which he had never got, and he said he would come into the country and assist them in their constitutional agitation. These were the feelings he expressed before leaving Montana. What did he do when he came to the North-West Territories? Did he advise the half-breeds to resort to violence? Nothing of the kind. It is a remarkable circumstance that, some months after his arrival in the territory, when there had been no trouble and no threat of trouble—he arrived in July, 1884, and this was on the 6th January, 1885—a dinner is given to him at the residence of one Boyer, at which he makes a speech, and the man who presides at that dinner is one Charles Nolin, whose testimony has been quoted so frequently against Louis Riel. Hon. members can read both of those speeches, the one by Charles Nolin and the one by Louis Riel. Nolin made a most violent speech, threatening the Government, a speech which explains very well the opinion given of him by one of the men in the Mounted Police, whose name I forget now, but who said once, in a report which is to be found in the papers before the House, that Nolin was a very bad and dangerous character, that he was inciting the half-breeds to violence, from the very beginning of the troubles in the North-West. But Riel made a very quiet speech, according to the reports, and advised them to do—what? To resort to arms and violence? Not at all. He advised the half-breeds present at that dinner to go on petitioning the Government and to do so in a quiet, respectful manner, because, said he, we want to get something from them, and the best way to get something from a party is not to go to him with threats; that is the way he spoke on that occasion. He went on with that same kind of agitation for several weeks, and probably there

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never would have been a disturbance if a misunderstanding, to which I shall now advert, had not taken place. From the moment he came into the North-West until the next day after the rebellion broke out, we do not see that he advised the people to resort to violence. He held a great many meetings at each of which resolutions of a character which might be passed at a meeting at another portion of the Dominion, were adopted; resolutions to petition the Government. But the result was the same as before: no answer could be got from the Government to those petitions. At last, in the fall of 1884, Riel was determined to leave. He was discouraged, he said, to his friends who had brought him from Montana, and he wanted to return to the United States. However, he was prevented from leaving the country by sheer force by Gabriel Dumont and some others, amongst whom Charles Nolin was probably one. He was kept almost by force in the country, which I can prove by a letter from Dumont himself. He kept Riel against his own wish because Riel thought nothing more could be done. The agitation went on during the winter. A few moments ago the hon. member for Montreal Centre (Mr. Curran) quoted letters from missionaries, and I must say I was very glad to see those letters of Catholic missionaries received with demonstrations of pleasure by the neighbors of that hon. member. I hope that all the words and words of the Catholic missionaries will always receive a similar reception from those hon. gentlemen. The hon. member for Montreal Centre quoted one of those letters to prove that something very bad must have been going on, because the half-breeds were acting in secret. Well, Mr. Speaker, there may have been something wrong in those meetings, but I do not think we have any right to pronounce them illegal because they were secret. Everywhere we see the people meeting secretly. They may have reasons, good, bad or indifferent, to meet secretly, but we have no right to condemn meetings of any kind because they are secret.

Mr. BOWELL. Hear, hear.

Mr. LANGELIER. I am very glad to receive such a hearty approval from the hon. Minister of Customs.

Mr. BOWELL. I would like to see you vote in accordance with the sentiment.

Mr. LANGELIER. We do not object to secrecy. It is not to secret meetings that we object, but to the oath which binds to secrecy. But there is nothing of the kind here. Business men have meetings which they keep entirely secret, and there is no objection to that. In the winter of 1884-5, as I stated a few moments ago, after all that agitation, all these petitions and memoranda that were sent to the Government, no answer had been obtained, and, of course, there was dissatisfaction. Then, the half-breeds expected to be ejected from their lands. That was always what they had been afraid of. At the moment when they were on the *qui vive*, expecting to see the Mounted Police coming from day to day to drive them from their property, they heard that Mr. Lawrence Clarke, of the Hudson Bay Company, had been to Ottawa, and they asked him whether there was any answer to their numerous demands and petitions. What was the answer of Mr. Clarke? It was a most foolish and mischievous answer, which was the match which set on fire the whole North-West. Mr. Clarke answered that they would receive their answer in a short time; that it would be carried by the Mounted Police, and that it would be in the shape of lead and bullets. That was the answer they got from Mr. Clarke. They immediately flew to their arms. They did not want to be expelled from their properties, and they defended them. It is true they were mistaken. At that time I do not think there was any serious danger on the part of the Government to expel them from their land, but they honestly believed that such was the intention of

the Government, and seeing what had taken place before, we can not wonder that they believed it. But I repeat that I do not say that it was the intention of the Government. We have no proof that the Government had come to any decision to eject them from their lands. Well, as if to corroborate the answer given by Mr. Clarke, a few days afterwards a party of Mounted Police, and volunteers from Prince Albert, came to Duck Lake. They did not come to attack the half-breeds; they were going to take provisions from the stores of one Mitchell at Duck Lake. But the half-breeds, expecting a visit of the police, from day to day, thought that the police were going to expel them from their land. They met the police, and the first engagement of the civil war took place, with the result that is known to every one. The police were defeated. Who fired first, or who fired last, is of very little consequence. I am not going to enquire into that question, because I consider that it is of no practical interest. One thing is quite sure that at that moment the half-breeds were upon their own property, and honestly believed they were defending it against unjust and unwarranted aggression. That was their honest belief and they defended themselves. Valuable lives were lost on both sides, and very regrettable circumstances followed therefrom. But, Mr. Speaker, who would reproach them for what they did? I have heard it repeated very often that the hon. member for Quebec East (Mr. Laurier), had said last Session that if he had been on the Saskatchewan he also would have shouldered his musket with the half-breeds. Well, Sir, I am not ashamed to say the same thing, and a man would be a coward who would not do so. I say the man who would not stand up and resist those who came to turn him out of his house and home unjustly, and defend his family, deserves to be branded as a coward. Well, Mr. Speaker, there were peculiar reasons on that occasion for the half-breeds not to allow themselves to be turned out of their homes and property without resistance. In 1870 they had been branded by that great *enfonceur de portes ouvertes*, Colonel Wolsely, with being cowards. They knew that they did not deserve that epithet. They knew they were not cowards. They had been lulled into security by promises made to Archbishop Taché, and that is the reason why they did not oppose the entry of Canadian troops into Manitoba, but it was not because they were cowards. They were afraid to be called cowards if they did not defend their property. This was a very imprudent expression on the part of Colonel Wolsely in 1870. He should have known the circumstances under which he went into that territory, and these did not justify him in branding as cowards the half-breeds because they did not resist him. Perhaps if they had resisted they would not have been branded with being cowards. I was saying a few moments ago that any man who had blood running through his veins would have done exactly as the half-breeds did under the circumstances, because they honestly believed they were being expelled unjustly and unwarrantably from their homes. They are French; but if there is one class of our population which should not reproach them with the course they followed on that occasion, it is certainly the English speaking population of the Dominion. If we look back into history, what do we find? Why has England always stood at the head of Europe in the matter of national liberty? It has been a free country when almost all the other countries were ruled by despots and tyrants. Why was it when liberty was chained almost everywhere else, its flag was floating over England? It was because the English people always rebelled when an attempt was made to deprive the nation of its liberty. What were those men who wrested Magna Charta from King John at Runnymede? They were rebels, and if they had not succeeded they would have been condemned to death and probably hanged. What were those who not only opposed Charles I but took his life? They were arch-rebels. What were those who

not only expelled James II from England but gave his throne to William III. I am sure they are very much admired by the Minister of Customs. They were arch-rebels and arch-traitors; they acted against the law. Under the law then in force they were guilty of high treason, and if they had been caught and brought before a court of justice they would certainly have been condemned to be hanged. Still, no one will pretend, in these days, to say that they did not deserve well of their country. What was the American rebellion? The Americans rebelled against the English and would not pay a tea duty imposed by a Parliament in which they were not represented. What were those Americans? They were rebels and traitors in the eye of the strict law at that time. They were no more and no less so than the half-breeds of the North-West. In fact there was more justification for the rebellion of the half-breeds than for any of the rebellions of which I have been speaking. Not only does the English nation glory in those rebellions of which I have been speaking, but even at the time of the American rebellion Lord Chatham, speaking in the English House of Commons on the American rebellion, said:

"I rejoice that the Americans have rebelled, because three millions of people who would have submitted to what was required of them would be enough to insult the whole nation."

What is the difference between all these rebellions of which I have been speaking and the Metis rebellion of last year? The former was for political rights, the latter for civil rights; the former for political freedom, the latter for defending the sacred right of property. The American rebels were defending their purses against taxation; the Metis were defending their homes against land speculators and grasping colonisation companies. There is another difference between all these rebels and the half-breeds. The former were successful, the Metis have been unsuccessful. Are we to judge of the justice or injustice of the rebellion by the result? It would be just as well to say that might is right if those who succeeded are to be applauded, and those who do not succeed under the same circumstances, or under circumstances more favorable, are to be held as criminals. There is another difference. The half-breeds were French and Catholics; but I am sure there is not a member of this House who would say that religion or nationality should make any difference in their treatment.

Such is the position of the North-West half-breeds. They had ten times more reason to rebel last year than had the authors of the great historical rebellions to which I have referred. It is very important to know whether the rebellion of the half-breeds was justifiable; because, if the rebellion was justifiable, how can the leader of the rebellion be unjustified? Riel has been considered as the leader of that rebellion; it is in that character he has been treated. I do not want to be considered as condemning the measures taken to suppress the rebellion of last year, no more than Lord Chatham, in the British House of Commons, was blaming the Government for trying to suppress the American rebellion; because, however justifiable a rebellion may be, the power of the authorities must be supreme in every country, and the necessary means must be taken to enforce its laws. But I say that the rebellion being justifiable, it was a reason why the Government should have shown a great deal of leniency to all those who had been mixed up with it. There was only one class of people connected with that rebellion who deserve no leniency and who should obtain none from the country. They are the Ministers, the Ministers whose negligence has been the principal cause of the rebellion.

Another reason why clemency should have been shown to the chief of the half-breeds is the way his trial was conducted. He was charged with high treason, not under the Statute of 1668, but under the Statute of Edward III. One of the main contentions of his counsel was that under the charge of high treason, under the Statute of Edward III, he should have been indicted and the trial

should have taken place according to the procedure enacted by the old Statute of William III. Such was not the case. Instead of that, the trial was conducted according to the summary procedure enacted in the statute concerning the North-West Territories. That mode of procedure may be strictly in accordance with the law; I am not going to condemn the judge in regard to the legality of the trial, but there are in this House a good many members who were present when the question was brought here and voted upon. I am sure when the summary mode of procedure was provided, there was no member who thought that that procedure would ever be applied to the trial of a man charged with high treason under the Statute of Edward III. No man would say he would have voted to have established that mode of summary procedure for such an important trial as a trial for high treason.

Not only did the Government resuscitate the Statute of Edward III, not only did they prosecute Riel according to the procedure of 1883, but they deprived him of as many as they could of those guarantees which he might have expected under that most extraordinary procedure. Let us take their choice of the magistrate who was to conduct the trial. It is admitted that the Government had the choice of the magistrate, and it must be admitted that the choice was a most unhappy one. There was in the North-West a magistrate of the same nationality and speaking the same language as the prisoner—Magistrate Rouleau. Why was he not selected instead of Judge Richardson, when one would have done just as well as the other? Then, as to the choice of the jurors. They were selected by the magistrate himself, but he might have found jurors who spoke the French language. There were enough of French Canadians in the North-West to have selected, at least, half the jury speaking that language. In the Province of Quebec, a man who is charged with the slightest offence is entitled to a jury, one-half of whom speak his own language. We do not refuse that to a man who is charged with even a small theft. But here is a man charged with the greatest crime known to our law, and not only are jurors not of his own nationality selected, but as soon as an Irish Catholic juror happened by accident to be called by the court, the four lawyers representing the Government rose at once, as if moved by a spring, and challenged him peremptorily. Another difficulty was that Riel's language was the French language while the trial was conducted in the English language. We who are compelled to speak in this House in English, which is not our own language, can at once appreciate the difficulty under which he must have labored in conducting his defence in a language foreign to himself. If Mr. Rouleau had been selected the trial might have been conducted in French, which would have given him much more advantage. Another difficulty that he labored under was that he had no money. As he eloquently said in his address, he was left at Regina hundreds of miles from his family and his friends, as helpless as the day of his birth. There does not seem to have been, with the exception of his counsel, one individual well disposed towards him in the court. I have it from the lawyers who so ably and generously defended him, that on several occasions, whenever there was anything said by him in his defence he was interrupted by insults from the audience which were not repressed by the magistrate. I do not say that it should have been otherwise, for I have been informed that it might not have been prudent for the magistrate to interfere because the crowd was too violent. At times, when strong evidence was brought out against him, the witnesses were cheered, while those in his favor were insulted, and that without the interference of the judge. Now, another difficulty is, as I have said, that he had no money. He wanted to have some witnesses, and amongst them Dr. Howard, the medical superintendent of Longue Pointe Asylum, and Dr. Gray,

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medical superintendent of the Utica Asylum. The latter is certainly the most celebrated expert on insanity known in America. What did the counsel for the Crown answer to that demand? He said it would cost too much money. The hon. member for Montreal Centre (Mr. Curran) has not denied it. He admits that the Crown counsel refused to have Dr. Howard because it would have cost too much. He says he was asking \$900 to go out to Regina. I say even if it had cost \$3,000, he should have been brought there, because it would have given satisfaction. Dr. Howard was not an ordinary witness; he had had Riel under his care as an insane person for nine months. He knew very well what kind of delusions he was laboring under. The member for Montreal Centre mentioned a certificate he had from Dr. Howard, but what does it signify after all? He says he could not have done much for Riel, and I must say that I think nobody could have done much for him, for from what I have seen since the trial, I think it was a foregone conclusion that he should be hanged and if that had not succeeded some other means would have been tried. Dr. Howard probably alludes to the way the law was expounded to the jurors by Magistrate Richardson. He said to them that if Riel was able to distinguish right from wrong he should be found guilty, no matter what his hallucinations and delusions might be. I am not surprised at what Dr. Howard says now, for if such was the law to be applied to the case, his testimony would not have availed much. But what has Dr. Clark said since? He is Superintendent of the Toronto Insane Asylum, and everyone has read his interview with regard to the condemnation of Riel. He says he is not prepared to contradict the statement of the law which was made by Magistrate Richardson, but he adds this, which is very important—"that if that law was to be applied in all cases, I must say there are a great many people under my care who would be liable to be condemned, because I know a great many of them who are able to distinguish right from wrong." I can mention a case well known to those who have lived in the city of Quebec of late years. We have had in Beauport Lunatic Asylum an ex-officer of the Commissariat Department of Quebec, a Mr. Marshall, a well known gentleman of high university education. His only madness consisted in the delusion that the Queen owed him a large sum of money. If you went to the asylum any morning you would have found him making very elaborate calculations. He was a great mathematician, and he was covering sheets and sheets of paper with very accurate calculations of the amount the Queen owed him in principal interest, and compound interest. As soon as he had finished his calculations, he wrote a very fine letter to the Queen, informing Her Majesty that at noon on that day she owed him so much. Then he went to the post office of Quebec, where he was allowed to go because he was quite inoffensive, and he posted his letter to the Queen. To talk to him on any other subject you would never suspect him to be insane; he could certainly distinguish right from wrong; yet he has been in the Quebec Lunatic Asylum for more than twenty years, and whenever the subject of his insanity was referred to he became very violent. Now, Dr. Gray had been consulted on the subject by Dr. Roy, who had taken the trouble to visit him at Utica; and as Dr. Roy had Riel under his care at Beauport Asylum for a long time, he could state the delusion under which he was laboring, and after he had described that delusion to Dr. Gray, Dr. Gray gave the opinion that he should not be held responsible. The prisoner was deprived of the testimony of those two men. He had not the means of bringing them, and if he had the means he had not the time. As remarked by the hon. member for West Huron (Mr. Cameron) he was given only one week in which to prepare his defence, to get witnesses from Quebec and other places to prove his insanity. The only witnesses he

could obtain were those who went voluntarily. If Dr. Roy and some others had not been generous enough to go on telegrams from the prisoner's counsel, Riel would not have had one single witness; and every one knows that a witness cannot be compelled to go to a court on a mere telegram without a subpoena. In fact, the means adopted seemed to imply that it was desired that he should have no witnesses at all.

It was stated a few moments ago by the hon. member for Brockville (Mr. Wood) that the only defence set up was that of insanity. Well, there was good reason for that defence; but the defence was also set up that the insurrection of which Riel was the leader was justifiable. The counsel for the prisoner wished to summon Mr. Burgess, the Deputy Minister of the Interior, and Mr. Van-koughnet, Deputy Superintendent General of Indian Affairs, in order to prove by these two witnesses that the half-breeds had claims which had been shamefully neglected, and that therefore the insurrection, of which Riel was the leader, was justifiable to some extent. The court ruled that no such witnesses could be brought, and it was useless to bring them as the court would not hear them. The counsel for Riel also wanted to prove that Riel had not come into the country of his own free will in order to raise a rebellion, but that he had come after having been asked to do so by the leaders of the agitation which had been going on for many years in the North-West Territories. The principal leaders were Gabriel Dumont and Michel Dumas. Those men were living in the United States, and they would not come unless they received a promise not to be molested while in the country. The counsel for the prisoner read letters, of which I have copies, showing what sort of evidence these men would give. Here is a letter from Napoléon Nault:

"DAKOTA, ST. JOHN POLLETTE COUNTY, 31st July, 1885.

"GENTLEMEN,—According to what I have seen in the papers, Mr. Riel intends to have me as a witness for him, I shall be very glad to do so, if he believes I can be of any use to him, and at the same time, I think I can be useful to him. I will go on Canadian territory if the Canadian Government assures me that I shall be allowed to come back without being molested. You may try to induce the Government to consent to do that. I saw in some paper that Riel said that I had documents which would be very useful to him. Be kind enough to speak to him on that subject, in order that I may be kept informed of this matter. I am confident that you will answer me one way or the other, and, in the meantime, please present my compliments to my cousin."

He was a cousin of the prisoner. Here is a letter from Michel Dumas:

"FORT BENTON, MONTANA, 1st August, 1885.

"SIR,—I wrote you a letter a few days ago which I do not know whether you have received or not. It is on this account that I take this opportunity of writing to you another, with the address of the one formerly sent to you. You might get it out of the Regina post office. I think it had the address 'Kirkpatrick, Lawyer, Regina,' instead of 'Fitzpatrick.' It is concerning Mr. Riel's trial.

"In an article in the Red River press, it says that he might be wanted to help the defence on the trial now taking place at Regina. We are ready to go, provided the Government will grant us immunity for the participation taken in the recent troubles in the North-West Territories. If not, the climate of Montana suits us very well."

Here is another one, written at the dictation of Gabriel Dumont, by two gentlemen, Messrs. Carter and Clayberg, of Helena, Montana. It is dated 13th July, 1885, and is addressed to Mr. Fitzpatrick:

"13th July, 1885.

"DEAR SIR,—Replying to your esteemed favor of the 6th instant, we beg leave to state that Dumont appears very warmly inclined toward the cause of Riel, and if his testimony could be introduced by deposition we are satisfied that it would be of material aid on any line of defence you may adopt.

"The general deductions to be drawn from the story of Dumont, in so far as Riel is concerned, are in substance thus:

"1st. In the summer of 1884, a public meeting of the half-breed settlers determined to send to Montana for Riel, whom they assumed to be familiar with the rights guaranteed to them by treaty with the Government. Dumont was, by the meeting, selected as one of two persons to proceed across the country to St. Ignatius Mission, Mont., for Riel.

"Riel returned with Dumont, and remained in the North-West Territory without any intention of making his home there, but as the selected advocate of the people's rights, under existing treaty stipulations.

"Riel always counselled peaceful measures, and finding these measures fruitless, he publicly proclaimed his intention of leaving the country for Montana about three weeks prior to the opening of the rebellion.

"He was prevented by the people from returning to his home.

"The war was commenced and conducted under the directions of a council of fourteen persons. Of this council Riel was not a member.

"Dumont had sole charge of the troops, and was accountable only to the council of fourteen.

"Riel did not participate in any engagement until the final charge, when he was driven from shelter with the body of the population.

"Dumais will support the statement of Dumont. Both these men are here and anxious to lend a helping hand to aid their friend.

"I presume that you are aware that Riel is a citizen of the United States, having declared his intentions in this country.

"If, in the outline of facts stated, you discover anything likely to prove available and useful to your client, please inform us of your pleasure and we will endeavor to conform thereto.

"We owe you an apology for not forwarding this statement sooner, and can only offer one excuse, i.e., Mr. Dumont speaks no English, but a species of French which is difficult to understand, so that we were compelled to have his statement taken by a person conversant with his dialect and translated. The person selected for this purpose has been extremely dilatory, and it has been only after considerable exertion on our part that we have succeeded in obtaining it."

Those were the letters that were read in court by Riel's counsel, and on which they applied to the court for permission to bring those parties to give evidence and a guarantee that they would not be molested. Nobody can deny the importance of the testimony that Dumont and Dumais were prepared to give. It contradicts most specially the statement that Riel caused the rebellion, for not only did he not raise it, but he was not even a member of the council which directed the warlike movements against the Dominion troops. That application was flatly refused, and an application to send a commission to the United States to get this testimony was also refused.

One other reason why some leniency should have been shown to the prisoner, was the state of his mind. I will not go at length into that question, which has been treated fully by other speakers, but it is known that Riel had been confined three times in a lunatic asylum, and it therefore cannot be pretended that his insanity during his trial was a put-up job. For a time he was at the Longue Pointe Asylum, but becoming very violent, he had to be removed to Beauport Asylum, because the ladies in charge of Longue Pointe found him uncontrollable. What did Riel's conduct show him to be during those troubles? If you read the testimony put before us you will see, that at the outset, before any act of violence was reported, he acted like a fool; for instance, when he spoke of dividing the Dominion into seven provinces, giving one to the Italians, another to the Jews, another to the Poles, and so on, it was evident he was speaking as a mad man. Although we have not the telegrams upon which the execution was ordered, we have the reports of the physicians who were sent to Regina, and these show that Riel was laboring under delusions, that he considered himself a kind of prophet who was to lead the half-breeds to a great mission. Although, according to the charge of the judge, the proof of his insanity was not sufficient to prevent a conviction, yet still it is quite evident the jurors could not believe that he should be treated as an ordinary criminal; they had sufficient proof to convince themselves his was a case for leniency, and they recommended him to the mercy of the court, and it has been stated on good authority that the recommendation of the jurors for mercy was founded on the consideration that although the jury had been instructed by the court to return a verdict of guilty, still it was a case for the exercise of the clemency of the Crown. During the trial, it is not surprising that the jurors came to such a conclusion. Not only was it proved he had been a lunatic, but the very physician who had him in charge for a longtime in Beauport Asylum, Dr. Roy, gave his opinion that he did not consider him as responsible for his actions, especially in connection with political and religious subjects. Against those testimonies, we have the testimony of Dr. Wallace who says he did not examine the

prisoner long enough to give an opinion, and Dr. Jukes who, on his own admission, was as well prepared to speak on insanity as a horse is to explain the Bible. It would be useless to worry the House with a long array of precedents, but I can defy the Ministers or their friends to give a single case during the last half century where a prisoner has been executed, not only under circumstances so strong, but under circumstances at all approaching the circumstances in this case. There is not an honorable or sane man who will contradict me when I say that if Riel had been found guilty of killing his father or mother and all his family, he would never have been executed under those circumstances. There must have been some extraordinary circumstances, which we did not see in the report of the trial, which must have induced the Government to take the course they did.

There is another reason why, in my mind, leaving aside all these questions as to the way the trial was conducted, as to the difficulties Riel had to contend with, as to the state of mind he was proved to be in, even if he had been found of perfectly sound mind, it was a case in which he should not have been executed. He was certainly prosecuted and executed for a political offence. This cannot be disputed. If he was guilty, certainly Gabriel Dumont and Michel Dumais are more guilty than he. They are now in the United States, as everyone knows. Has any attempt been made to have them extradited? None has been made, and for a very good reason, because their extradition would be flatly refused by the American Government, because it is a political offence of which they are guilty. No one pretends that it is not a political offence, and if so I say the execution should not have taken place. For 50 years no political execution has taken place in civilised countries. In this country we saw the last political execution in the dark times of 1838, and we all believed we should never see one again.

Mr. TASSÉ. 1839.

Mr. LANGELIER. I am not going to quarrel for a year. The present Government can boast of having brought back those dark days of 1837-38. I am not very much surprised at the Prime Minister being so severe and so desirous to bring us back to that dark period of our history. He is the same man who, in 1849, was violently opposing the Bill granting an indemnity to the victims of 1837-38. His friends, to show their loyalty for their then young Queen, were pelting with rotten eggs that distinguished Governor General Lord Elgin, and were setting fire to the Parliament House in Montreal. Why? Because the two Houses had passed a Bill, which the Governor General had sanctioned, granting those indemnities to the victims of 1837-38. I am happy to say that amongst those who were foremost in promoting that Bill, was the father of the distinguished leader of the Opposition. But, if I am not very much surprised to see the Prime Minister among those who want to take us back to those dark days, I am amazed to see among those who follow him in that course, men like the Minister of Public Works and the Secretary of State, who both claim to be the political sons and heirs of Sir George Etienne Cartier, one of the victims of 1837-38. Where are to-day the countries where you can see an execution for political offences? In 1848, one of the first acts of the Constituent Assembly of France was to decide that hereafter nobody should be executed for political offences, and one of those who most strenuously supported that measure, which was carried unanimously, was Victor Hugo, and every one will admit that he was most consistent on that subject, for on every occasion, when he had the opportunity he interfered to save the lives of political offenders, especially in Russia and Austria. In England, no such law was passed as that passed in France in 1848, but the Government has always acted as if such a law was in existence. There might have been political executions. Smith O'Brien and his followers of the Young Ireland party were found

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guilty and condemned to be executed, but not only was their sentence commuted, but a few years afterwards they were set at liberty, and one of them has since been the Prime Minister of one of the principal Australian colonies—I refer to Sir Charles Gavin Duffy, who is so well known to every member of the House. Even in Austria, that empire which has so bad a record in connection with political liberty, which was considered for many years to be at the head of retrograde countries, we have seen lately a Prime Minister who, not further back than 1849, had been condemned to death, and a very witty remark was made by the present Emperor of Austria on that subject. He said he was very glad he had been advised not to allow the sentence to be carried out against Count Andrassy, in 1849, because he would have been deprived of the services of one of his best Foreign Ministers. In 1866, this country was invaded by a band of Fenians, who had absolutely nothing with which to reproach this country. We had never offended them; we owed them nothing; they invaded this country only to avenge upon us, because we were a British dependency, the wrongs they pretended Britain had inflicted upon their country. They were defeated; they caused the loss of valuable Canadian lives; they had their trial, and not one was executed, and I do not know if all are not at liberty now. As a matter of fact, I know of but two countries to-day, where the death penalty is still inflicted on political offenders—I am speaking of European countries, not Asiatic—and those are Russia and Turkey. Even in Turkey, they have relented of late years in carrying out death sentences. We have seen, in Turkey, men pardoned and men exiled. All civilised nations are against political executions. It would be useless to go at length into the example already cited of the United States. We have seen, in the United States, one of the most terrible civil wars which have ever been seen. Hundreds of thousands of lives and thousands of millions of money and property were lost, but not one single political execution was thought of. Some of the leaders were arrested; the President of the Southern Confederacy was put in gaol, but he was set at liberty not a long time afterwards, and it never occurred to the mind of any man in the United States to execute any one of those offenders. A very important circumstance has been related recently by a friend of the late General Grant. It was a secret made public recently which every one may have seen in one of the late numbers of the *Century Magazine*. Mr. Chauncey Depew, one of General Grant's greatest friends, stated that after the war was over, and after General Lee had capitulated with all his army, when General Grant came back to Washington, President Johnson was very violent and wanted General Lee and all the leaders of the Confederacy to be shot. General Grant said that he had given his word when he accepted their surrender as prisoners, and that he would never consent to such a thing taking place. Then what did President Johnson do? In speaking of him I am reminded that the hon. member for Brockville (Mr. Wood) quoted President Johnson a few moments ago as being in favor of political execution. I think he could not have quoted a worse example. President Johnson said to General Grant: But you forget that I am Commander-in-Chief of the armies of the United States. Grant replied: You are the Commander-in-Chief, but I was in command of the army which forced the surrender of General Lee, and as long as I am a general of the United States armies I will never permit these men to be hanged. President Johnson commenced to tremble. It appears that General Grant had actually threatened to resist, and he said he would see whether the army would obey President Johnson or himself, and the President abandoned the idea of punishing the leaders of the Southern Confederacy. That is an example that we have before our eyes in a country from which we are only separated by an

imaginary line. All civilised nations are against the death punishment for political offences, and they are quite right. I am not prepared to say that the death penalty should be abolished for all sort of offences, but I say it should be abolished for all political offences. There is a difference between a political offence and other offences, like theft or murder. But, Mr. Speaker, what is a political offence? What is a rebel? The rebel of to-day may be the ruler of to-morrow, and we have seen that already in this country. I have mentioned one example—that of Count Andrassy, who has been Minister of Foreign Affairs in Austria, after having been condemned to death as a rebel in 1849. But not to go out of this country, last year, with great pomp and ceremony, we attended the inauguration of a statute to the late Sir George Etienne Cartier. Now if the death penalty had been carried out in this case, the country would have been deprived of his services. There was a time when he was exactly in the same position as Louis Riel. He was among the insurgents at St. Charles and St. Denis, in Lower Canada, in 1837. He escaped, like many others, but he came back to this country after having obtained a full pardon. But suppose he had been arrested and put to death, as some others were, as the unfortunate Delorimier was, we would have been deprived of his services, which were so much appreciated especially by the gentlemen on the other side of the House. Well, Sir, I have no doubt Mr. Cartier was as badly spoken of by the Ministerial papers at that time as Riel is by the Ministerial papers of to-day. I have no doubt that the rebels of 1838 were denounced as bitterly by the Government press of that time as are the rebels of 1885. Mr. Speaker, the doctrine I am now laying down is not a new one for me. Several years ago I had an opportunity to take exactly the same view, and it was in connection with the execution of the unfortunate Scott. At that time an attempt was made to defend Riel. I was then a supporter of the Mackenzie Government, and Mr. Mackenzie and his friends were attacked on every hustings in the Province of Quebec because Riel and Lepine had not obtained a full amnesty. One of the arguments adduced was to the effect that the killing of Scott was justifiable because he was rebel against the *de facto* government in Assiniboia. That was the defence set up by gentlemen who are now occupying a very high position in this House. Well, I defended the Government. I took the ground that Riel was not justified, because, taking it for granted that he had a *de facto* government, and that Scott was a rebel against that government, the offence charged against Scott was, at most, a political offence, for which he should not have been executed. I take the same ground to-day that I did then, and I say that Riel should not have been executed for the same reason that Scott should not have been executed. Admitting the fact, as contended by the Conservatives of Quebec at that time, that Scott was a rebel, I say he was only a political offender, and I say he should not have been executed, although he might have been imprisoned. I do not say that Riel in this case should have been allowed to go free. We must all admit that even if he was politically guilty, he was certainly a dangerous lunatic and should have been confined in some asylum, if not sent to the penitentiary. To this I would not have objected, because the law of this country must be supreme, but the law of the country would have been maintained as well if Riel had been sent to gaol, or to penitentiary, instead of the gallows. To-day we hear very harsh expressions used towards him, but in a very few years all these will have been forgotten, and some of those who defend his execution, may regret that he will not be living then. But there is a class of people in this country who should be more lenient towards him—I mean the gentlemen to whom he was so useful on a very difficult occasion in the history of their party. Everyone knows that in 1872, Sir George E. Cartier was

very badly beaten in Montreal and could not get elected in Lower Canada, and it was that same Riel who procured him a constituency in Manitoba on that occasion. An attempt is made to-day to go back to the troubles of 1869-70, and to say that because Riel was a rebel then, he should be punished at this time. Well, I repeat, Mr. Speaker, there is a class of people who have no right to speak in that way of Riel, that is the gentlemen on the other side of the House to whom he was so useful at that time that they could only get one of their chiefs returned to this House through his instrumentality. Why is it, that notwithstanding all these circumstances, the death sentence was carried out on Louis Riel? Is it because the Ministers considered they were performing a duty and acting from lofty motives, drawn from the best interests of the country? No, Sir, we cannot find any motives of that kind, and that is easy to prove. When a man does what his conscience demands, when he performs a duty, he is not ashamed to say so publicly, he does not attempt to conceal what he is going to do. Now, Mr. Speaker, what have we seen? From the first day of November, if we are to believe their own statements, the Ministers had decided that the death sentence should be carried out. We see it in the testimony of no less a personage than the Prime Minister; because, in a letter addressed to the Minister of Militia, and sent to him for his justification, he says he was present before his departure for Winnipeg when the Government arrived at the decision to carry out the death sentence. If I am not mistaken, the Minister of Militia left for Winnipeg not many days after 1st November, I think the 3rd or 4th. Then the letter of the Prime Minister proves that so far back as 3rd or 4th November the Government had decided to carry out the death sentence on the prisoner. What course did they follow? If they had been acting in a conscientious, straightforward manner they would have stated their decision publicly, not only to their friends but to their adversaries, namely, that they had decided that the sentence should be carried out. Did they do anything of the kind? No. Even their best friends, their most faithful supporters, did not know what decision had been arrived at. Not only so, but the Ministers actually left them under the impression that Riel was not going to be executed. They made their organs speak in such a way as to make the public believe he was not going to be executed. What did *Le Monde*, the organ of the Minister of Public Works, say about that time? After the decision of the Privy Council was given *Le Monde*, which paper is considered, as I have said, the organ of the Minister of Public Works and whose chief editor is the member for Yamaska, speaking of the Riel matter, said the Liberals had spoiled the cause of Riel, but the Conservatives were now going to take it up. What did that mean except that the Conservative party had decided to save Riel's life? Even at the last moment, on the Saturday preceding the execution, which took place on Monday, when the death warrant was actually on the way to Regina by special messenger, the Minister of Public Works would not speak out and announce the decision at which the Government had arrived. He said his mouth was sealed. Even his most intimate friends could not learn what was to be done on the following Monday. Is that the way a public man, acting from lofty and conscientious motives in the public interest, acts. Does he conceal such important action on the part of the Government? The truth is they themselves felt that their conduct was shameful; they were justly ashamed of what they were going to do, and that is the reason why they did not let their friends know it. The Ministers did not act as public men who act from lofty motives of public interest, but they acted as criminals who try to hide themselves from the public gaze. The reason why the sentence was carried out was, not that the Government honestly believed they were bound to have it carried out in the best interests of the country, but because

they thought it would advance their party interests. I do not hesitate to say that this is worse than a man who commits a murder in a burst of passion. Here are men who deliberate quietly and calmly whether they are going to take the life of that man and who are calculating the strength or otherwise it would bring them; whether it will give them more votes to kill Riel than to let him live. That was the only consideration which entered the minds of the Ministers. Their conduct shows it quite clearly. I repeat that I do not think it is possible to find in the history of any country, any parallel case of men sitting down at a table and calmly deliberating whether they will take the life of a human being or not according as it will subserve their interests one way better than the other. What was the consideration which most entered the minds of the Ministers; what interest had they? The interest was this. In 1870, after the first rebellion, they acted privately. They would not let the public know what they were doing. They seemed to be very serious about arresting Riel. Everyone remembers the remark made by the First Minister at a public meeting in Ontario, in Peterboro', I think, when he said, "Would to God I could catch him and hang him;" and yet at that very moment he had given money to take him away out of the country. All these facts might have remained unknown if there had not been a committee of the House of Commons appointed to which they were disclosed. That must have disappointed immensely the friends of the Government; and seeing their friends had no more confidence in them they thought in order to bring back the support of their Ontario friends it was necessary to do, as they say in French, an act *éclat*, and execute that unfortunate man.

To show the change of feelings and the course which has taken place with some of the hon. gentlemen on the other side, it will be of interest to the House to see the way they were speaking of Riel in 1874 and compare it with the manner in which they have been speaking of him recently. I shall quote from a speech delivered by the Minister of Militia when Lépine was under sentence of death by the Court of Queen's Bench of Manitoba. An attempt had been made to call a meeting in Quebec East to condemn the conduct of the Mackenzie Government. The attempt had been unsuccessful. Subsequently a meeting was regularly called; a large number of citizens attended and a great many speeches were delivered. I was present myself, as was also the Minister of Militia. I shall content myself by reading the speech of the Minister of Militia in which he called Riel his brother. I take the report of the speech from *Le Canadien*. It was then, as is now, the organ of the Minister of Militia. Last year when I quoted from *Le Canadien* as a Ministerial paper, the hon. gentleman sneered; but I do not think I shall hear the same sneers on this occasion:

"This is the second time I have had the honor to address you in this hall. The first time the decorations of the hall and the joy which was reigning therein indicated a holiday. I was then joining you in welcoming brothers coming from France to a country settled by our common ancestors. It was on the occasion of the visit of *L'Astrolabe*. To-night I come again to speak to you of a brother, but there are no decorations, there is no joy in the hall. It is with sorrow that I come to speak to you of our brother of Manitoba, whom circumstances have put in such a painful position. I was pleased to hear the speakers, who have preceded me, say that politics would be excluded from this meeting. I am of opinion that we should all be united to save Lépine from the scaffold, and obtain an amnesty, and put an end to the disastrous troubles due to the troubles in Manitoba. It is time for us to join in a common occasion in order to save those in Manitoba from the consequences of acts which they committed under exceptional circumstances."

Well, lately the hon. Minister came down to Quebec and he pretended that this man had been a murderer. His opinion seems to have changed very much since 1874. At that time he was a brother who should be saved from the consequences of acts which he had committed under exceptional circumstances. I think the circumstances are the same now as they were in 1874. I do not see any reason why gentle-

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men on the opposite side have changed their minds. Then he went on in this way

"I shall always be happy to join the patriotic population of St. Rochs—whenever there is such a patriotic object in view as we have to-night—to save an unfortunate man from the scaffold and demand an amnesty which is calculated to put an end to the Manitoba troubles."

That speech of the Minister of Militia was entirely in accordance with what was found in his press at that time. For instance, *Le Canadien* of the 2nd November, 1874, had the following article. I should have said that resolutions were adopted on that occasion unanimously, for although these resolutions were directly against the Mackenzie Administration, the Liberals voted with the Conservatives asking that an amnesty should be granted. Here is a very short editorial which will give an idea of what the French Canadian Conservative press was then saying, and I could quote dozens of similar articles:

"French Canadians have heard with sorrow that the Court of Queen's Bench of Manitoba has declared Riel unworthy of the protection of the law. That decision has not surprised us. We had not forgotten the threats of Mr. Mackenzie against the member for Provencher. We expected to see Mr. Brown's fanaticism find some means to reach the victim of the hatred of Ontario. We knew the cowardice of our Lower Canadian ministers, and when we saw their organs not daring to ask for an amnesty, we understood that the cause of the half-breeds was to be shamefully sacrificed to the greed for power of the Liberals."

On the 22nd October, the following appeared:—

"The abandonment of Riel by the chiefs of the Liberal party has been the cause of his expulsion from the House."

If I am not mistaken, it was not a Liberal who moved for his expulsion, but the Minister of Customs. The article went on as follows:—

"The position now presents more difficulties than these. New complications have arisen, and Lépine's trial is not the least of them. Lépine can no more be executed than Riel. The cause of one is that of the other.

"The Liberals are responsible for the persecutions which our friends of Manitoba have been and still are the victims.

"The right of Riel and his comrades was the same one year ago as today.

"When all the Conservative press is working energetically to secure the triumph of a cause, which is that of all French Canadians, those gentlemen (of the Liberal press) spend their time in abusing us."

I say it is the same now as it was in 1874, but the Minister of Militia does not think so, judging from his speech the other day. As I said a few minutes ago, I could give a great deal of that literature from *Le Canadien*, *La Minerve*, and other French Canadian organs at that time. I see only one parallel in history to the conduct of the French Canadian Ministers, and especially the Minister of Militia, and that parallel is the case of Christ and Judas Iscariot who delivered him to his enemies. Judas had this advantage, that he only delivered Christ to be condemned to death—he did not condemn him himself. It is useless, Sir, to try any further to prove that the Ministry deserve the censure of this House and the country. They have admitted their guilt. *Qui s'excuse s'accuse*, is a French saying. The Ministers have been doing nothing else since the execution but attempting to excuse themselves. The Minister of Public Works was saying the other day how glad he was at last that he could defend himself; that he had put up with the obloquy, the insult, and the abuse levelled at him because he did not think the hustings a fit place to defend himself; that the House was the only fit place. I think he forgot that by speaking in this manner he was giving a slap at his colleagues the Minister of Militia, the Secretary of State, the Minister of Justice, and the Minister of Inland Revenue. We have seen one of the Ministers, the present Post master-General, publishing a pamphlet—actually resorting to that most extraordinary if not unconstitutional course of publishing a pamphlet in the name of the Government to defend the Government. We have never seen the like of it. Not only was it printed and published but was actually circulated, enclosed in the Ministerial papers of the Province of Quebec,

those papers being paid to distribute the pamphlet in question to their readers. This shows how anxious the Ministers were to defend themselves, not before this House, which according to the Minister of Public Works is the only constitutional way, but before the country a few weeks before the meeting of Parliament. What did the Secretary of State go to St. Jérôme for, accompanied by the Minister of Justice and the Minister of Inland Revenue, if it was not to defend the conduct of the Government? He did not wait until this House had met to repel the attacks which had been made against him. What did the Minister of Militia do? I must admit that he did not go into the heart of his county, but he went to the outskirts. He went to Stoneham, amongst a few settlers in the Laurentian Mountains, where nobody who reads the newspapers could reach him. Then he came nearer; he came to speak at Sillery, near Quebec; and not only did he think it proper to defend the Government, but he gave a half-holiday to all the laborers working for the Government on the Citadel, to the number of 200 or 300, to enable them to go and hear his defence of the Government. This shows that he did not consider it unconstitutional to defend the Government before the House met. No, Sir, the Ministers could not resist the pangs of a guilty conscience, and they hoped, that by making a public confession they would get absolution from their electors. We have seen something more remarkable still—something which has never been seen before, and which is not likely ever to be seen again. There is in Montreal a very respectable clergyman of the Catholic Church, who is not supposed to be very friendly to the Orange order, and who did not show much friendship towards it at the time of the celebrated procession. But we have seen the representative of the Orange order in the Cabinet, the Minister of Customs, actually going to pay a visit to Father Dowd. What was the reason of that extraordinary sight? The explanation is a very easy one. It appears that Father Dowd had been reported in some of the Montreal papers as having condemned the Riel agitation from the pulpit, and I suppose the Minister of Customs thought that respectable priest was the very best man to give a complete absolution to the Government for all their sins.

No, Mr. Speaker, the Ministers are guilty, and they feel it. But in order to save themselves from condemnation, they are trying to raise false issues in their newspapers, especially in the *Toronto Mail*. They are trying to raise a war of races by making the electors of Ontario believe that the French people of the Province of Quebec want to declare war against other nationalities. They know perfectly well that there is not a word of truth in that. If there is any population in Canada that has no fanaticism, that desires to live in peace with all nationalities and creeds, it is the French population of the Province of Quebec. We have seen in that Province what we have not seen elsewhere—counties composed almost entirely of French people electing English-speaking members to represent them in the Dominion Parliament or in the Legislature of Quebec. But now we are threatened with a war of conquest, and we are warned that this time there will be no treaty. As the treaty of 1763 guaranteed our civil rights and our religious liberty, the *Mail's* threat means, if it means anything, that we shall not be permitted to practice our religion, and that the properties of the Catholic Church, and even our private properties, will be confiscated. This must be very encouraging to the land grabbers of the Tory party. If their party is left in power a few years more, all the lands and mines of the North-West will have been gobbled up by them. Then they will be in a position to turn their attention, as a last resort, to the lands of the clergy of the Province of Quebec. But I can tell the friends of the *Mail* that they should not rely too much on those spoils. As we say in French, "*Il ne faut pas vendre la peau de l'ours avant de l'avoir tué.*" Our ances-

tors, when only 60,000 in number, including men, women and children, stood their ground for five years against 50,000 of the best troops, not only of England, but of the world. Now that we are a million and a half we could offer a pretty stiff resistance to the Tory land grabbers who threaten us. Our fathers met the admirable Scotch highlanders of Wolfe; their sons will be prepared to resist the assaults of the brawling brood of bribers of the *Mail* newspaper.

Mr. RYKERT moved the adjournment of the debate.

Motion agreed to.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to, and the House adjourned at 12:30 a.m., Tuesday.

HOUSE OF COMMONS.

TUESDAY, 16th March, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FIRST READINGS.

Bill (No. 48) to amend the Act to incorporate the Niagara Frontier Bridge Company.—(Mr. Rykert.)

Bill (No. 49) to incorporate the Ontario, Minnesota and Manitoba Railway Company.—(Mr. Royal.)

Bill (No. 50) respecting the Picton Bank.—(Mr. Tupper.)

Bill (No. 51) to incorporate the Nova Scotia Steamship Company, Limited.—(Mr. Kinney.)

Bill (No. 52) to reduce the capital stock of the Union Bank of Halifax.—(Mr. Stairs.)

Bill (No. 53) to incorporate the Calvin Company, Limited.—(Mr. Small.)

Bill (No. 54) to incorporate the Medicine Hat Railway and Coal Company.—(Mr. Small.)

MARITIME COURT OF ONTARIO.

Mr. ALLEN moved the second reading of Bill (No. 5) to extend the jurisdiction of the Maritime Court of Ontario. He said: This is practically the same Bill that was passed by this House last Session, by which the Maritime Court was given power over permanent equipment and repairs to ships, but was amended by the Senate: that the equipment shall be furnished and the repairs made "with the consent of the managing owner." This is the only amendment made. But time was not given for concurrence at the close of the Session. As we had a discussion on this Bill last year, and as we all understand it pretty well, and no amendments were made except what I have stated, I move the second reading of the Bill.

Sir HECTOR LANGEVIN. I move in amendment that Order (No. 22) resuming adjourned Debate on the motion of Mr. Landry, be now called.

Mr. BLAKE. How will that affect the position of the present Order?

Mr. SPEAKER. The Order will drop altogether and it can be placed on the paper again.

Sir HECTOR LANGEVIN. I do not desire to prevent the hon. gentleman having this Bill on the paper; and if the leader of the Opposition has no objection, we will

call Order No. 22, and will allow the hon. gentleman (Mr. Allen) to withdraw his motion, and his Bill will then remain on the paper.

Mr. BLAKE. Of course we know, after the vote of yesterday, what the result will be if my hon. friend does not agree to allow the motion to be withdrawn; and as the hon. Minister of Public Works persists in this course of debate, I would personally recommend my hon. friend to withdraw his motion.

Amendment agreed to, and motion withdrawn.

EXECUTION OF LOUIS RIEL.

The House resumed the adjourned debate on the proposed motion of Mr. Landry (Montmagny): "That this House feels it its duty to express its deep regret that the sentence of death passed upon Louis Riel, convicted of high treason, was allowed to be carried into execution," and the motion of Sir Hector Langevin: "That this question be now put."

Mr. RYKERT. The motion which is in your hands, is, as has been stated by other hon. members, a direct censure upon the Government for their action with reference to the execution of Louis Riel. The hon. gentleman who has moved this resolution has very properly placed his case before the House, and he has done so in a very temperate manner, in a manner to which no person can take any exception. The Government have met that motion by moving the previous question, in order that the question might be fairly and squarely met on the floor of this Parliament. I apprehend, Sir, that the motion made by the Government is entirely in accord with the views expressed by the gentlemen from the Province of Quebec at the several meetings held in that Province in the course of the agitation which has taken place upon this question. We have now a direct censure of the Government because they permitted the execution to take its course, and I am satisfied that the action of the Government was in accord, up to a few days ago, with the opinions expressed by the Grit party in the Province of Ontario, if you take the organs of that party as expressing its opinion. They all said that the Government dare not have a direct vote upon this question. But when a direct vote is now placed before the House, these hon. gentlemen say that they are being taken advantage of, that it is a piece of tyranny on the part of this Government not to desire to have the question fairly and properly discussed. They have suddenly discovered, Sir, that it is necessary for the due consideration of this question that a large number of papers which have no relevancy whatever to the matter should be brought down. They have already expressed their opinion, outside of this Parliament, that the execution was a judicial murder; they have declared that the Government is wrong in so acting. They have made up their minds long before they came here, and now they seek to cover themselves by pretending, that it is necessary to the proper consideration of the question that all these papers should be brought down. They can find no real objection to meeting the question fairly and squarely. I know it is inconvenient to that party to be brought face to face with their own declarations outside this Parliament. I know it is inconvenient to the leader of the Opposition to be brought face to face with the expressions of the organs of his own party. He knows right well that the Grit organs through the whole of Canada clamored for the execution of Riel, and when he finds that he is brought face to face with their opinions he finds it convenient to seek cover, if possible, by moving amendments which would give the question the go-by and not have it put directly before the House and the country. The question is now being put before us fairly and squarely, every vote must be recorded on that question in the manner it should be recorded, and if there are other motions

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of a different character to be brought up at a future time, they can be brought forward, and this whole question of the policy of the North-West can be fairly discussed. But meantime, let us see whether or not the execution was what is called a judicial murder. I say the moving of the previous question is the fairest way to meet this motion. It puts it where those gentlemen wanted the question put. Now, from whom does this howl come? From whom does this opposition come? Do the hon. gentlemen from the Province of Quebec make any complaint about the previous question being moved?

Mr. AMYOT. Yes.

Mr. RYKERT. Has a single person done so? Why, they have discussed the question now in all its details, and the member for Bellechasse (Mr. Amyot), who now says yes, made no such complaint. The complaint came from the hon. member for Huron, and not from the gentlemen from Lower Canada—it came from that hon. gentleman who desired to rake up old issues, and who showed by the speech he made how able he was for that task. The discussion of this question has opened up a wide field, as exhibited by the several speeches which have been made by these hon. gentlemen and they certainly cannot claim that the moving of the previous question has limited them in the discussion. If we take the speech of the hon. member for Bellechasse (Mr. Amyot), in the first place, and the speech of the hon. member for Megantic (Mr. Langelier) last night, it is evident that no limit whatever has been imposed in the discussion of this question. The circumstances surrounding the execution of Riel must, in my judgment, have been of an extraordinary character in order to induce Parliament to pass judgment upon the propriety of that act. Sir, the doctrine laid down by the hon. member for West Durham (Mr. Blake) in his London speech, is a doctrine which will meet with the approval of every right thinking man in this country. I do not say that it will meet the approval of gentlemen like the hon. member for West Huron, but it certainly will be approved by every right thinking man in this Parliament. The hon. member for West Durham said:

"But I declare that the occasion must be special which renders discussion opportune, and the case clear which renders censure expedient."

But we have another person who is an eminent authority upon constitutional law, a gentleman who professes to take a high place in that kind of literature. That gentleman has declared over and over again his views on constitutional questions; and through the mouth of his organ a few days ago, in discussing this question, he seemed remarkably surprised that the French population of Lower Canada should be so agitated with regard to the execution of Riel. I refer to the hon. member for Bothwell (Mr. Mills), who is said to be a proprietor and editor of the *London Advertiser*. Here is what that paper said on the 3rd September last:

"The position of the Province of Quebec on the subject of the trial and conviction of Louis Riel is a puzzle to the great majority of the people of this Province. They cannot understand how it is that the whole people of a Province like the Province of Quebec should come to the rescue of Riel, and should put forward such extreme efforts to save him from the fate to which he has been condemned. Neither the constitution of the court nor those superintending can explain the matter. There was no complaint as to the constitution of any court when Riel was charged with the murder of Thomas Scott, and yet the people of the Province of Quebec were quite as much interested in reference to Riel then as they are now. It was not for one moment then supposed that Riel was insane, and yet his pardon was quite as fiercely demanded then as it is at this moment."

Those, Sir, are the sentiments expressed by the hon. member for Bothwell. Sir, as I have said, this debate has taken a wide range indeed. On the one hand, we have our friends from Lower Canada, who for the present differ from the Government on this question, and find them taking quite a different view from the hon. member for West Huron (Mr. Cameron), whose views we must treat as the views of the Grit

party in this House and throughout the country. The members from Quebec have declared that the insurrection was provoked by the mal-administration of the affairs of the North-West. They say that Riel was irresponsible for his acts, and, as such, should not have been condemned. They complain that, as the jury recommended him to mercy, this recommendation should have received the favorable consideration of the Crown. Moreover, they say that under any circumstances, at the request of themselves, without any evidence being produced to back up that request, the Government should have issued a commission to enquire into the question of Riel's sanity or insanity. That seems to be the position taken by our friends from Lower Canada. But how different is the position of our friends from the Province of Ontario. Why, Sir, the corporal of the Grit party of this House seems to have taken a different view of the whole matter. He seems to aim at gaining a reputation for extravagance of conduct and language in this Parliament. He has gained it outside of this Parliament, and I think I can safely say he has gained it in this Parliament. Why, Sir, he gives as a reason why Riel should have been pardoned that he was pardoned once before, and he charges the Minister of Public Works with having promised him an amnesty. I will show to the House and the country before I am done how thoroughly the hon. gentleman has misstated the facts, and what improper conclusions he has drawn from the facts as stated. He said that the trial was not a fair one, that the prerogative of mercy should have been extended to the prisoner, that the court was improperly constituted and unfair; but he forgot to tell the House that the court before whom Riel was tried was constituted by his friends, the late Mackenzie Government. He said the Government had yielded to an influence outside of Parliament, which he afterwards characterised as Orange influence. He further said that they were going to build up a party on the scaffold of Regina. There we find him entirely at variance with the views of his leader, who, in his speech in the city of London a short time ago, expressed a different view. His leader's first ground was that the Government were not censurable, inasmuch as they had tried Riel under the existing law. He knew that he had a hand in the making of that law, and he knew that the country was deceived with regard to that law. It was declared in every school section of Ontario that the man was tried by an arbitrary law, tyrannical in its character; but, at the same time, those who made that assertion forgot to tell the country that that law was passed by their own friends. In his speech at London the hon. leader of the Opposition made this observation:

"But I do not see that the Government is censurable for having tried the prisoner before the tribunal provided by the standing laws, though I may regret that those laws did not provide a more satisfactory tribunal, and it is always to be remembered that the special provisions requiring the decision of the Executive before execution, and the attendant responsibility of Government, have been retained."

The hon. gentleman further said he would not build up a party on the scaffold of Regina, and he was not going to discuss the question, which ought to be decided in Parliament. He admitted, as was well pointed out by the hon. member for Montreal Centre (Mr. Curran), that the accused had been fairly tried. On these important points he differed from his corporal who undertook to speak the views of the Opposition in this House. It seems impossible to reconcile the views of these two hon. gentlemen. No wonder the leader of the Opposition keeps silent; he must either bolt down what the hon. member for West Huron stated or he must disavow what he stated; he must take either one horn of the dilemma or the other. What is the real cause of the hon. gentleman's silence? We have, on other occasions in this Parliament, discussed legal and constitutional questions of such great importance that the members of this House felt that the great knowledge of the hon. gentleman

and his position as the leading lawyer of Ontario, perhaps of the Dominion, demanded that he should give the House his views upon them; but the hon. gentleman invariably remained silent and had not a single word to say. Where was he when the Boundary question was being discussed, when his followers were all at sea, when the hon. member for Bothwell (Mr. Mills) got confused on the question? He remained dumb. Where was he when the great question of the licenses was being discussed? He was dumb. And where was he when the Streams Bill question was being discussed? He had not a single word to say. On all these great questions he remained silent, and it cannot be wondered at that he has nothing to say now. His corporal has put his foot in it; to use a common expression, he has gone the whole hog; but the hon. gentleman cannot swallow that speech after his London address, and he cannot ask his followers to support the resolution on the same grounds as the hon. member for West Huron. Now, I think the House has a right to know what the views of the leader of the Opposition are on this important question on which the country is so thoroughly agitated, as upon his views will probably largely depend the vote of this House. The hon. member for West Huron distinctly disclaimed speaking on behalf of the party; he said he spoke for himself; but at the same time his observations were so general that we have a right to believe that he spoke on behalf of the whole Reform party in this House. Therefore we ought to have some expression from the hon. member for West Durham (Mr. Blake), as to whether he repudiates that hon. gentleman's expressions or not. I am not going to attempt to reconcile the differences between them; but it seems to me that the hon. member for West Huron was put up to test the feeling of the House. We have heard of a bargain that was made in the city of Montreal between a certain portion of the population there and a gentleman from Ontario. That bargain we heard was consummated, and I suppose the hon. member for West Huron was put up in order to feel the pulse of the House and to see whether they would ratify the bargain or not. We have not heard that the hon. member for West Durham has ratified that bargain. On the contrary, judging by his London speech, he repudiated it. Therefore we would like to hear from the hon. gentleman as to his opinion in relation to the Orangemen and other questions raised by the hon. member for West Huron. It is a remarkable circumstance that on a question of such importance a member like that hon. gentleman should be put up to represent the views of the Opposition. Was there ever heard a speech delivered of the character of the speech of that hon. gentleman. It was reckless in assertion from beginning to end; it was coarse, vulgar and arrogant; it lacked all the essential features that ought to characterise a speech; it lacked that greatest essential of all, truthfulness.

Mr. SPEAKER. Order. I hope the hon. gentleman will withdraw that.

Mr. RYKERT. I apologise to the House. I would like to use strong language, but I dare say it is a little unparliamentary; at the same time, I think it is hardly less parliamentary than some of the remarks that were made by that hon. gentleman. However, I will not trespass on the rules of Parliament if you think I am doing so. I was not aware, when I made that remark, that I was doing so. At the same time the House will understand what I really meant by my observation. I cannot understand how a man having the reputation of a lawyer could be found making such statements and quoting such law as the hon. gentleman did in this House. He misquoted, he deceived the House—if that expression be parliamentary—but I will not say so; at any rate he made use of many observations which, in my judgment, should be characterised as very improper. I will also direct the attention of the House to the fact that

on other occasions the same hon. gentleman has been found misquoting and making misstatements in this House. I think that when an hon. gentleman has been once convicted of this, he ought to be more careful about misquoting on other occasions, yet I can refer to several occasions in which he misquoted the law, I will not say wilfully, but for reasons best known to himself. He boasts of his knowledge of criminal law; the records of Parliament show that in one branch, that of bribery and corruption, he is well versed; and in another branch, that of fraud and misrepresentation, judging from his speech the other night, I am warranted in saying he has fair knowledge. I think that a more inflammatory, a more violent, a more outrageous speech never was delivered on the floor of Parliament. It stands in marked contrast with the speech made by the hon. member for Rouville (Mr. Girault) and that made by the hon. member for Montreal East (Mr. Coursol). These gentlemen discussed the question from their peculiar standpoint with a calmness and moderation which did them credit, but I cannot say so much for the speech of the hon. member for Bellechasse (Mr. Amyot). Underlying the whole of his declamatory oration was a spirit of revenge. It was not that he was not satisfied with the law as it is; it was not that he had anything to say about the grievances in the North-West, because we know well what his views of these were on another occasion; but underlying the whole of his speech was a spirit of animosity to some members of the Cabinet. I am not going to refer at length to the speech of the hon. gentleman who spoke last night. Suffice it to say, that it must be satisfactory to the hon. member for Quebec East (Mr. Laurier) to know that he has one recruit to the corporal's guard which is going to shoulder the musket on the banks of the Saskatchewan. He must be delighted to find that another hon. gentleman is going to join that awkward squad which the hon. gentleman for Quebec East depicted, when he said he was ready, if a similar occasion to the last should again arise, to shoulder his musket in favor of the half-breeds and in defence of their homes in the North-West. I propose dealing with some questions brought forward by hon. gentlemen opposite, and the first I shall discuss is the question of amnesty as treated in the remarks of the hon. member for West Huron (Mr. Cameron). That hon. gentleman either misstated the question wilfully or was ignorant of the facts. In his declamation, he made use of the following observations:—

"Does the hon. Minister not know that he, in his sworn testimony in 1874, before the commission in this House, declared that the Government of which he was a member had promised an amnesty to Riel? Does he not know that his own political chief, by whom he has stood for many long years, pledged the faith of the Crown that this red-handed murderer would escape the punishment of his crimes, because the Conservative Government of Canada saw fit to agree to extend to him the Royal clemency?"

Here we have an express declaration on the part of the hon. gentleman, which, I say, is entirely at variance with the facts. The hon. gentleman cannot plead ignorance—because he was in Parliament at the time—of the fact that no amnesty was promised, but that Archbishop Taché took upon himself the whole responsibility of the promise of amnesty. But if the hon. gentleman does not know that, I will read him a letter from Archbishop Taché to prove it. Further, he must know that in the documents which passed between Lord Carnarvon and the Government that question was fully discussed. In 1875, I find at page 29, an observation made by Mr. Mackenzie, who, at that time, was moving for amnesty in favor of Riel:

"It was true that Lord Carnarvon and His Excellency in his despatches both asserted that there was no proof in these documents of 'promise of amnesty' having been made an absolute promise either by Her Majesty's Imperial representative or those acting for him here."

Here, therefore, you have, Sir, an answer at once to the declaration made by the hon. member for West Huron (Mr. Cameron).

Mr. RYKERT.

Mr. MACKENZIE. Perhaps the hon. gentleman will read my motion.

Mr. RYKERT. I am not going to read the hon. gentleman's motion, but will tell the House what it was, and his motion ought to be in accord with his speech. That motion expressly ignored the question of the amnesty being promised. If the hon. gentleman likes that kind of literature he may read it, but I have given the facts. I will read, first, the letter of Archbishop Taché, dated 9th June, 1870, in which he says:

"I hasten to communicate to you, for the information of His Excellency in Council, a very important promise I have just made in the name of the Canadian Government. I feel all the responsibility I have incurred in taking such a step, while, on the other hand, I am confident that His Excellency the Governor General and his Privy Council will not judge with too much severity an act accomplished in order to avoid great misfortunes and secure the welfare of the country."

You will see by this that Archbishop Taché takes on himself the responsibility of making that promise to Riel on behalf of the Imperial and Dominion Governments. We have another witness to this fact, the hon. member for West Durham (Mr. Blake). He reviewed the whole question on that occasion, and I will quote from his speech some of his remarks. He said (see page 89 of *Hansard*):

"The hon. gentleman (Sir John) declared that Archbishop Taché had himself stated in his letter of June 9th, 1870, that he had taken the responsibility upon himself with reference to the promise then made. That was perfectly true. He held with the hon. gentleman that the statement made in that letter practically, though not expressly, amounted to an admission that the Archbishop did not conceive he was authorised by the Canadian Government in its name to promise an indemnity."

Let us examine a little further, and see whether what I have said or what the hon. member for West Huron (Mr. Cameron) has said, is correct. Mr. Blake goes on to say:

"The Archbishop fully explained that. He stated that he did conceive himself authorised to promise an amnesty in the name of the Imperial Government, that he went up to the country with that belief, that he did promise an amnesty in the name of the Imperial Government upon his arrival, that the people were afterwards disquieted and disturbed, that the country was in a dangerous condition, that he found they were not relying as much as he desired in the pledge that he gave them in the name of the Imperial Government, and that to accomplish the object he had in view he had to take upon himself the responsibility of making the promise in the name of the Canadian Government as well; and that promise made by the Archbishop acting in the *bona fide* belief that he was authorised to make it as the promise of the Imperial Government, and the promise he subsequently made in the name of the Canadian Government on his own responsibility, were not disavowed by the Canadian Government. It was quite true that, with reference to the second promise, two letters were written to His Grace—an official letter from the Secretary of State pointing out to him that he must take all the responsibility of the promise, and a private letter from Sir Geo. Cartier pointing out the reason for the despatch, that his colleagues were in great dread of public opinion, and therefore it was necessary to write a disavowing despatch. * * With the exception of what the First Minister had done in sending Archbishop Taché to that country, he had no personal, individual responsibility, and he believed it had been established that, anterior to the commencement of the hon. gentleman's illness, there was no agreement that there should be an amnesty, if there was one subsequently."

So you will see that what I said is confirmed by my witness, the member for West Durham (Mr. Blake). He goes on further, and says:

"On the 3rd of January the Archbishop wrote about 'hope of more consolation,' and explains in his evidence that the expression referred to the granting of an amnesty. He adds: 'There had, up to the time of the writing of this letter, been no promise of an amnesty by the present Government, or any member of it, though I had been led to expect it, as I have mentioned.'"

So you will see that the Archbishop expressly repudiates the statement that an amnesty was promised. I will call into the House another witness, the *Globe* newspaper, which distinctly repudiates the promise of an amnesty, so that in that part of his speech the hon. member for West Huron has made a misstatement, to use the mildest term—I only wish I could use a stronger one. Now, in regard to the

question, Why did Riel come to the Dominion of Canada? It has been said over and over again that he came here with patriotic motives, that he came to assist his friends and neighbors in the North-West to redress their grievances in a constitutional manner. The whole thing is explained in a letter which he publishes, and which was read in the House last year by the hon. member for West Durham (Mr. Blake). I think the letter was also repeated by the member for Bellechasse (Mr. Amyot). He says:

"Gentlemen,—You have travelled more than 700 miles from the Saskatchewan country, across the international line, to make me a visit. The communities in the midst of which you live have sent you as their delegates to ask my advice on various difficulties which have rendered the British North-West unhappy under the administration of the Ottawa Government. Moreover, you invite me to go and stay amongst you, your hope being that I, for one, could help to better in some respect your condition. Cordial and pressing is your invitation; you want me and my family to accompany you; I am at liberty to excuse myself and should say no: yet, you are waiting for me: so that I have only to get ready, and your letters of delegation assure me that a friendly welcome awaits me in the midst of those who sent you.

"Gents, your personal visit does me honor and causes me great pleasure: but on account of its representative character, your coming to me has the appearance of a remarkable circumstance, which I record as one of the gratifications of my life—an event which my family will remember, and I pray to God that my assistance will prove so successful to you as to render this event a blessing amongst the many blessings of this, my 40th year. To be frank is the shortest. I doubt whether my advice given to you on this soil concerning affairs in Canadian territories, could cross the border and retain an influence. But here is another view of the matter: I am entitled, according to the 31st and 32nd clauses of the Manitoba treaty, to land, of which the Canadian Government have directly or indirectly deprived me, and my claim to which is valid notwithstanding the fact that I have become an American citizen."

So you see that from the very outset he came here with a mercenary motive, with a desire for gain. He did not come for the interest of his friends in the country, but with a personal desire to make money.—

"Considering, then, that my interests are identical with yours, I accept your very kind invitation, and will go and spend some months among you, in the hope that by petitioning the Government we will obtain the redress of our grievances."

His interests were not identical with those of the North-West half-breeds, he had no claim for a location, no claim that he should have any land allocated to him, no claim for scrip or any other claim against the Government, except an imaginary claim for money or for land, of which we will hear hereafter. This shows that this patriot came to this country with an interested motive, he came for a selfish motive and a desire of gain. What further proof of this do we want than we find in the record of the court? In the examination of Father Andre, we find the following:—

"Q. I believe in the month of December 1884, you had an interview with Riel and Nolin with regard to a certain sum of money which the prisoner claimed from the Federal Government?—A. Not with Nolin; Nolin was not present at the interview.

"Q. The prisoner was there?—A. Yes.

"Q. Will you please state what the prisoner asked of the Federal Government?—A. I had two interviews with the prisoner on that subject.

"Q. The prisoner claimed a certain indemnity from the Federal Government, didn't he?—A. When the prisoner made his claim, I was there with another gentleman and he asked from the Government \$100,000. We thought that was exorbitant, and the prisoner said, "Wait a little, I will take at once \$35,000 cash."

"Q. And on that condition the prisoner was to leave the country if the Government gave him \$35,000?—A. Yes, that was the condition he put.

"Q. When was this?—A. This was on the 23rd December, 1884.

"Q. There was also another interview between you and the prisoner?—A. There have been about twenty interviews between us.

"Q. He was always after you to ask you to use your influence with the Federal Government to obtain an indemnity?—A. The first time he spoke of it was on the 12th December, he had never spoken a word of it before, and on the 23rd December he spoke about it again.

"Q. He talked about it very frequently?—A. On these two occasions only.

"Q. That was his great occupation?—A. Yes, at those times.

"Q. Is it not true that the prisoner told you that he himself was the half-breed question?—A. He did not say so in express terms, but he conveyed that idea; he said, if I am satisfied the half-breeds will be. I must explain this. This objection was made to him that even if the Government granted him \$35,000, the half-breed question would remain

the same, and he said in answer to that, if I am satisfied the half-breeds will be."

You will see, as has been stated over and over again in this House, that the only object this man had in coming to the Dominion of Canada was of a mercenary character; and this is the great patriot to whom our friends from Lower Canada are trying to do so much honor. Now, I proceed briefly to discuss whether or not the grievances which are alleged justify the rebellion, and, in order to do so, I propose to quote from hon. gentlemen opposite and their organs on that question. I do not wish to add anything myself or to go into that question which was discussed last year. I have refreshed my recollection from the six hours and a half speech of the hon. member for Jacques Cartier (Mr. Girouard), in which he so eloquently showed to this House that these people had no right to complain. Before the trial, the *Globe* newspaper gave this opinion on this question. This was on July 6th, 1885:

"If what he (Riel) says could only be proved to be true, as some is admitted by the Government press to be true, it would not be a sufficient defence as nothing can justify rebellion that does not become revolution, and there is said to be abundant evidence to prove that he did all in his power to induce the Indians to join in the rebellion."

So that witness expressly declares that they had no grounds in their grievances to justify a revolt. On July 9th, he says:

"No one says that the wrongs done the Metis justified rebellion. They do not even take that ground themselves, as their defence now seems to be, that they did not rebel, but only defended themselves when attacked."

Then we have a declaration made by a certain gentleman in this House some years ago as to grievances justifying a rebellion. When this matter was discussed in Parliament in 1875, Mr. Mackenzie said:

"He did not allege that as a justification for succeeding events, because he considered that no mere act or fault of the Government of the day could have justified the insurrection and its consequences."

So he laid down the broad proposition that no mere act or fault of the Government could justify rebellion. But, Mr. Speaker, the hon. member for West Huron (Mr. Cameron) justifies rebellion. The hon. member for Quebec East (Mr. Laurier) justifies rebellion. He says it is all right. The hon. member for Megantic (Mr. Langelier) justifies rebellion. He says he would have taken up arms to wage war against Her Majesty's Government. But we have another witness, another member for Huron. Sir Richard Cartwright, in a speech made in Orillia, December 17, 1885, says:

"But to say that rebellion is justified is a very different thing. A rebellion may be excused, and parties who goad unfortunate, ignorant men into rebellion may be punished. But that is a wholly different thing from justifying rebellion, and least of all can I undertake to justify rebellion in an Indian country, where, as I have said, an enormous number of our countrymen and countrywomen would have been exposed to all the horrors of savage war if that rebellion had spread."

So you will see that one member for Huron is answered by the other member for Huron. Now, Sir, it is well known that the ground taken by the *Globe* was that their grievances should be redressed by constitutional means. In an article published by that paper in 1885, under the heading "Redressing Grievances by Constitutional Means," we find the following language:—

"A number of Metis formed a union and continued for months to act in concert with Riel, whose agitation they regarded as quite loyal and constitutional. After a time Riel began to urge that the Indian title to the North-West had never been extinguished. That it was not with the Hudson Bay Company but with the Indians, the half-breeds, and pioneer white settlers to whom the country really belonged, that the Government had to deal. It is believed also that he was bent in claiming from the Government indemnity for personal losses which he had sustained by the confiscation of property ones belonging to him in Winnipeg, and which has increased enormously in value since the time of his banishment. It is almost certain he began to put forth claims such as the white settlers could have no sympathy with and the Government could not for a moment entertain; and, unknown to the English-speaking people, a recent combination was formed to enforce these demands by illegal and violent means. Some say Riel began to use stronger language, in hopes that he might be arrested on insufficient grounds,

and then excite public sympathy in behalf of himself and the movement of which he was the leader."

Now, Sir, we have another witness, a very important witness in this debate, the hon. member for Rouville (Mr. Gigault) who said :

"I say that I do not approve of this rebellion, because I think that the serious grievances of which the half-breeds had to complain, were not such as to justify a rebellion."

It is not contended that there were grievances, yet we find the hon. member for Megantic openly declaring that the rebellion was justified. The hon. member for West Huron himself has repudiated that idea. We find on page 110 of the *Hansard*, that he said :

"I do not want to justify the rebellion; I want to show the state of things in the country and to show the prisoner was justified in coming into the country, and to show the circumstances under which he came."

We find further that the *Globe* on July 25th, 1855—and I make these quotations from the *Globe* and the organs of the party, because I know that those gentlemen have great respect for their own organ, particularly when they are brought face to face with them on the floor of Parliament. On that date the *Globe* said :

"It is now alleged on behalf of Riel that he never advised the half-breeds to resort to violence, that when he found the constitutional modes of seeking redress unavailing he wished to leave the country and was prevented, and that to the last he did all in his power to dissuade the half-breeds from taking up arms. This is not believed, and indeed it seems absolutely inconsistent with much that has been stated on authority apparently good."

Yet the *Globe* did not recognise that fact. And what were the grievances complained of? Why, Sir, no person can tell. Have any new grievances been stated in this House? Has any hon. gentleman in the debate pointed to a single grievance? Not one. We find that Father André, at the trial, declared that their grievances were changing from time to time. One day they claimed one thing, and another day they claimed another thing. But, no matter what these grievances were, they could not justify rebellion. At page 111 of the trial Father André testified as follows:—

"Q. Will you state if, since the arrival of the prisoner in the country up to the time of the rebellion, the Government have made any favorable answer to the demands and claims of the half-breeds?—A. Yes, I know they have acceded to certain demands in regard to those who did not have any scrip in Manitoba. A telegram was sent on the 4th of March last granting the scrip."

"Q. Before that time?—A. Yes. Regarding the alteration of survey of lots along the river, there was an answer from the Government saying they would grant it, and that was an important question."

"Q. What question then remained to be settled?—A. The question of patents. That has also been settled in a certain way, because Mr. Duck was sent and I went with him as interpreter."

"Q. What other question remained?—A. Only the question of wood, timber."

Now, Sir, what further had they to complain of? He goes on to say :

"Q. What were the claims of the half-breeds?—A. Since when, you must distinguish ?

"Q. From 1884 till the time of the rebellion?—A. Since the arrival of the prisoner in the country ?

"Q. Yes?—A. It would be difficult to tell that, they changed from time to time since the arrival of the prisoner."

"Q. Before his arrival?—A. They demanded patents for their land, demanded frontage on the river and the abolition of the taxes on wood, and the rights for those who did not have scrip in Manitoba."

So you will see that they had really no substantial grievances as was stated by the hon. member for Jacques Cartier (Mr. Girouard) last Session, there were no such grievances as would justify rebellion. At any rate, they were not of a permanent character, but shifted from one thing to another. One day they had one set of grievances, and another day another set, so that any person will see that it was utterly impossible to find out what their grievances really were. Well, we have another authority. The hon. member for Mr. RYKERT.

West Huron answers himself again. The other night he waxed very eloquent upon the question of their grievances. He called the attention of the House to the fact that they had grievances that should be redressed, and that these grievances justified the rebellion. Well, we find that last year the hon. gentleman made a speech in Parliament in which he answered himself now. At page 3245 of the *Hansard* last year, he used the following language:—

"He admitted that the half-breeds had grievances, but he said they had no such grievances as would justify rebellion. Who said they had? Who made that statement? Did any hon. gentleman on this side ?

"Some hon. MEMBERS. Yes."

"Mr. CAMERON. No, no man on this side made any such statement as that the half-breeds had grievances that would justify rebellion."

Yet the hon. member for Quebec East, the hon. member for Megantic and the hon. member for West Huron himself, stated a few nights ago that they had grievances that would justify rebellion. So you will see, Mr. Speaker, that I have produced evidence, perhaps not of a very reliable character, yet, notwithstanding, evidence which emanated from that party, that half-breeds never had grievances that would justify rebellion. A good deal has been said about the duty of the Government to have been prepared for the rebellion. It is said that they should have watched Riel as soon as he came into the country; that he came there months and months before the rebellion, and that they ought to have watched him. We have the answer to that in the *Globe* under the heading, "Mounted Police," January 19th, 1885, where we find this language :

"The Government seem to think that the principal use of the Mounted Police is to overawe poor settlers so as to prevent them from protesting against outrages perpetrated upon them by the Government and its agents. A large body is now at Prince Albert watching Riel, who apparently does not contemplate any mischief."

Shortly after this the organ got new light. On March 20th, 1885, it said :

"Louis Riel, the hero of the Red River rebellion recently exiled from Manitoba, has created dissensions among the half-breeds, and an outbreak is imminent."

The *Globe* thought there was very little danger. On March 23rd, it said :

"Hopes of preserving the peace seem to hinge upon the possibility of concentrating at Prince Albert and Carleton within the next few days, of a force competent to overawe the insurgents. Of course the rising will soon be quelled, and it is hoped the Government will be able to make a demonstration of such overwhelming strength as to render bloodshed unnecessary."

So far there was no cause for apprehension. Again, we find that on March 25th the *Globe* ridiculed the idea of a rebellion, and it gave, in corroboration of the view then expressed, the opinion of the Manitoban Metis organ, as follows:—

"Respecting the recent telegraph reports from Prince Albert in reference to an uprising of the half-breeds of that district under Louis Riel, *Le Manitoban* affirms that no trouble is to be apprehended from the half-breeds in the North-West. It adds: 'It is true there exists among them discontent, which is for the most part for legitimate reasons, and the Federal Government is seriously considering the cause of those grievances, and promises to remedy them as soon as possible.' Now, as to there being some agitation meetings, even to violent speeches, any thing is impossible. Certain individuals believe that justice cannot be obtained unless people complain, cry and lament. That is their manner, but it is far from them to rebel. The thing would be, besides so ridiculous that it is impossible for us to believe that our friends down there would have the least idea of compromising themselves to this point even should they be advised by those who ought to know better."

The *Globe* quotes another proof that there was little to fear on the same date :

"From the Prince Albert *Times*, March 6.—Last Tuesday afternoon the Farmers' Union held a meeting in the Halcio settlement, which was attended by a large crowd from all parts of the country. Mr. Riel and several others addressed the meeting. The president, in his opening

speech, we are glad to learn, confined his remarks to the real wants of the country, and if other leaders in the movement were to follow in the same course they would receive more sympathy from the general public."

So that up to that time the *Globe* had no idea that Riel contemplated rebellion. The *Globe* suddenly discovered that Riel was a very dangerous man, and ought to be watched. Mark you, on 19th January the *Globe* said it was a waste of public money to have Riel watched, but on 30th March they thought it was necessary to watch him. In its issue of that date (30th March) it said:

"But he (Sir John) neither redeemed the grievances complained of, nor dealt with Riel as prudence dictated; so dangerous a man should have been closely watched and as soon as he began to unite the people to revolt he should have been arrested and treated as his crime deserved."

I now proceed to ask the question: Was the Government responsible for the rebellion? Hon. members opposite said, yes; the hon. member for West Huron (Mr. Cameron) said, certainly; the hon. member for Megantic (Mr. Lange-lier) endorsed that opinion; the hon. member for Quebec East (Mr. Laurier) voiced that opinion also. But we find one of the hon. members who are now opposing the Government on this question recording his opinion upon it. We find the hon. member for Jacques Cartier (Mr. Girouard), last Session, expressing his views upon the question and repeating them in a speech before his constituents. That hon. member, on August 15th, said:

"It is evident that the Government is not responsible for the misfortunes of the North-West. What, then, was the cause of them? 1. The spirit of revenge on the part of Riel. 2. His blind and inordinate ambition. He believed himself to be the King of Heaven and Earth, with power to dispose of the whole world, and speaking as a prophet out of God himself. 3. The agitation of speculators and agents of American companies, whose interest it was to promote trouble. 4. The cries raised by certain hungry and disappointed politicians; and lastly, the inflammatory tone of certain articles in the journals that guide a portion of public opinion, such as the *Globe*."

So the hon. member for Jacques Cartier, who is not in accord with the Government on this question, is with them on one point, namely, that the Government were not responsible for the rebellion, and that the responsibility for it lies at the door of Riel and the *Globe* newspaper and other organs of that party. Father McWilliams also gives his opinion as to the responsibility of the Government for the rebellion. On November 26th, 1885, he was interviewed, and the following is an extract from what he said:—

"Q. What do I consider caused the rebellion?—A. Well, I believe that the poor people were goaded on by capitalists who had gone into the North-West and received vast territories of land around Batoche and Prince Albert, which I am told is the garden of Canada. You are probably aware that the immigrants to the North-West are totally ignorant of the country and live in mental terror of the noble red man, and the half-breed is next door to an Indian. Well, then, the capitalists seeing their fortune was not accumulating as they desired, incited the poor people who looked up to them, to rebellion, in hopes that they could drive the Indians and half-breeds out of their homes and then secure for themselves the land."

So, according to Father McWilliams the responsibility for the rebellion rested entirely with speculators who goaded the people on to rebellion. We have other high authorities. We have Father Fourmond, who wrote letters which were published in several of the newspapers. They have appeared at length in some of the Quebec and Manitoba papers. He is asked the question as to the author of the North-West rebellion. He states as follows:—

"Who is the author of the North-West troubles? It is Louis Riel, and, as he is the author of them, it is he alone who deserves to be punished. If like me, you had followed the steps and studied the hypocrisy, the cunning and the secret arts that Riel has used to deceive and seduce these people and drag them into rebellion, whether they would or not, you would, as I do, cast upon that cruel and tyrannical man all the blame of that revolt. Riel made use of their religion; he made use of their ignorance, of their simplicity, touching every sensitive chord, to make them the dupes of his ambition."

"There are persons who say that Riel is mad, but the more his conduct is examined the stronger must be the conviction that that nefarious man under the appearance of madness preserves the plentitude of his reason."

All his plans have a sequence and a directness which show a fixed purpose to attain his end, and at the same time to escape the gallows if his criminal undertaking should fail. Riel must bear all the responsibility of this rebellion. He alone is to blame for all the calamities that have happened or are still to happen—the necessary consequences of those troubles which have caused us all so much suffering."

What does the hon. member for Rouville (Mr. Gigault) say to that? These authorities are recognised by their church as celebrated divines, as persons in whom they have entire confidence and against whose reputation nothing can be said. Yet they say the whole responsibility for the rebellion rests on Riel and the Grit organs in Ontario. I now come to the question, did Riel have a fair trial? And in discussing this point it will be necessary to refer to different observations made by persons connected with the trial and other evidence. The hon. member for West Huron (Mr. Cameron) in his inflammatory speech, said:

"I propose, however, to discuss the question of the fairness of Louis Riel's trial, and I say, at the outset, that in my humble judgment, after giving this matter the most careful consideration, I have come to the conclusion that the scantiest possible measure of justice was meted out to Louis Riel in the trial of that case. And I go beyond that—it was not the kind of justice which we are accustomed to in the administration of the criminal law in the Province of Ontario or in the British Empire."

Sir, that was well answered by the hon. member for Montreal Centre (Mr. Curran). He read from the speech of the hon. member for West Durham (Mr. Blake), delivered at London, in which he thoroughly justified the course pursued by the Government on that question. He thought that Riel had had a fair trial; he had no reason to think that he had not had a fair trial, and, on the contrary, he said that the country had the best guarantee of the fairness of the trial in the fact that the most eminent counsel in Ontario were engaged on behalf of the Crown. The hon. member for West Huron, however, gives himself entirely away towards the end of his speech where he says:

"I know, Mr. Speaker, the counsel representing the Crown too well—two of the ablest counsel practicing at the Canadian bar, gentlemen distinguished for their honor and integrity—I know them too well to believe that they would have been parties to any proceedings of this kind. I charge that this Government instructed the judge and instructed the counsel to press on the trial of this case, to press it on at that sitting of the court, and not give the prisoner an opportunity that every prisoner is entitled to in order to prepare for his defence."

There you see, the hon. member for West Huron says that the counsel were reliable men—men whose reputation was at stake, and men whom he knew would not be found allowing any Government to interfere with their right of action, or the course they were bound to pursue towards the prisoner at the bar. It does seem to me that when the hon. gentleman makes these statements—statements which I say are not founded on fact—when he charges the Government with having sent such instructions to Crown counsel, he should be prepared to substantiate those accusations. We have the instructions which were given to the Crown counsel, and from them the House will be able to see how much reliance can be placed on the statements of the hon. member for West Huron, when he says that instructions were given to them to act differently from what they appear to have acted on the trial. In those instructions there is not a word of the kind suggested by the hon. gentleman, for the Minister of Justice knew right well that he dare not give such instructions as the hon. member for West Huron alleges were given, to such counsel as Mr. Robinson or Mr. Osler, or any instructions which would be inconsistent with their duties to the Crown, to the people and to themselves. Here is the letter of instructions which was given to the counsel for the Crown:

"To Messrs. C. Robinson, Q.C., B. B. Osler, Q.C., G. W. Burbidge, Deputy Minister of Justice, T. Chase Casgrain, D. L. Scott."

"GENTLEMEN,—In the matter of the prosecution of Riel and others, growing out of the recent rebellion in the North-West Territories, and in which you are engaged as counsel in behalf of the Crown, I have thought it best to send you this note of general instructions."

"1. Riel and all the leading men among the prisoners, white or half-breed, to be prosecuted for treason.

"2. The Indians who committed the murders to be prosecuted for murder.

"3. Other Indian chiefs and principal men to be prosecuted for treason.

"4. I think after a certain number of convictions many prisoners will probably plead guilty.

"5. I think it would be well at this stage that you should report to me for further instructions.

"6. The object of the Government would be accomplished by the obtaining of a certain number of convictions. I should expect to hear of 30 or 40 leading half-breeds or white men and leading Indians having been found guilty.

"7. It may be from the information the Government has, and it seems probable, that the rebellion has been encouraged actively by whites, particularly of Prince Albert. Nothing in the whole duty entrusted to you is, I apprehend, more important than that we should, if possible, find out some of the men who have with far better knowledge than the half-breeds and the Indians stirred them up to rebellion, and your special attention is asked to this point.

"I am, etc.,

"A. CAMPBELL,

"Minister of Justice."

Now, Sir, what are the facts in relation to that trial? It is said it was carried on improperly. Riel was arraigned on the 6th July; he was formally brought into court and before him was placed the charge made by Chief Stewart, of the city of Hamilton, and at the request of his counsel the case was adjourned until the 20th July. On that day he made another request for adjournment, and he asked to have certain witnesses brought forward. He asked that he might have some witnesses from the Province of Quebec, some from the Province of Ontario, and others from the United States. The Crown acceded to all these requests, except the one with regard to witnesses from the United States. They refused to give a passport or indemnity to witnesses coming from the United States, who were implicated in the rebellion, to testify with regard to the rebellion; but they gave him the time he wanted, and that time was accepted as sufficient, when his counsel found they could not have the witnesses from the United States. The member for West Huron has cited Chitty and Archibald to show that in cases of high treason delays are granted by the Crown and the judges. That is true; but the circumstances must be placed before them, and they must be satisfied beyond a reasonable doubt that the witnesses are necessary, that they have taken means to procure the attendance of the witnesses and failed, and also that there is some probability of getting them within a reasonable time if the delay be granted. When that was shown in this case, those acting for the prisoner were granted sufficient time. If you examine the *Globe* of 13th July, 1885, you will find that when application was made for a month's delay, Mr. Fitzpatrick, the counsel for the prisoner, addressed the court and said:

"May it please your Honor, I, in behalf of the defence, assume the responsibility of accepting the delay, which, as stated by the Crown counsel, the Crown is prepared to offer us."

So up to that time there was no apprehension that time would not be given to bring forward the necessary witnesses, but, on the contrary, he said he assumed the responsibility of accepting the delay, and he was satisfied with it. Yet these hon. gentlemen; and especially the hon. member for West Huron, says: Look how they rushed on the trial—a trial upon which they should not have hung a dog. That is the choice phrase used by the hon. member for West Huron; and not only was the time granted, but the Crown paid the witnesses. Now, if the hon. gentleman had been fair to this House in quoting from Chitty and Archibald, he would have gone on to the next line and would have found that in the case of witnesses out of the country time is not granted, unless a commission is applied for to examine the witnesses. The hon. gentleman would not read that to the House, for he wanted to convey the idea to Parliament and the country that the Government

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wanted to hurry on the trial and would not give the prisoner a fair opportunity to defend himself. Let us take another witness on this point. I do not say it is a reputable witness, because I do not think much of it. I refer to the *Hamilton Times*, which said on the 3rd August, 1885:

"The jury at Regina has found Louis Riel guilty of treason. The trial we believe was a fair one. There was abundant evidence that Riel headed an insurrection against the Government, which was only suppressed with loss of life and destruction of property. The jury could not, on the face of that evidence, find him innocent of the crime charged to him."

What do we find the prisoner himself saying, in addressing the jury, as reported on page 147 of the pamphlet relating to the trial:

"Bless also the lawyers for the Crown, because they have done, I am sure, what they thought their duty. They have shown me favors which at first I did not expect from them."

There was a meeting at Papineau square at which the little army for the Saskatchewan was present, headed by the hon. member for Quebec East (Mr. Laurier), and at that meeting Mr. Fitzpatrick made a speech. He said:

"It was unfair to arraign before the tribunal of public opinion the judge and jury who tried Riel. They were simply the instance of the law, and it was found in the Statute-book. The law was passed by our own representatives, and we were responsible for the iniquitous portion of it."

So, up to that very time, in the presence of the hon. member for Beauharnois (Mr. Bergeron), the hon. member for Quebec East (Mr. Laurier), the hon. member for Jacques Cartier (Mr. Girouard), and other hon. gentlemen, Mr. Fitzpatrick gave this testimony to the manner in which the prisoner was tried; and yet some hon. gentlemen have the effrontery, the audacity, to stand up in this House and declare that the trial was not a fair one. But let us follow the matter further. Mr. Fitzpatrick went to England, and in an interview with the representative of the *New York Herald* he said:

"Most of those who are in favor of Riel are French Canadians. They look upon the trial as one conducted under a system entirely unknown in the Province. There was no justification for a rebellion."

What does the hon. member for Quebec East, and the hon. member for Megantic, say with regard to that?—that there was no justification for the rebellion:

"and throughout the trial the Government tried the case fairly. But it was never believed by the people that the statute meant to give the Government power to deal with high treason in a summary manner."

Then we find that one of the judges of the court of Manitoba—not a Conservative judge, but a judge of the Reform party, Mr. Justice Killam—said:

"I agree with him also in saying that the prisoner has been ably and zealously defended, and that nothing that could assist his case appears to have been left untouched. If I could see any reason to believe that the jury, whether from passion or prejudice or otherwise, had decided against the weight of the evidence upon the prisoner's insanity, I should desire to find that the court could so interpret the statute as to be justified in causing the case to be laid before another jury for their consideration, as the only feelings we can have towards a fellow creature who has been deprived of the reason which places us above the brutes are sincere pity and a desire to have some attempt made to restore him to the full enjoyment of a sound mind."

Will the hon. gentleman point to a single instance in which Mr. Fitzpatrick claimed that the prisoner had not had a fair trial. If it had been the case that the trial was not fair, or that the judge had acted partially towards the Crown and against the prisoner, Mr. Fitzpatrick and Mr. Lemieux would have raised an objection, and asked the judge to note it. But no such objection was raised. On the contrary, we find throughout the whole trial a disposition on the part of the defence to put evidence of an improper character before the court. This was objected to by Mr. Osler and the other gentlemen acting for the Crown; but, with a desire to help the prisoner and in the

interest of humanity, they waived their objection, and allowed the counsel for the prisoner to give any evidence they pleased. Then there was an appeal to the Lords of the Privy Council, and what do we find there? Mr. Bigham, the counsel for the prisoner, said:

"The petitioner has been tried for the crime of high treason and found guilty, upon evidence which was not questioned in the court in the first instance, and therefore it was to be assumed that if the petitioner were responsible for his actions, as to which there appeared to be some doubt, he was guilty of the crime of which he was charged. The question in the first instance, and insisted upon in the Court of Queen's Bench, was that he was not responsible for his actions, but the Court of Queen's Bench, which undoubtedly had power to hear the appeal, came to the conclusion that the verdict in the question of insanity was abundantly supported by the evidence."

In the judgment of the Privy Council, on page 201, we find the following:—

"The jury before whom the petitioner was tried negatived that defence (insanity), and no argument has been presented to their Lordships to show that that finding was otherwise than correct."

So, you will see that this man Louis Riel had not only every opportunity to call whatever witnesses he desired at the expense of the Crown, but to take whatever time he wanted to call the witnesses, and to present to the jury and the court all the facts necessary to his defence; and yet the jury found him guilty. What else could they do? When the hon. gentleman examines the whole record and all the facts, I am satisfied that he must see that the prisoner was tried fairly under a law placed on the Statute-book by his own friends. Now I come to the question, should the prisoner have been punished? Upon that question, I wish to call into court the evidence of men whose evidence is not altogether reliable, judging from their antecedents, yet of such a character that their friends must believe it. I want to call into court the *Globe*, the *Advertiser*, and other newspapers of the same kind, in order to show the country the hypocrisy of those gentlemen and the vacillating, shilly-shally course they have pursued on this question from beginning to end. First, they cried aloud for vengeance and blood; but when they saw a chance of reaching the Treasury benches, what did they do? They said, this is a cruel thing, this is a judicial murder, to hang this man. They thought they saw power looming up in the distance. They had power before for five years, and they were sent ignominiously out of power by the people. I remember the eloquent language in which the hon. member for West Durham said, I appeal to the tribunal of the people. He did so, and the righteous indignation of the people placed him and his followers where they are now. Now, what was the course pursued by these hon. gentlemen and their organs previous to the trial? This is not the kind of literature I like to indulge in, but it is the kind they like to wallow in, and I now give it to this House. On March 26th, 1885, I find the *Globe* saying:

"If such crimes as are reputed have been committed it will perhaps be thought necessary that the leaders, at least, should be punished. But what is to be done with Riel this time? He, it seems, incited the people to revolt. He, it is said, leads those who have committed so many grave offences. Shall we again have a price set upon his head?"

Then, on March 30th, we find the following language in the same strain:—

"The first feeling was that of profound regret. The next was that law and order must be maintained at any cost, and that the insurgents, no matter what the grievances may be, must be taught that armed resistance to the supreme authority is a crime so great as to deprive them of all claim for sympathy."

That was the declaration made by the leading organ of the party, and it was echoed throughout the Province by all the smaller lights of the party. On March 31st, we find the *Globe* belching forth its language in this style:

"The rebellion must be quelled, and all parties must heartily sustain and assist the Government in restoring peace in the North-West, and in bringing to justice those who have incited those people to insurrection."

Who were they? On March 26th the *Globe* stated who they were; it said Louis Riel was the man. The hon. member for Jacques Cartier (Mr. Girouard) and eminent divines have said the same thing. Some time afterwards, when the rebellion was well under way, the *Globe* thought it well to agitate for amnesty to all who joined in the insurrection except Louis Riel. On April 4th we find the following in the *Globe*:—

"It is to be trusted that Major-General Middleton's instructions include offering an amnesty to all except Riel and the few who fired on Major Crozier's flag of truce, if any such firing actually occurred, and except those personally concerned in any other outrages which may have been perpetrated."

So you find that the *Globe*, the organ of the party, was determined that any man who had a hand in the rebellion, no matter who he was, should be brought to justice, and should receive such condign punishment as such criminals deserve. Now we find the *Globe* wanted the same miserable man punished—the *Globe* which, to-day, has so much sympathy for our friends from Lower Canada, who swear by it; which has the support of the hon. member for Megantic (Mr. Langelier), who quotes from it and revels in it, and the hon. member for Quebec (Mr. Laurier), who draws inspiration from its utterances. The hon. member for West Durham (Mr. Blake) and the hon. member for Huron (Mr. Cameron) inspire most of its articles, and yet we find that the *Globe* wants the miserable man punished. On May 25th the *Globe* says:

"They were never more in earnest, never more determined that justice shall be done, and that the doing of it shall not be unnecessarily delayed. The mode in which it is to be done they are willing to leave to the Government, but what the Government does they will watch closely, and a policy of procrastination they will not tolerate. They desire that this miserable man, charged with having incited the rebellion, shall have a fair trial; but as they are resolved to have no more rebellions, as they desire to prevent the effusion of the blood of their young men, they will hold Sir John and his colleagues responsible should there be a failure of justice. They make no demonstration, they raise no cry of vengeance. Calm, but stern and determined, they demand that justice shall be done."

This was the language used by the *Globe*, inspired by the hon. member for West Durham (Mr. Blake), or by the hon. member for Megantic (Mr. Langelier), or the hon. member for West Huron (Mr. Cameron), or the hon. member for Quebec East (Mr. Laurier), I cannot tell which. At any rate, they are responsible for its attitude, for they dare not express sentiments other than those expressed by their organ. We find that after the trial these gentlemen also cried for blood. They determined that the leader of the rebellion should be punished; they had no qualms of conscience as to its being a judicial murder then. They knew he was condemned to be hanged, and they were determined that the stern vengeance of the law should be executed. In August, 1885, we find the *Globe* used the following language:

"The moment Riel's letter to Major Crozier was put in evidence, it became clear that the prisoner had been not only a participator in, but the instigator and leading mind of the rebellion. No shadow of doubt remained that he was guilty as charged in the indictment. The testimony that followed only deepened the certainty of his guilt. There never was made out a clearer case, and the only doubt that remained was as to the extent of the prisoner's responsibility."

Where were the members for Montreal (Mr. Coursol) and Megantic (Mr. Langelier) then? Had they taken up arms as they said they would, they would have shared the same fate, according to the *Globe*; the hon. member for Quebec East (Mr. Laurier) would have been given the same dose, according to the *Globe*.

"As to this medical experts differed, and it would have been natural too that the jury should have differed. But the jury seemed to have brushed aside all the medical evidence, and dealing with the facts only, they returned a verdict of guilty. They could do no less."

So says the hon. member for West Durham (Mr. Blake) and the *Globe* newspaper. Let us go on further. The organ wants him hanged at once, but that was before its new friends from Lower Canada began to kick a little over the

traces, that was before the *Globe* found out it was a judicial murder, before these gentlemen began to feel that in the veins of Riel flowed the same blood as in their veins, and before they came to the right-about-face. These gentlemen felt they had to do something in behalf of their countrymen, but the *Globe* did not then believe they were in earnest, and consequently still thought Riel should be hanged. On August 4th it used this language:

"The crime for which Riel has been convicted is one of the most dreadful that can be imagined. It has cost the lives of two hundred Canadians, and has caused the cruel maiming and crippling of probably twice that number. Had his efforts to incite an Indian rising been more successful the white residents in the North-West would, in all probability have been subjected to outrages more dreadful and horrible than can be imagined. It was of the essence of Riel's crime, that he knew what the Indians were capable of, and what atrocities they would probably commit when their savage nature was thoroughly excited. The *Free Press* is right in declaring that nothing of which the half-breeds had to complain could justify Riel's conduct, and that the crime of which he was convicted is perhaps the most heinous that could be conceived. No one who has read the evidence can doubt that Riel richly deserves death."

What does the hon. member for Hochelaga say to that?

Mr. DESJARDINS. We have nothing to do with the Opposition; it is with the Government we have to do.

Mr. RYKERT. We have also another important witness whom I would not wish to place in the same category as that which I have already laid before the House, Sir Richard Cartwright, who stands head and shoulders over some of the Opposition. He delivered a speech at Millbrook on August 17th, in which he said:

"He agrees with him (Mr. Fraser) also that there was hardly any punishment too great to be inflicted on men who had been the cause of shedding so much innocent blood and had inflicted so serious a blow on the welfare and prosperity of the North-West, as those men who were really guilty of instigating that rebellion."

We have still hopes that those gentlemen who at the present are not altogether in accord with the Government will see the error of their ways; we have no doubt whatever that when their blood has cooled off a little, they will feel, as they always did, in sympathy with the great party of progress; we have hopes that they will sink their little differences and come back to their former allegiance. I have no doubt that the hon. member for Hochelaga (Mr. Desjardins) will return to the party from which he has severed himself temporarily, and that the time will arrive when the whole of them, including the hon. member for Rouville (Mr. Gigault) will be glad to rejoin the party of progress and leave the party of bankruptcy. On a former occasion, the hon. member for Jacques Cartier (Mr. Girouard) also delivered a speech, for which he was somewhat berated by the *Globe*. At that time the *Globe* had not extended an invitation to its Bleu friends to come to its little parlor; the *Globe* then considered them as the exorescence of the earth, as clogs to the wheel of Confederation and in speaking of the speech of the hon. member for Jacques Cartier (Mr. Girouard), used this language:

"The Bleus, after having for a time bowed before the public opinion of Quebec, and joined in the declaration that the Metis were greatly wronged, and in the demands for the commutation of the sentence of Riel, have begun again to assert that Riel committed great crimes and that he has no right to the sympathy of Canadians. Mr. Girouard, M.P., a gentleman who sometimes talks in an independent tone, but who nearly always supports the Government, had something to say to his constituents a few days ago. He said the insurrection was an insane act, and there was nothing to justify it. He said the Government had dealt with the Metis in a most fair and just way. He then broached the question, what was to be done with Riel, and read the evidence of Father André, given at the Regina trial, and a letter from Father Fourmond, to show that Riel was a renegade, hypocrite and an impostor, and deserved no mercy or misplaced sympathy—that he had usurped the sacred duties of his pastors, misled the people and driven them to destruction."

What does the hon. member for Quebec (Mr. Laurier) say to that? What does the hon. member for Megantic (Mr. Langelier) say to that? Here they are patting this gentleman on the back, passing him notes asking him to "speak

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now," but I venture to say they will not endorse the sentiments which the hon. member for Jacques Cartier expressed then. They know that the tie which binds them to those who now desert the Government is not strong and will not stand any strain. Another paper of the Reform party—a paper which, I am happy to say, with all its great efforts in behalf of the party, failed to keep my hon. friend the member for East Durham (Mr. Ward) out of the House—said on August the 5th, before the execution:

"It has come to a pretty pass indeed when a red-handed rebel can thus snap his fingers at the law."

Well, Sir, we have another gentleman, I will take another witness; I know he will be glad to be called upon to give testimony. I suppose this gentleman, the hon. member for Bothwell (Mr. Mills), will not object to the little evidence I read a few minutes ago from the *Port Hope Guide*; he will not object to any utterances made by the organiser of the party, this gentleman who ran in the interests of the Reform party in East Durham; no doubt, he will echo them. Well, the member for Bothwell came out like a man on that occasion, for once in his life, as some one here says. On September 26th, 1885, he said in his organ:

"The law makes treason a crime. The law, through its tribunal, has pronounced Riel guilty of that crime and condemns him to death. The functions of the Executive are ministerial, and the law commands their performance. The duties of the Executive as laid down are clear and simple, but he, indeed, would be a simple man who would assume that because such are their duties, they will necessarily be performed."

Now there is the evidence of a young lawyer, a gentleman who was made a lawyer, I believe, by Act of parliament. The gentleman who runs the machinery of western Ontario for the party, that gentleman who is always so fond of giving his opinion upon constitutional law, he declares that the functions of the Executive are ministerial, that they have simply a duty to perform like a clerk in an office, like the clerk at the Table who finds what the Orders of the Day are and has to carry them out. He says:

"The functions of the Executive are ministerial, and the law commands their performance. The duties of the Executive as laid down are clear and simple, but he, indeed, would be a simple man who would assume that because such are their duties, they will necessarily be performed."

That is the evidence of the member for Bothwell. I leave the House to judge how reliable that testimony is. I venture to say that, when the vote is taken, we shall find him facing right-about. Now, I would like to give some more literature from the hon. gentleman, who devotes most of his time to that sort of thing. He thought he would write an article on the sentiment of race, but in that article he gives an unmerciful blow to our Bleu friends. He had not any idea that Ontario was to be given up to French domination, and I suppose he has that idea now.

Mr. MILLS. What is your own idea?

Mr. RYKERT. I rejoice to know that I have always acted with my Lower Canadian friends. I am half a Lower Canadian myself. My mother was a Lower Canadian, and I am thankful to say that for twenty-five years I have stood side by side with the Lower Canadians. Upwards of twenty-five years ago, I was blackguarded by the Grit press because I stood by them and voted for the Separate School Bill, and upwards of twenty-five years ago I was sent to the right-about in my county by the Orangemen and the fanatics, goaded on by the organs of the Grit party, on that account. I have always believed in religious liberty, and no one can point to anything in my record which is not in accordance with that view. I have not shown any bigotry against religious institutions. I knew how they clung to their religious institutions, and I felt that they had a right to them; I felt that they had their right to worship God as they chose, and I have always supported that right.

Mr. LANDERKIN. Continue the argument.

Mr. RYKERT. I am coming to it. I am not nearly done with it yet.

Mr. LANDERKIN. Go on with the scrap-book.

Mr. RYKERT. I have some more in the scrap-book, and I have not done with the hon. member for Bothwell yet or the hon. member for Grey. The hon. member for Bothwell, writing an article a little while ago on the subject of race, on the 8th September, 1885, thus delivered himself:—

“But the question still remains, why should the Province of Quebec come to the rescue of Riel? Why should Quebec do for Riel what it would never have thought of doing for anyone who was English, Irish or Scotch? Why should it say that anyone having French blood in his veins should enjoy immunities which it would be the last to accord to a man of any other race? Why should it wholly ignore Riel's efforts to produce an Indian insurrection? Why should it overlook the massacre of men and women, of clergymen and laymen, as the consequence of Riel's appeal to the Indians' aid? What is there in Riel's case which makes his life in the estimation of the people of Quebec of so much more value than the many lives he has caused to be sacrificed? We are not demanding Riel's execution; we are simply drawing attention to the demand put forth by the people of Quebec, that Riel shall be dealt with different from other men; that he shall be at liberty to do with impunity what would send any English-speaking man to the gallows.”

These are the sentiments of the member for Bothwell. I wonder what the member for Quebec (Mr. Laurier) says to that. I wonder what his ally from Megantic (Mr. Langelier) says to it, or the member for Rouville (Mr. Gigault), or the member for Bellechasse (Mr. Amyot). No thinking man would endorse the sentiments uttered by that man, though they were uttered by the member for Bothwell. He also gives evidence upon the subject of the conviction. Observe the legal mind—a mind that ought to be able to dissect evidence in a proper and sufficient manner, a lawyer by Act of Parliament who upon every occasion has his legal voice by Act of Parliament thrust into the debate.

Mr. MILLS. I would like to ask the hon. gentleman what he means by being legal by Act of Parliament?

Mr. RYKERT. The hon. gentleman can reply when his turn comes.

Mr. MILLS. The hon. gentleman has no right to insinuate.

Mr. RYKERT. If the hon. gentleman does not know what an Act of Parliament is, he can go to the clerks upstairs and consult them.

Mr. MILLS. He is insinuating what is not true.

Some hon. MEMBERS. Order.

Mr. MILLS. The hon. gentleman persists in insinuating what is not true.

Mr. RYKERT. I am glad to find that there is a different law for one side of the House from that for the other. I was called to order a few minutes ago because I said an hon. member's speech lacked all the characteristics of truthfulness; and I yielded. Now I am addressed in this way by the hon. gentleman, and he is not called to order, but he says what he dare not say outside in the lobby, and what no man on the other side dare say in the lobby. When the hon. gentleman thinks he can interrupt me, he is very much mistaken. I can keep my balance of mind as well as he can, and I am glad to know the difference in the disposition of the two sides of the House towards observing the rules of the House. It is not the first occasion when I have been interrupted by the Speaker of this Chamber, for using language called unparliamentary, and a few moments afterwards members on the opposite side of the House have used the same language and were not called to order for it. I do not accuse the present Deputy-Speaker of doing it, but I have been subjected to that once or twice in this House, and I do not propose to be subjected to that again without testing

the feeling of the House on that question. I was going on to say that the hon. member for Bothwell joined in the hue and cry of the *Globe*, and other Grit organs of Ontario, that Riel was properly convicted. Yet, Sir, he will have the boldness, the audacity, to stand up here to-day and declare to the House that he was improperly convicted. Sir, he sat there the other evening listening to the speech of the hon. member for West Huron (Mr. Cameron), yet he dared not dissent from him, and no doubt he felt humiliated, yet an hon. gentleman behind me states that he applauded the hon. member for West Huron. Yet this is the hon. gentleman who formerly contended that Riel was properly convicted. Now, for the benefit of hon. gentlemen from Quebec, I would like to read what he said. Mind you, I am not altogether done with the hon. member for Bothwell yet. I have several more of his choice quotations. In the *London Advertiser* of September 19th, 1885, I find the following language:—

“No one can maintain that Riel was not properly convicted upon the evidence submitted. Whether he is sane or insane is a question upon which experts examined before the court differ in opinion, so that a conclusion even on this question is one which in all probability would have been reached by jury in the Province of Ontario or Quebec as well as by the jury who tried the case. The point then which the Judicial Committee will have submitted to them will not be that he was unfairly tried or unjustly sentenced, but whether the tribunal before which he was tried was a legal tribunal having jurisdiction in the case.”

So you see here he had no sympathy whatever with those who said he was improperly tried. I will quote from him again, and I apologise to the House for being obliged to quote again from the hon. member for Bothwell. I hope he will not interrupt me, as he has done in your presence, and tell me that what I say is not true, though I have no objection to his saying so outside of this Chamber. Yet I propose still further to call him as a witness. I will not say he is a reliable witness. He is a witness in whom I have very little confidence, but in whom the members of that side of the House have implicit confidence.

Mr. MILLS. I wish to correct the statement that the hon. gentleman has made relating to me personally, and I think it is my right to do so. The hon. gentleman, after my denial, has persisted in making the statement that I was made a member of the Bar by Act of Parliament. I say, Sir, that is not true. I say it is not true, and the hon. gentleman has no right whatever to persist in an untruthful and malicious statement of that sort.

Mr. SPEAKER. Of course the hon. gentleman will accept the statement that is made.

Mr. MILLS. He does not accept it. He has no right to go on and make a misstatement.

Mr. RYKERT. I have not said anything just now about his being made a member of the Bar by Act of Parliament, but I did a moment ago state that he was a member of the Bar by Act of Parliament, and probably gave him more credit than I should have done. Let us, then, listen to this very reliable witness again. This is what he said on the 7th November, 1885:

“It may be that Riel will be hanged. This unquestionably was the intention of the Government at the time of his arrest, and all the Government supporters, Tories and Bleus, were at that time content that if Riel was convicted he should be executed. The Tory supporters of the Government favored it, because of what he had done in the first rebellion, the Bleus because of what the Government did that led to the second rebellion. Certainly if he were possessed of his rational faculties, the killing of Scott was an atrocious murder, for which he deserved to die, but for which offence he was pardoned. Scarcely less wicked was his attempt to stir up the savages of the North-West and let these cruel and bloodthirsty men loose upon unoffending settlers. An Indian war is always a most serious affair, and the white man that prompts it and seeks to persuade the Indian population to engage in the massacre of unoffending women and children is deserving of no sympathy.”

Now, Mr. Speaker, I would like to ask the member for Quebec East (Mr. Laurier) if he agrees with that sentiment. The hon. member for Rouville (Mr. Gigault) probably will

not. Now, let us see what his pastor and his spiritual adviser states, and I would like to know if they are not to be recognised in this House. Did they not tell the country that some of their kinsfolk were butchered by the savages incited thereto by Louis Riel, and let loose upon unoffending settlers? We find a letter published in Prince Albert, June 12th, 1885, in the following language:—

"We, the priests of the district most particularly affected by the rebellion, to wit, St. Laurent, St. Antoine, Grandin, Duck Lake, and Batoche, since it was there, in the midst of our people, that Louis David Riel had established his headquarters, desire to draw the attention of our fellow countrymen in Canada to these facts: this miscreant, Louis David Riel, does not merit the sympathies of the Roman Catholic Church or the members of that Church, having usurped our mission as priests, and robbed our people of the benefits and consolations it was our duty to render them. He has done all this in his purely personal interest."

Just as I stated in the outset of my remarks, his whole object in coming to this country was his own personal aggrandisement. This letter is signed by Fathers André, Toussaint, Moulin, Fourmond, Vegreville and Lecoq. And Father Fourmond, the parish priest of Batoche, writes as follows:—

"I have been very near death, for if I escaped the bullets and madness of the insurrectionists, war, apostasy, treason, persecution, everything seemed to have been let loose upon us; one might have thought that the end of the world had come. Already we had our anti-Christ in the person of this famous Riel, against whom we were obliged to fight at the peril of our lives in order to destroy the sinister influence he had secured over our poor people.

"My God! what a man! what hypocrisy and what impiety combined! It is for this he ruined our Christian families by pillage and fire. It is by a horrible consequence of his diabolical plans that was shed the blood of the white man and of our beloved and zealous confrères who were massacred by the Indians by his own orders."

And yet, Mr. Speaker, hon. gentlemen pretend that this Government should be censured for having judicially sacrificed such a man. I have another witness. We find the *Winnipeg Free Press* said of Riel's case:

"Riel was fairly tried, deservedly condemned, justly executed. There is no cause to regret his fate; no patriotic Canadian should regret it. It would have been a gross insult to the laws of our country to have permitted him to escape condign punishment."

What does the hon. member for Rouville (Mr. Gigault) think of that? What does the hon. member for Quebec East (Mr. Laurier) think of that? Of course the hon. member for Bothwell (Mr. Mills) highly applauds it. Now, Mr. Speaker, I must again apologise to the House for calling the hon. member for Bothwell as a witness. On the 13th August, 1885, I find his organ delivered itself in the following language:—

"Whether Riel's hallucinations are of the character to relieve him of responsibility is a wholly different question, and one upon which we at present express no opinion. The jury, who had the best opportunity for judging, hold him responsible. It is not at all creditable that interference on his behalf should be based upon his nationality. Frenchmen ought not to do for Riel what they would not do for an English Canadian under the same circumstances."

Listen to that. This is the hon. gentleman who is seeking the alliance of the discontented Conservatives from the Province of Quebec, but with a hypocritical sneer he asks: Who these Bleus are? Is that the kind of man, the kind of representatives of the people who should receive the confidence of our friends from the Province of Quebec? They should know to what they are coming, and before I sit down I shall show them where they will land if they fall into the arms of the Grit party. Probably it may not be amiss to let the country and, at all events, our French Canadian friends, see the record of inconsistency which the Reform party has piled up for itself in Ontario and the Dominion at large. Let us see what jumping-jacks they have been, what somersaults they have made in every direction, one day preaching one thing and another day another. Here are some specimens. Let them go side by side on the records of Parliament and before the people as the utterances of the leaders of the party. Here are men professing to form public opinion, one day professing certain principles,

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and the next day for their own private ends professing different principles: Let me, I say, give a few specimens of inconsistency, so that our friends from Lower Canada may see exactly where they will land when they fall into the arms of hon. gentlemen opposite. The *Port Hope Guide* said before the execution of Riel:

"It has come to a pretty pass indeed when a red-handed rebel can thus snap his fingers at the law."

After the execution of Riel the same journal said:

"It has come to a pretty pass indeed, that in the noontide glare of the nineteenth century political offenders must suffer death if they dare to assert their just rights."

The *Brandon Sun* before the execution said:

"Riel has been found worthy of death by the courts and highest tribunals in the land, and yet the Government, for base purposes, intervene and prevent the just execution of penalties prescribed by laws of their own making."

After the execution:

"And now the wholesale hanging of Her Majesty's subjects who were provoked into hostilities by the horrible mismanagement and neglect of those entrusted and sworn to guard their lives and property and interests, will close the terrible drama."

The *Ottawa Free Press*, which is celebrated for turning somersaults, said before the execution:

"Louis Riel knew well the nature of the Indian, and that with them the usages of warfare were revolting in civilised eyes. When Riel conspired with the Indians he opened the gates of rapine and murder, and for that offence deserved the severest penalty possible."

After the execution:

"The execution of Louis Riel, which took place this morning, will scarcely rank above a State lynching."

The *Belleville Ontario*, a leading Reform paper in the centre of the Province of Ontario, said before the execution:

"Not only as a traitor to Canada and her institutions, the murderer of her sons, but as the deadly deceiver of an ignorant though brave community, Louis Riel deserves the penalty affixed to his offence. That penalty is death."

After the execution:

"He was tried. Eminent jurists claimed that the court was incompetent. He was put on trial for treason—not a capital offence for the past fifty years. He was found guilty, and the jury, with a knowledge of the circumstances of the case and the culpability of the Government, added to their verdict a recommendation to mercy. That recommendation practically meant that, in the judgment of that jury, the uprising was justified to the extent that a life sentence, and not capital punishment, should be imposed. From first to last the conduct of the Government has been a black disgrace to Canada."

Port Hope Guide again, before the execution:

"If the rebel leader is not hanged it will be because Sir John Macdonald dare not go in opposition to the Frenchmen of Quebec."

After the execution:

"We are firmly of the opinion that the consideration of whether he was right or wrong did not actuate the policy of the Government, but because they believed something had to be done to weld the rank and file of their followers to the leaders of the political branch of the Orange order."

The *St. Thomas Journal*, a rather notorious Reform organ, and the organ of the hon. members for East and West Elgin, said before the execution:

"The time is near at hand when the people of Ontario must decide whether they will maintain the Confederation by doing their share to place in power men who will not bend at the selfish demand of a foreign-speaking Province, or whether the Confederation must go."

How do our French friends like that expression—foreign-speaking Province. After the execution the same paper said:

"We would willingly see Mr. Blake at the head of an Administration which depended for its existence upon this fateful French vote. We say, put Edward Blake in John Macdonald's place, even if it be by the hand of the Frenchman, and give him a chance."

Hon. gentlemen opposite are willing to allow Frenchmen to do their dirty work, to place them in the ignominious position of raking up the dirty and old sores of the party. They are making every effort to induce them to oppose the

Orangemen of Canada who have ever been the allies of the Conservatives of Quebec. Such are the kind of men in the Reform party who are trying to form public opinion in Ontario. We go still further. The *Globe* before the execution said :

"The French Bleus rule Sir John's actions to a greater extent than is generally supposed. They are jealous of the progress, wealth and importance of well-governed Ontario."

After the execution :

"The greatest enemies of Ontario have never been the Quebec Bleus, though they have often been so represented."

The *Globe* also said before the execution :

"A vote for a supporter of Sir John Macdonald is to endorse the policy of the man who has for long been subservient to the Quebec Bleus, the most intolerant faction of the Dominion."

How do our French friends like that phrase: "The most intolerant faction of the Dominion." Then we find other organs of the party using most violent language. Not to be outdone by any other organ, the *Globe* said :

"Nothing short of hanging for Riel will satisfy the people of this Province. If he does not get that it will be because the pistol has been put to Sir John's ear by French Canadian influence, and this should be a just and sufficient cause for Ontario to call a halt and demand a reconstruction of the federal ship or a disunion. A French ascendancy is out of the question, and not to be endured or tolerated."

Again the *Globe* said :

"The English-speaking people will not much longer submit to French dictation. If Confederation is to be maintained intact, the laws must be impartially administered irrespective of nationality, color or religion; neither must one Province be allowed to bleed another, as is the case at present. Riel not only shed blood himself, but caused blood to be shed without having the slightest cause to do so. And not to hang such a villain is unpardonable. The demand made in Ontario is not a cry for vengeance, but a demand simply to let the law take its course on a notorious malefactor."

It seems to me that I recollect the expression, "Go unwhipt of justice," in a certain resolution moved by the hon. member for West Durham (Mr. Blake) in the Ontario Legislature. If hon. gentlemen have not had sufficient material on this point, I can give them more; but the people will be able to see from the extracts I have given what a set of hypocrites the Reform party has outside of Parliament trying to direct the public opinion of the country. People will be able to understand from the quotations I have given that they are capable of doing almost anything. At one time they are denouncing the Government for extravagance and corruption, and the next day when they obtain office they are guilty of greater extravagance and corruption. One day they are crying out for the blood of Riel, and the next day they term his execution a judicial murder. That is the course of the party from beginning to end, and when the sober sense and judgment of the people is asked they will declare, as they have done on two previous occasions, that those men are not deserving of their confidence. I now come to another branch of the subject, a branch upon which my friend from Grey (Mr. Landerkin) and myself may, perhaps, not take issue. It is a branch not peculiarly within the province of the hon. member for Bothwell, although that hon. gentleman does monopolise almost every subject when he writes in his paper. Still it is a medical subject, as to which I am sure the hon. member for South Grey will agree with me. One thing struck me as being remarkably singular, though I should not have been struck with its singularity if I had remembered the antecedents of the hon. gentleman, and that is the extraordinary utterances of the hon. member for West Huron (Mr. Cameron). I cannot conceive how a man can stand on the floor of this Parliament and declare in the presence of the assembled wisdom of the country, in the presence of the representatives of the people, that he will approach this subject with careful consideration, that he will separate it from all bias and all previous opinion, and discuss it fully and impartially—I say I cannot imagine how a man could make that public declaration, and still

should go to the library, bring a book from it and make quotations from it which he knows are not correct. That hon. gentleman has been convicted on a former occasion, and I will convict him now. I will not say he did it maliciously, for that perhaps would not be parliamentary; nor will I say he did it wilfully, for that would not be parliamentary; but I will say that it is not creditable for a representative of the people to stand on the floor of Parliament and make use of expressions which are not corroborated by the facts. It is not creditable to a member of Parliament, and especially one who is a lawyer, to sacrifice his reputation as a lawyer, if he ever had one, by making statements which are not correct. We all know that there is nothing by which a lawyer can disgrace himself more, nothing which will more completely justify a court in taking his gown from him, than that he should stand up and pretend to quote law which is not law. I have seen a lawyer in this House quoting law which he knew was appealed and overruled, and still he had not the manliness to say that he was mistaken. I find that the hon. member for West Huron has been guilty of quoting a lot of old Yankee law and palming it off on the House for British justice. More than that, I have the very book from the library which was marked by himself, and had he desired to do himself justice, or to do this House justice, he would have quoted the observations which he himself marked, preceding those which are mentioned in his speech. Let us see what the hon. gentleman says. The question of insanity is a broad question, I admit, but is a question which, fortunately for the legal fraternity of this country, has long been settled; and when we find a lawyer standing up in Parliament and speaking of the McNaughten case and misquoting the law, as laid down by the Privy Council, what can we think of him? Can we for a moment believe that he desired to make his reputation as a lawyer, that he wishes for the future to be looked upon as a gentleman dispensing law—as an embryo Minister of Justice in the Grit Government which is to come in about 20 years hence? That is the gentleman who from time to time rises in his place, and with dignity and self-assurance, thinking possibly that when he uncovers his head he uncovers the whole wisdom of the country—with all the arrogance, the assurance and brass which it is possible for a gentleman to assume, deliberately misstates and misquotes the law.

Mr. SPEAKER. Order, order.

Mr. RYKERT. Well, I did not think, Mr. Speaker, that the word brass was unparliamentary.

Mr. SPEAKER. I must ask the hon. gentleman not to state that an hon. member has deliberately misquoted or misstated.

Mr. RYKERT. I will say misquoted, but I will leave out deliberately. Of course there are some expressions used on the other side of the House which are parliamentary there, but are not parliamentary when used on this side. The hon. gentleman used such words as outrageous and other expressions which I would like collected for the benefit of this House. He used words and phrases of the most extraordinary character—of a character which would imply criminality on the part of the Government, and they were used without his being called to order, and yet I am being called to order because I said his speech lacked the most essential element of any speech in this House, and that is truthfulness. I recognised your bidding, but I was told afterwards that I had told an untruth, and the hon. gentleman who said so was not called to order.

Mr. SPEAKER. I beg the hon. gentleman's pardon. I may make a mistake, but if I do it is an error of the head and not of the heart. I try to keep order, and it is my desire that hon. gentlemen on both sides should be as little personal in their remarks as possible.

Mr. RYKERT. I am glad you have laid down that rule and I only hope it will be enforced, and that it will not be applicable to one side more than the other, because I have experienced that difficulty this afternoon, and I did not feel, as a member of Parliament, that I should stand it any longer without taking the sense of the House. Now I will proceed to discuss, as I have said, one of the most important questions ever discussed in this Parliament—that is, the question of the sanity or the insanity of Louis Riel. It is important because the members from the Province of Quebec have placed that question as an issue between themselves and the Government. These gentlemen have declared, Sir, in their utterances outside of Parliament, that it was a judicial murder to hang a man who was insane. They have assumed that the man was insane, though the jury at the trial found to the contrary. They say that the Government should have issued a commission to see if there was evidence of insanity, though they have not shown that after his conviction there were things discovered in his character, his manner, or his actions, indicating that he was insane, and they assume that it is right to challenge the decisions of the courts of the Province of Manitoba, and the decisions of the jury. They say that, notwithstanding that the jury found that he was perfectly sane, notwithstanding that the courts of Manitoba have, upon review, stated that the jury were justified in finding their verdict, notwithstanding that the highest court in the land has publicly declared that the trial was a fair and a just trial, and that the evidence justified the verdict,—these gentlemen have assumed, notwithstanding all these things, to say to the country and to tell this House, that it was the duty of the Government, under these circumstances, to issue a commission for the purpose of trying his insanity. They have made that the issue. The hon. member for Bothwell (Mr. Mills) did not make it the issue; nor did the *Globe* and the other organs of the party. The hon. member for Bothwell said that it was a purely ministerial and not an Executive matter. He declared publicly as a lawyer and a journalist that the Government of this country had no other duty to perform but to carry out the sentence; that their duty was Ministerial purely; that they had no more power to say whether he should be hanged or not than the clerk at the Table. I say, therefore, it is for us to consider these matters, and to say whether the Government performed its duty, whether they acted consistently with their duty to themselves in allowing the sentence to take its course. The hon. member for West Huron, in discussing the question of insanity, laid down the law as he said the law is. I am sorry I cannot say that he did not try to make it appear as it should be; but I will not infringe on the rules of parliamentary debate. The hon. member in making his speech, made this observation:—

“There is a popular misapprehension—”

I do not know where the misapprehension is unless it is in his own mind:

“There is a popular misapprehension as to the rule that ought to prevail in criminal cases when insanity has been set up as a defence. The popular opinion is, that if a man is able to distinguish right from wrong he is held responsible for violation of law. I say, Mr. Speaker, that that is an entire misapprehension of the law.”

And you will recollect with what force and in what a theatrical style the hon. gentleman said: “I say it is not the law of the land.”

“A man may be able to distinguish right from wrong, a man may be perfectly rational upon every subject but one, and if he commits an offence within the scope and limit of that subject, then in the eye of the law he is not responsible. Now, I observe that the Minister of Public Works has fallen into this error in discussing this question. I say there is no excuse for him, and there is no excuse for the Minister of Justice, if they have fallen into that error. It is an error into which it appears to me the medical commission sent up to investigate the mental condition of Louis Riel have also fallen; because I observe that after they pronounced that he was suffering under two delusions, they say he was

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perfectly responsible. I say it is not a proper rendering of the law; I say it is not the law of the land.”

That is the utterance of the hon. member for West Huron, and it is just such an exposition of the law as we might expect from that hon. gentleman, who has the habit of not always quoting the law and stating facts as they really are, whether from misapprehension or not I cannot say, if within the bounds of parliamentary order. I would like to say more than that. I say he ought to have known the law. If he did not know it, he should not have assumed the right to expound it in this House. Assuming an air of importance which belongs to the position which he hopes some time to occupy as Minister of Justice, he declared the law to be different from what is laid down by learned commentators and celebrated writers—different from what he himself found it to be, as laid down in the Manitoba Court by Chief Justice Wallbridge, Mr. Justice Taylor, and Mr. Justice Killam. I will not go so far as to say that he did not read the case tried before that court; but if he did read it, he must have seen that the judges based their decision on the principle of law which is thoroughly established and well recognised by all English-speaking people. It is well known that the McNaughten case settled the law on the subject of insanity. After the trial of that unfortunate man, although he was acquitted, the House of Lords was called upon to ask the judges of the Privy Council to expound the law. They did expound it, and that law is so expounded and laid down in the very work which the hon. gentleman had in his hand while he was speaking, and I see that the passage is marked by himself. Now, Sir, what did the hon. gentleman say?

“Wharton & Stille, in their work on Medical Jurisprudence—

He forgot to tell us it was a celebrated Yankee work—

“lay down the following law:

“That the ‘right and the wrong’ test does not cover all the cases of legitimate insane irresponsibility. Medical observation, based on an induction which each year makes at once more extended in its materials and more absolute in its results, tells us that there are persons unquestionably insane who are capable of being instructed in the law of the land, if knowing what this law is, both in its general character and in its results, and of being deterred by proper sanction from breaking such law.”

That is the law as laid down by Wharton & Stille, on page 122, and I find the letter “C” marked beside it, I suppose by the reporter, and meaning “Cameron.” If the hon. gentleman was desirous of letting the House and the country know what the law really was on that question; if he had so small an opinion of the knowledge of the members of this House as to suppose they did not know what the law was, why had he not the fairness and candor to read what is marked by himself just preceding the passage he read, which states what he knew was not the law at all?

Mr. COOK. How do you know he marked it?

Mr. FERGUSON (Leeds). How do you know he did not?

Mr. RYKERT. I do not know whether the reputation the hon. gentleman has for betting is true or not, but if he is prepared to put up a little sum for the benefit of the Ottawa Hospital I would like to bet him on it. Now, Sir, what does the author say at page 122? And I wish to draw the attention of the hon. member for West Durham to it, because it seemed to me that when the hon. member for West Huron was speaking I could see a scowl on the face of the hon. member for West Durham. It seemed to me that the hon. gentleman was indignant at the idea that any gentleman who pretended to aspire to the position of Minister of Justice should have the audacity to make such an exposition of law. I felt for the hon. gentleman; I knew that his corporal was put up to expound the law for his party; I knew what he was telling—I will not use an unparliamentary expression—was not correct and that which no person

would look on as the law of the land. This is what the author says at page 120 :

"But it is proper here to state that by the Courts of England, of Massachusetts, of New York, and perhaps a majority of the American States, in decisions to which reference has been already made, the two forms of defence which have been just stated are rejected, and the 'right and wrong' test, with greater or less emphasis, is declared to be that by which alone insanity, as a defence, is to be defined."

The hon. gentleman says that is not to be the test; yet that is the law as stated by the very author from which he quotes, and in a foot note the very case of the Queen vs. McNaughten, to which he referred, is cited. Therefore the hon. gentleman, I will not say did know, but I say ought to have known, when he was reading law from one page, that that was the American law, and he was bound to say whether that was the law of the land or not. It says further :

"Did the defendant know enough to distinguish right from wrong as to the particular case? If so, the defence of insanity is not made out. If not, he is to be acquitted. In England, this rule continues to be laid down, in cases which will be hereafter fully discussed with inexorable rigor; and such is the unanimity with which it is uttered that there is no probability of its being changed except by Act of Parliament."

Now, Sir, the hon. gentleman must have known that; I will not say he was so ignorant as a professional man as not to have known it; I will not so underrate him as a lawyer, even though he may be a fifth rate lawyer, as to say that he was not aware that such was the law of the land. Now, Sir, let me go a little further. I am sorry to be obliged to give the case so much importance; but we have been called upon to pass our judgment upon it, and the people have been so misinformed that it is necessary that they should know what the law is and how it applies to a particular case. Now, let me point out what Mr. Stephen says in Blackstone's Commentaries :

"The judges on a late occasion, however, gave it as their opinion that if a man who takes another's life appears to have known at the time that he was acting contrary to law, his being under an insane delusion that he was thereby redressing some supposed grievance or producing some public benefit, will not exempt him from the guilt of murder; neither will he be exempted by being under an insane delusion as to facts; provided that the supposed facts, if real, would not have justified the act; but that, on the other hand, he will be exempted by such delusion as last mentioned where the facts, if real, would have justified the act."

That is the law as laid down in Blackstone's Commentaries, page 103, Stephen's edition. Hon. gentlemen will see from those two authorities that the hon. member is entirely mistaken, and made a quotation which, to my mind, is not creditable to a lawyer. What were the questions asked by the House of Lords? When I cite the question asked and the answer given, every hon. member of this House, every tyro in the profession, every student at the Bar, will tell you there never was a case so like the case before us as the McNaughten case. Well, in the McNaughten case the man was acquitted—

Mr. LANGELIER. Hear, hear.

Mr. RYKERT,—but the House of Lords held he was wrongly acquitted. Take the decision, and see what it says. I will quote the question, then the answer, and, perhaps, the hon. member for West Durham (Mr. Blake) will not turn up his nose so indignantly. Of course, as he is the leader of the Canadian Bar, I feel some delicacy in arguing law points with him. I know that in Chancery cases he thoroughly understands the law, and I must there give place to him, but I submit that in questions of criminal law there are others who have knowledge at least equal to his. On questions of Chancery law, trusts and that sort of thing, no doubt, however, the hon. gentleman has a thoroughly well-balanced mind and is fully developed. I find at page 105 of Bennett's Leading Cases, second edition, this language used :

"The same test of legal responsibility was deliberately pronounced by the judges of England, after great and anxious deliberation, upon questions put to them by the House of Lords, after the trial of McNaughten, 10 Clarke and Finely, 200, one of the most striking cases of insanity on record. The first question was: What is the law respecting alleged crimes committed by persons affected with insane delusion, in respect to one or more particular subjects or persons; as, for instance, where at the time of the commission of the alleged crime, the accused knew he was acting contrary to law, but did the act complained of with a view, under the influence of insane delusion, of redressing or revenging some supposed grievance or injury, or of producing some supposed public benefit?"

Could there be a stronger case than that?—a case parallel in every respect to the one we are considering. To use the vulgar expression some hon. gentlemen at the bar use, it is "on all fours" with the case before us.

"To which the judges answered, assuming that such enquiries are confined to those persons who labor under such partial delusions only, and are not in other respects insane, we are of opinion, that notwithstanding the party accused did the act complained of with a view, under the influence of insane delusion, of redressing or revenging some supposed grievance or injury, or of producing some public benefit, he is nevertheless punishable, according to the nature of the crime committed, if he knew at the time of committing such crime, that he was acting contrary to law, which expression we understand to mean the law of the land."

It being six o'clock, the Speaker left the Chair.

After Recess.

Mr. RYKERT. When the House adjourned, I was endeavoring to show that the hon. member for Huron (Mr. Cameron) had misquoted the law in reference to the question of insanity. I pointed out the fact that he made his quotation from a certain American writer, who had distinctly declared that the law as he laid it down was not applicable to England, that it had not been recognised by the laws of England for a great many years, and had not been recognised by the States of New York and Massachusetts. The hon. gentleman simply quoted an opinion that amounted to nothing, and that, too, in the face of the fact that the learned judges of Manitoba had pointed out the grounds on which they decided the question of insanity against the prisoner. The hon. gentleman relied on the McNaughten case, which is familiar to every professional man in the House, but the hon. gentleman is entirely at variance with the opinions expressed by those learned judges. Justice Taylor, on the trial before the court, stated the law on the subject which I quoted, and gave his opinion :

"This has, I believe, ever since it was laid down, been regarded as a sound rule of law on the subject"

Chief Justice Wallbridge, a gentleman whom, I have not the least doubt, the Reform party recognise as a prominent lawyer, and whose ability is well known throughout the land, said :

"In my opinion, the evidence against his insanity very greatly preponderates. Besides, it is not every degree of insanity or mania that will justify his being acquitted on that ground. The rule in that respect is most satisfactorily laid down in the McNaughten case, 10 Cl. & Fin. 200."

I find it also laid down, in the case of the Queen against Barker, 3 Cox, C.C. 275, by Baron Parker, who is recognised by all authorities as one of the ablest judges that sat on the Bench in England :

"There is but one question for the jury's consideration, viz., whether, at the time the prisoner inflicted the wounds which caused the death of his wife, he was in a state of mind to be responsible for the murder. That would depend upon the question whether he, at the time, knew the nature and character of the deed he was committing, and, if so, whether he knew he was doing wrong in so acting."

That sets at defiance the law as stated by the hon. member for Huron (Mr. Cameron). Then we have still further the opinion of that learned judge :

"This mode of dealing with the defence of insanity had not, he was aware, the concurrence of medical men: but he must nevertheless, express his concurrence with Baron Rolfe's views of such cases, that learned judge having expressed his opinion to be, that the excuse of an irresisti-

ble impulse, co-existing with the full possession of necessary powers, might be urged in justification in every crime known to the law; for every man might be said, and said truly, not to concur in any crime except under influence of some irresistible impulse."

With that the hon. member for West Huron does not agree. Then, in the case of the Queen against Layton, 4 Cox, C. C., 149, tried before Baron Rolfe, in 1848, where a boy of 12 years of age was convicted of poisoning his grandfather, under circumstances showing great contrivance and deliberation, the defence set up was that the act was done under an irresistible impulse which amounted to insanity. The jury were told by Baron Rolfe:

"The witnesses called for the defence described the prisoner as acting from uncontrollable impulse; and they made other statements of the value of which it would be for the jury to decide; but he must say that it was his opinion that such evidence ought to be scanned by juries with great jealousy and suspicion, because it might tend to perfect justification of every crime that was committed. What was the meaning of not being able to resist moral influence?"

"Every crime was committed under an influence of such a description, and the object of the law was to compel persons to control these influences; and if it was made an excuse for persons who had committed a crime, that he had been goaded to it by some impulse, which some medical men might choose to say he could not control, he must observe that such a doctrine would be fraught with very great danger to society."

Now, Mr. Speaker, this budding Blackstone on the other side of the House does not agree with that. He takes issue on that question also, and he also takes issue with Mr. Justice Taylor, one of the most eminent judges in the Province of Manitoba, in his judgment in which he discusses the question fully, as will be found on page 189 of the case which has been laid before the House. He says:

"After a critical examination of the evidence, I find it impossible to come to any other conclusion than that at which the jury arrived. The appellant is, beyond all doubt, a man of inordinate vanity, excitable, irritable, and impatient of contradiction. He seems to have at times acted in an extraordinary manner; to have said many strange things, and to have entertained, or at least professed to entertain, absurd views on religious and political subjects. But it all stops far short of establishing such unsoundness of mind as would render him irresponsible, not accountable for his actions. His course of conduct indeed shows, in many ways, that the whole of his apparently extraordinary conduct, his claims to divine inspiration, and the prophetic character, was only part of a cunningly devised scheme to gain, and hold, influence and power over the simple-minded people around him, and to secure personal immunity in the event of his ever being called to account for his actions. He seems to have had in view, while professing to champion the interests of the Metis, the securing of pecuniary advantage for himself."

That is the opinion of Mr. Justice Taylor, and that is at variance with the learned gentlemen on the other side of the House. It appears that all these gentlemen, the member for Rouville (Mr. Gigault), the member for Bellechasse (Mr. Amyot), and the member for West Huron (Mr. Cameron), set up their opinions against that of the learned judge. But there were other judges who gave their opinion also. Mr. Justice Killam, a gentleman who is very well known, a gentleman who was a distinguished member of the Reform party, who was placed upon the Bench in Manitoba, was called upon to give his opinion at the same time, and his views are consistent with the laws of the land, consistent with common sense, and consistent with the views laid down in the celebrated McNaughten case, and his opinion shows that the views of hon. gentlemen on the other side are entirely at variance with the law of the land, as laid down in England, and as laid down in this country at the present day. Mr. Justice Killam says:

"The argument for the insanity of the prisoner is based to a certain extent on the idea that he was in such a state of mind that he did not know that the acts he was committing were wrong; that he fancied himself inspired of Heaven, and acting under the direction of Heaven, and in a holy cause. It would be exceedingly dangerous to admit the validity of such an argument for adjudging an accused person insane, particularly where the offence charged is of such a nature as that of which this prisoner is convicted. A man who leads an armed insurrection does so from a desire for murder, rapine, robbery, or for personal gain or advantage of some kind, or he does so in the belief that he has a righteous cause, grievances which he is entitled to take up arms to have redressed. In the latter case, if sincere, he believes it to be right to do so, that the law of God permits, nay, even calls upon him, to do so, and to adjudge a man insane on that ground, would be

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to open the door to an acquittal in every case in which a man with an honest belief in his wrongs, and that they were sufficiently grievous to warrant any means to secure their redress, should take up arms against the constituted authorities of the land. His action was exceedingly rash and foolhardy, but he reasoned that he could achieve a sufficient success to extort something from the Government, whether for himself or his followers. His actions were based on reason and not on insane delusion."

That is the opinion of these eminent judges. Now, we are told, and very coolly told indeed by the member for West Huron, that, if there had been any doubt at all about the insanity of the prisoner, he should have had the benefit of that doubt. That is entirely at variance with the law in a case of insanity. The Crown is bound to prove beyond all reasonable doubt that the offence was committed, but, when the prisoner sets up the defence of insanity, he is bound to prove that defence. The Crown is on its defence and the prisoner has to make the proof. It is the exact reverse of the case where the question of the guilt of the prisoner is in doubt and he receives the benefit of the doubt. To prove that I am right on this point, I will quote the Queen against Stokes, 3 C. and K., 188. Baron Rolfe says:

"If the prisoner rests to excuse himself upon the plea of insanity, it is for him to make it clear that he was insane at the time of committing the offence charged. The onus rests on him, and the jury must be satisfied that he was actually insane. If the matter be left in doubt it will be their duty to convict."

What does the member for West Huron say? He takes issue with Baron Rolfe. I do not wonder at that; he takes issue with all these judges. This aping Blackstone appears to be at variance with all the judges of modern days. Now listen to the arrant nonsense, listen to what the hon. gentleman stated in this House a few nights ago. Was anything so preposterous and so absurd ever heard on the floor of Parliament? Why, if a fifteenth-rate lawyer ever made such an assertion in a court of justice, he would be turned out of court.

"In view of what I believe to be clearly established—the insanity of Louis Riel; or taking the lowest possible view of it, in view of the fact that his sanity was in doubt, and the disregard of this Government of the plainest principles of common justice to give every person the benefit of the doubt."

Now, the courts have held differently. The doubt must not be given in favor of the prisoner in a case of insanity. I find, in the case of the Queen against Higginson, 1 C. & K., 130, Chief Justice Tindal said:

"The question, therefore, is not whether the prisoner is of sound mind, but whether he has made out to the satisfaction of the jury that he was of unsound mind."

The hon. gentleman, I suppose, will not agree to that. The hon. gentleman cites cases which are not at all parallel, which are not of the same character as the one we have now before us. I have quoted to this House the opinions of learned judges, and they are entirely to the effect that Louis Riel was not insane, and that on a fair and impartial trial he was properly and fairly convicted. But, in our own country, let us quote from those authorities that I was obliged to quote from before recess; let us call into court those witnesses for whose characters I have very little to say, but who have great weight when they are quoted by members on the Opposition side—I refer particularly to the utterances of the *Globe* newspaper. On 6th July, 1885, the *Globe* said:

"If, as some say, he is insane, there is much method in his madness. A better defence than he has fully outlined it would be impossible for his lawyer to make."

On 25th July, 1885, is another article on the same subject, the *Globe* said:

"Altogether this document (Riel's diary) is an interesting one. It will, we repeat, give no aid or comfort to those who build up the hopes of the writer's release on the insanity plea, very much the reverse. If all who are mentally astray, only as far as these jottings indicate that Riel is, were shut up in one asylum, we should have to increase the capacity of these institutions very considerably."

So it goes to show, according to the opinion of the *Globe* newspaper, the recognised organ of the hon. member for West Durham (Mr. Blake), that if all parties should entertain the same views of right and wrong which Louis Riel did, we would not have room to accommodate them in our asylums. On August 4th, the same organ tries to prove that he was not insane, in these words :

"Sir John's organ says that the Crown is bound to act upon the verdict unless the felon's insanity is established to its satisfaction. It is right in saying that no one would care to see a madman hanged, even for so monstrous a crime, but it will be exceedingly difficult for the Government to decide that the evidence of his insanity, which the jury deemed insufficient, should be held sufficient, and it must be difficult to add materially to the evidence on that point submitted to the jury."

So that for once the *Globe* coincided with the *Mail*, which declared that the Government could not review the finding of the jury upon the question of insanity. Moreover, we have the distinguished opinion of no less a gentleman than the hon. member for Bothwell, in which he showed that the duty of the Government was simply Ministerial, and that the Government had no right whatever to express their opinion on the evidence at all. Now, we have the same organ again declaring on 22nd October, 1885 :

As to the prisoner's guilt of the highest crime that can be laid to a man's charge there has been no shadow of doubt since his letter to Poundmaker was produced. Nor as to his sanity has there been any doubt since the jury having heard the experts evidence, decided that Riel was responsible.

And on the same day, 22nd October, it says again :

"We must say that the view taken by the chief organ (*The Mail*) as to the impossibility of re-opening the question of Riel's sanity after the jury pronounced upon it is quite sound."

What does the hon. member for Rouville think of that ? What do the hon. members for Bellechasse, Hochelaga and Quebec East think of that ? Why, Mr. Speaker, they have been arguing against that from the beginning to the end, and yet there is their own organ—well, I must take that back, not the organ of my hon. friends on the opposite side, but the organ of the hon. member for Quebec East. I will not afflict this organ upon those hon. gentlemen for I am satisfied they will repudiate it. The *Mail* said :

"As it is not the province of the Executive to review the findings of juries in question of fact, unless new evidence has in the meantime come to light, and it is not pretended that such a thing has happened here, it follows that the verdict cannot be challenged on the ground of the prisoner's insanity."

In which the *Globe* entirely concurred. And yet our friends from Lower Canada, who take this strong ground upon the plea of insanity, do not recognise the importance of that statement. Now, I will once more call into the witness box the hon. member for Bothwell, though he has got angry several times to-day, and has thrown very hard names across the floor at me. On 14th August his paper contained this language :

"When Riel's counsel put forward the plea of insanity they practically admitted that there was no other defence. Other defence, in truth, there was none. But the plea of insanity was desperate. No man would commit a crime if he were wise or had a well-balanced mind; and it seems that Riel was a victim of that extravagant egotism which, apart from disease or lesion of the brain, is perhaps the most common source of madness. But to those who knew him best he was so far from appearing insane that they sent for him expressly to lead them in a most difficult and dangerous enterprise, placed themselves under his guidance, and apparently trusted and obeyed him to the end."

That is the opinion of that renowned lawyer, the member for Bothwell. Now, I think I have shown to the satisfaction of the House that the opinion of learned judges in this country and England run in the direction that Riel was properly convicted. We have the records of the Privy Council, the records of the court in Manitoba, all declaring that he had a fair trial, at a time when he put forth all his evidence on the plea of insanity, and upon that evidence the jury found him guilty. Unless the hon. member for Bellechasse and the hon. member for Rouville can prove

that he became insane between the time of the sentence and the time of execution, and that the Government knowing that fact, refused to issue a commission to examine him, their case entirely fails. Then we are told that his sentence should have been commuted. The hon. member for West Huron quoted a number of cases in which he says that the sentences were commuted, but in no one of the cases he quoted were the circumstances similar, and they have no relevancy to the case of Riel. Now, Sir, this resolution calls upon the House to censure the Government because it allowed the execution to take place. That is a debateable point as regards the prerogative of the Crown, and it is not wise or expedient, nor is it usual in Parliament, to pass judgment upon acts of the Crown where it is purely a question of the exercise of the prerogative of mercy. I am borne out in my observation by the hon. member for West Durham, before he became fully aware of the bargain and sale between the hon. member for West Ontario (Mr. Edgar) and some of his Bleu friends in Lower Canada. He made a speech in London, wherein he laid down very broadly the grounds which should be taken by the Minister of Justice. He said :

"As Minister of Justice I have had to advise in many capital cases, and I do not forget the heavy responsibility which rests on those in whose hands are the issues of life and death, and whose task is rendered all the more difficult by reason of the large measure of discretion vested in them, and expressed in the word clemency. I know how much these difficulties are enhanced by heated partisan and popular discussion, in which distorted views and an imperfect appreciation of facts are likely to prevail. I have been falsely and wantonly accused of selling the prerogative for personal and for political gain. I deprecated then, as I would deprecate now, such attacks on Ministers unless made with good and sufficient reason. So delicate, in my opinion, is the exercise of this prerogative, that while I have sometimes been unable to reconcile my judgment to that of the present Ministers, I have felt it, on the whole, the lesser evil to be silent than to raise a debate, and I can easily conceive, in fact I have known of cases in which, though I might differ from the conclusion of the Ministers, I should yet refuse to censure them for honestly taking a line which I would not follow."

Those are patriotic and statesmanlike sentiments. The hon. gentleman takes the view that upon a question of the exercise of clemency, a matter coming purely within the knowledge of Ministers, they do not deserve censure except upon the most extraordinary occasions. Then, Mr. Speaker, the hon. member for Rouville cites cases from Sir William Harcourt's speeches :

"There was the case of the difficulty, however, where the jury recommended mercy, and the judge did not second the recommendation, and in that case it remained for the Secretary of State to form his own judgment on the subject."

His argument was that where the prisoner was recommended to mercy, the executive should exercise clemency towards the prisoner. But he shows cases where it should not be done. Now, then, what does the hon. member for Rouville say :

"He should have called men of experience, alienists, who could make a report which would commend itself to public opinion and would leave no doubt as to the sanity or insanity of Riel."

Now, Sir, who asked for this pardon ? What evidence was there presented to this House that Riel was insane, or that there were grounds for believing him to be so ? It is true, that the Government, at the request of gentlemen from the Lower Province, did have a certain commission issued, and what was the result of that commission ? That commission confirmed and corroborated the finding of the jury and stated what the court themselves had recognised. Now, Sir, it is a well known principle of law that pardons should not be granted unless they are to be beneficial to the State. That is laid down in Chitty's Criminal Law, page 791, in the case of pardons :

"With respect to those cases where favorable circumstances may induce the Crown to extend its prerogative of remission no general rules can, of course, be given. The King, by his coronation oath, is bound to administer justice with mercy. But nothing can tend more to unsettle the public ideas of crime than the frequent exercise of the latter. It is contended with great eloquence and ability by a celebrated writer on

merinal law, that clemency should shine forth in the laws, and not in the Executive. But it must be admitted that there are many cases to which no general rules can apply, where *summum jus* would be *summa injuria*; and where forgiveness is at once beneficial to the Crown which bestows, and just to the party who receives it."

That is the rule laid down by learned writers in England, whose writings are recognised as law in this country. Notwithstanding all that has been said about this man, what do those who knew Riel best, who knew the state of the country in which he was operating, say? The representatives of the North West Council unanimously passed a resolution to the following effect:

"Whereas public meetings have been held in certain portions of the Dominion at which it was sought to condemn the Dominion Government for allowing the sentence of the court to be carried into effect in the case of Louis Riel, who had stirred up rebellion among the half-breeds and Indians in these Territories, and who, after a fair and impartial trial by a competent tribunal was convicted of high treason;

"And whereas the peace, progress and prosperity of these Territories would have been jeopardised and a feeling of insecurity would have been caused among the settlers had the man twice guilty of rebellion, and who had not shrunk from the terrible responsibility of exciting the half-breeds and Indians to armed insurrection been permitted to escape the just penalty of his misdeeds;

"And whereas a fair, firm and impartial administration of the law must be had if the laws of our country are to be respected by all classes irrespective of nationality;

"This Council desires to place on record its endorsement of the action of the Dominion Government in allowing the sentence of the court on Louis Riel to be carried into effect."

I have dealt with that branch of the subject, and now I come to one which I would rather have avoided, but I feel the responsibility of discussing it because the hon. member for West Huron (Mr. Cameron) has dealt with it in a manner totally unjustifiable and has dragged the discussion into the House where no such discussion was necessary. He has seen fit to allude to the position of the Orangemen of Canada. I do not hesitate to declare that I am an Orangeman, and as such I believe in the principles of the order in which toleration and moderation are guiding principles. The hon. member for West Huron said:

"In England they do not hang lunatics, but the Canadian prisoner, although beyond doubt a lunatic, was executed by this humane Government, not in obedience to the law, not to vindicate the majesty of the law, but in obedience to an unseen and irresistible power behind the throne."

He pointed to the fact that ten lodges out of two thousand have given some expressions of opinion on this question; but he might have gone further. He might have said that eight out of those ten lodges were Grit lodges. It is a notorious fact throughout Ontario that those Grit Orangemen have been endeavoring to control the order, that they have been endeavoring to do so for years. Grits or Reformers as they are sometimes called, have been zealously and insidiously themselves working into the Orange order, and whenever they could create trouble they have done so, as is evidenced by the fact that eight out of those ten lodges were Grit lodges, and they placed on record their views on the Riel question. I should like to know who it was that cast this firebrand into Parliament; who it was that cast the firebrand on other occasions into other Parliaments; who it was that proposed to cast a firebrand throughout the Dominion, raising the Catholics against the Protestants and Orangemen against Catholics? The Grit party; and we all know that fact. Let the Orangemen be true to their obligations. If he is so he must be liberal towards his fellow countrymen and towards all religious bodies. I have here the constitution of the order.

Mr. PATERSON (Brant). Is that the Grit or Tory order?

Mr. RYKERT. When the hon. gentleman goes back to his constituency he will find out what it is.

Mr. PATERSON (Brant). I should like to meet you there.

Mr. RYKERT.

Mr. LANDERKIN. What about timber limits?

Mr. RYKERT. We know something about those timber limits; about 200 square miles extending all over the Dominion; and that grant was made upon the eve of the Government being kicked out of office.

Mr. COOK. That is false.

Mr. RYKERT. I will read the declarations on page 4 of the constitution of the Orange order:

"Disclaiming an intolerant spirit, the association demands as an indispensable qualification, without which the greatest and wealthiest may seek admission in vain, that the candidate shall be deemed incapable of persecuting or injuring anyone on account of his religious opinions, the duty of every Orangeman being to aid and defend all loyal subjects, of every religious persuasion, in the enjoyment of their constitutional rights."

That is a portion of the constitution. Can it be wondered at that the Orangemen of Canada were incensed on this question? Is it not fresh in the recollection of the House and the country that inflammatory speeches, some of them were quoted by the hon. member for Montreal Centre (Mr. Curran) were made by the hon. member of West Durham (Mr. Blake) in which most inflammatory and violent language was used? That speech was sent out broadcast throughout the Orange lodges of Canada. Every Orangeman had one put in his hands, and were told that the Conservative party were those who opposed the resolution in regard to the murder of Thomas Scott. The hon. gentleman inflamed the public mind, and if he sees the result of that speech he, at least, cannot complain. Is it to be wondered at that Orangemen are incensed in the Province of Quebec? I came across a little French work entitled: "Letellier de St Just and his time," by C. B. Casgrain, M.P., and a Rouge. In that I find some inflammatory language in regard to the murder of Thomas Scott. And can it be wondered at that in the face of all these declarations the Orangemen of Lower Canada are incensed? At page 146 I find this language:

"In the interval, the 4th March, Riel, either to disembarass himself of an inconvenient prisoner who threatened him, or to show an example of his authority, or through fear for his own person, brought Thomas Scott summarily before a pretended court martial, and some hours after caused him to be shot by a platoon of soldiers, commanded by Captain Lepine. The execution, stupidly directed, was brutal, and the groans of the unfortunate victim were heard from under the lid of his coffin, when it was raised to give him the *coup de grace*. The body, refused to the parents, disappeared during the night, and no one has ever yet been able to discover what became of it."

That is a statement published by the member for L'Islet. Does it show a conciliatory spirit towards those who differ from him? We find also the member for West Durham (Mr. Blake), in his endeavors to catch the Orange vote in Ontario and thereby upset the Government of the Hon. John Sandfield Macdonald, moved a resolution in this language:

"1. That the cold-blooded murder, for his outspoken loyalty to the Queen, of Thomas Scott, lately a resident of this Province, and an emigrant thence to the North-West, has impressed this House with a deep feeling of sorrow and indignation, and, in the opinion of this House, every effort should be made to bring to trial the perpetrators of this great crime, who, as yet, go unwhipt of justice."

And, Sir, look at the rallying cry of the hon. gentleman and his party for vengeance, we find that it was given in his speech:

"The victim died because he was a loyal man; he died because he would not aid rebels; he died because he resisted rebellion—he died in fact for loyalty to Queen and country. Let his country write his epitaph in the records of her assembly, and express a people's sorrow for his untimely death, and a people's stern resolve that that death shall be avenged."

That was the appeal which he made to the Province of Ontario in 1871 over and over again. In answer to that, what have the Orangemen of Canada done to deserve the new outburst, the change of front? At a meeting of the Grand Lodge held this summer, they did not cry for revenge like the Grit party who showed their eager desire for the

blood of Riel, their desire to have him hanged no matter what the consequences might be. The resolution passed by the Grand lodge was read by the hon. member for West York, but it will bear to be repeated, because it will exhibit the tolerance of Orangemen notwithstanding the efforts that were made to inflame them by firebrands like the hon. member for West Durham. This is the resolution:

"Resolved, that this Grand Lodge, in annual session assembled, takes this, the earliest opportunity afforded, to express its admiration of the loyal, patriotic spirit displayed by the members of the volunteer force, shown as well by the alacrity with which they responded to the call to arms as by the bravery displayed on the field of battle and the hardships endured without a murmur; it expresses its deepest sympathy with the relatives of those who have fallen in the fight or whose lives have been sacrificed by the insurrection in the North-West, as well as with those who are now suffering from wounds received in action; it expresses the hope that the arch-rebel Riel will be captured. That the rebellion will be speedily suppressed, and that such steps will be taken by the proper authority as will avenge the foul murders already committed and preclude the possibility of their recurrence."

Is that language as strong as I have read this afternoon? Nothing like it, Sir. It is rather amusing to hear these hon. gentlemen discuss this question. Why, Sir, they have forgotten the history of the past. Have these Reform members forgotten the history of this Parliament and of the old Parliament of Canada? There was a time when they made strong appeals to the Orangemen. In 1857 we found the following in the *Globe* newspaper, and I read it in order to show that one day they are patting the Orangemen on the back, and the next day they are patting the Catholics on the back—that one day they are appealing to the Orangemen to destroy the Catholics, and the next day appealing to the Catholics to destroy the Orangemen:

"Go to the polls at once. Orangemen, don't surrender! We are glad to see, that in spite of the efforts of some of their officials, who have sold themselves to the Ministry, a large number of the Orangemen of Upper Canada stand firmly by their Protestant principles in the present contest with the minion of the Pope."

A short time before that the Grit organ proposed to shake up the Orangemen and Catholics in one bag. The *Globe* said:

"We are not content to wait for that time in order to do something to stem the Popish tide that threatens to sweep everything before it in Canada. It is not necessary that we should obtain a greater accession of forces to drive off the black petticoated gentlemen who invade our territory. If we throw off dishonest Liberals on the one side, who are ready to sell themselves to Popery for a pittance, and the High Church Puseyites and recreant Orangemen on the other, who grant all the demands of the Hierarchy, there would be an end to political Romanism in Canada."

Then a long and powerful appeal is made to the Orangemen to put down the Roman Catholics of this Dominion. We find that the *Globe* also said:

"In another part of this morning's paper (the *Globe*) will be found an address to Mr. George Brown inviting him to be a candidate for the representation of the city. It bears the signatures of the Grand Secretary and several hundreds of the most respectable and influential members of the Orange Association. We confess that this is a most gratifying fact. No question the present Government and their supporters have sold their party, their principles and the country to the 'Romish priests,' for the base consideration of obtaining office. It is they, that have attempted to destroy our noble school system at the bidding of the Romish hierarchy. It is they that have sought to over-run Upper Canada with nunneries and monkeries."

That is the opinion expressed by these gentlemen upon that matter some time ago. But all at once we find them still more enamored of the Orange Association. An application made to this Parliament to incorporate the Orange Association was voted down by a considerable majority, and the Roman Catholics got their share of abuse for voting in that direction. The *Globe* said:

"The fact is undoubted, we believe, that the members of the present Ministry have refused to support or permit the introduction of a Bill to incorporate the Orange Association though frequently demanded by the people. The Orange Society is as well entitled to an Act of incorporation as the Oddfellows or Freemasons, the Bible, or Tract, or French Mission Societies, and certainly as well as the hundred varieties of monks and nuns. We know the reason why the Government would not grant it, however, it was because the Papists would not let them. They dare not incur the wrath of Thomas D'Arcy McGee."

Well, in the old Parliament of Canada I had the honor to hold a seat.

An hon. MEMBER. Which party did you belong to then?

Mr. RYKERT. I did not hear the remark of the hon. gentleman, but I do not suppose I lost very much. In the year 1863 an attempt was made to pass a law relating to separate schools. That Bill was introduced by R. W. Scott, now a member of the Senate. He was a strong Roman Catholic as every person knows. He placed the Bill before the House and he showed that they were asking simply the same privileges which were enjoyed by the Protestants of Lower Canada; every Orangeman in that House, to their credit be it said, voted in favor of the Bill. But their reward was meted out to them, and I, in common with the others, had to bear the infliction, and I was compelled to retire in the face of the contest, because Orangemen and bigoted Protestants were inflamed against me, because, in the exercise of my obligations as an Orangeman, I was in favor of granting to my Roman Catholic friends in Upper Canada the same rights which we enjoyed in Lower Canada. The *Globe* abused the supporters of that measure in this language:

"The facts show how little Upper Canada need hope for in this question from the supporters of the Ministry, and there is pressing need for the exercise of a wholesome public opinion at next election. The Grand Master of all the Orangemen, as usual, voted for the Bill. When will the absurd farce of professing Protestantism, giving its aid to the machinations of the Romish hierarchy come to an end?"

And it gives the following list of those who voted for the Bill:

"Anderson, Bell, Benjamin, Cameron (J. H.), Clarke, Daly, John A. Macdonald, Powell, Robinson, Rykert."

We were condemned in unmeasured terms, and that is not all. We found that the Grit press throughout the country condemned the Orangemen because they desired and felt it to be their duty to grant to their Roman Catholic fellow-countrymen the same rights which they enjoyed themselves. I find a choice article on the subject of the Orange and the Bleu in the *Hamilton Times* of 24th November, 1885:

"The combination of the Orange and Bleu piled on the taxes and divided the spoils, wherever the Bleus showed signs of revolt Sir John raised the reward for their allegiance. The railway grants and the virtual assumption of a part of Quebec Provincial debt are recent illustrations of this method."

I wonder how our Bleu friends from Lower Canada, who on this matter are at variance with the Government, feel on this question. Now, I propose to show who is to blame for this rebellion as indicated by the *Globe* newspaper, and I think our friends from Lower Canada will be highly flattered when I read the compliments paid to them by that paper:

"If *Le Monde*, which is said to be the property of Sir Hector Langevin and the other Bleu journals of Quebec had then seconded our efforts, this rebellion would have been prevented; unhappily they thought more of their party than they did of the Metis or of the country, and they now share with Sir John the responsibility of all that has taken place."

Here is another quotation from the *Globe* of 18th September, 1885:

"English papers in general have not suggested that Riel should not be hanged, but it took a very small amount of 'second sight,' but of ordinary intelligence, to foresee that he would not. Sir John knew better than to offend his masters, especially masters who knew of so many of his discreditable secrets, and to whom he has yielded so often before the first bell rang, to say nothing of the second."

Well, Sir, in order that these gentlemen may see exactly what they may expect from the Grit party, I propose to show them a few opinions which the organs of that party have expressed with reference to them. A few days before the execution of Riel, a celebrated Ontario Grit journal made use of this language:

"It is the only way (hanging Riel in effigy) that Riel will be hanged by the present Government, who are sold body and bones to the French Canadians."

The hon. member for Bothwell (Mr. Mills), also joins in condemning the Bleus. He had not much love for them, but now his arms are open for them. I should like to know how they would feel in the arms of those gentlemen—how they would like to be embraced by the hon. member for Bothwell and the hon. member for West Huron. On the 18th of November, 1885, the paper of the hon. member for Bothwell said :

"Here are the names of the fourteen Bleus who denounce the Government for sentencing Riel to death. These men are themselves largely responsible for that condition of things which gave rise to the North-West insurrection. They defended the Government; they resisted criticism."

Thus you find the *Globe* newspaper, and other organs of the Grit party, blaming the Bleu party of the Province of Quebec for the insurrection. I think our friends, who are not in accord with us for the time being, will feel, when they come to hear the record of their new allies, that they are in bad company; and I doubt not that before this debate closes, these gentlemen will find that they have made a mistake, and will come back to their former love. It is well known that the chief plank in the platform of the Reform party has been, "Down with French domination." When the great Reform convention met in Toronto in 1859, at which 570 noble Reformers were present—no doubt the hon. member for South Grey was among them—

Mr. LANDERKIN. I was not born then.

Mr. RYKERT. It is unfortunate for the country, I think, that you ever were. I find that that deliberate body of 570 of the yeomanry of Ontario laid down a platform for the guidance of the Reform party, the fundamental principles of which was, "Down with the Lower Canadians." I want to trace this thing down to the present time, and let these gentlemen, the hon. member for Beauharnois (Mr. Bergeron) particularly, see where they are going to land themselves. Here are the resolutions passed by that convention:

"Resolved that the existing Legislative Union of Upper and Lower Canada has failed to realise the anticipations of its promoters, has resulted in a heavy public debt, burdensome taxation, great political abuses, and universal dissatisfaction throughout Upper Canada; and it is the matured conviction of this assembly, from the antagonism developed through difference of origin, local interest and other causes, that the Union in its present form can no longer be continued with advantage to the people."

In support of this resolution a manifesto was issued, in which is to be found the following:—

"The Lower Canadians soon put their power to the test. New demands are made, concession follows concession, and the public feeling is outraged by fresh acts of injustice and prodigality."

That is how these men are described who are now going to fall so quietly and calmly into the hands of the Grit party. Again:

"We further allege that it enables Lower Canadian politicians to rule the people of Upper Canada to an extent, and in a manner which no high spirited people ought to tolerate."

And again:

"The option presented to them (members) is: Maintain your principles, claim justice for Upper Canada, and remain powerless in opposition; or forsake your principles, become obedient to Lower Canada and the path of ambition is open to you."

The Grit organ followed this up by saying, on the 17th of May, 1879:

"The representatives of Quebec have no right to rule Ontario and prevent her acquisition of the territory of which she has so long been deprived."

Then, Sir, we have a beautiful description of these gentlemen by the same organ of the 27th of May, 1879:

"We have no doubt that possession of the territory is withheld from Ontario for political reasons, and those of the most cowardly and despicable character. Sir John's 'French tail' cannot endure the prospect of a growth in the Province of Ontario."

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We find another attack made on these same gentlemen in the same organ on the same day:

"It is not beyond the bounds of possibility that Sir John has sold out the rights of Ontario in order to stop the mouths of the anti-Le tellier faction. It is pretty clear that the last mentioned patriots, who at one time were protesting that no appropriation Bill and no tariff Bill should be passed until the Lieut.-Governor's head was in the basket, were induced by some more or less questionable means to become all at once as gentle as sucking doves. Has Ontario been made to pay the Bill for buying of the Opposition of their doughty Quebecers?"

I am sure these gentlemen will highly appreciate that opinion of them. Coming down to 1882, they are still denounced as the enemies of Ontario, as they are up to the time of the bargain made by the dispenser of gas, the member for West Ontario, (Mr. Edgar) with the Bleus of the Province of Quebec. The *Globe* of 14th February, 1882, said:

"As a matter of fact the other Provinces were not protesting. We know not what private pressure the Bleus of Quebec, ever the enemies of Ontario and of progress, may have sought to bear on the Premier, knowing themselves to be the right arm of his power, but no public objection has been made, no open, manly protest uttered by any Province in this Dominion."

This paper keeps following it up, and on the 16th of February, 1882, it said:

"The report concerning Ontario boundaries which was published yesterday is very fully accredited to the Hon. J. A. Mousseau, a conspicuous representative of Blue interests in the Ottawa Cabinet. It contains all that the animosity of Mr. Mousseau, aided by the ingenuity of Sir John, can find against the rights of this Province. Sir John wishes to please the Bleus of robbing Ontario for their benefit and then insulting him for the gratification of his own and their spite."

Such is the certificate of character these gentlemen get. Then, we find another organ, the organ of the hon. member for West Huron, the *Huron Signal*. Speaking out boldly on 29th May, last year, as follows:

"We have seen what has resulted from the rising in arms of a comparatively few uneducated and ignorant half-breeds and Indians, smarting under grievances which are small in comparison with the indignities that Sir John has seen fit to reflect on our Province of Ontario. If the present course of the Dominion Government be persisted in, the sooner Confederation ceases the better it would be for the Provinces. Ontario has nothing to lose and everything to gain by secession. As it is now, she is held by the throat by Sir John, at the back of the French Bleus, and no effort is left untried to lessen his influence."

That is the way the hon. member for Hochelaga, the hon. member for Beauharnois, the hon. member for Bellechasse, the hon. member for Rouville, and others, are described. Now we have had another illustration of the easy conscience of the Grit party in the Province of Quebec. A few days ago we found that a certain gentleman occupying a seat in the Quebec Local House, Mr. Watts, resigned his seat for the counties of Drummond and Arthabaska, on the same ground as that which Mr. Joly took, namely, that he could not recognise the fact that Riel should not be hanged. What do you think happened lately? Why, this very Rouge party in the Province of Quebec actually asked Mr. Watts to become their candidate again, but he respectfully declined their invitation, for he knew quite well where it would lead him. We have some other evidences, which I will read for the gratification of our Quebec friends. The *Globe* in September, 1885, says:

"From Tories, French and English, inconsistency must be expected, and disregard of principle. The Quebec Tories, while they appear willing to support Sir John Macdonald in everything that effects either the Dominion at large, or any other Province than their own, do insist in all that relates to their Province in their race, the wishes of Quebec shall be respected. It is one of the worst consequences of Sir John Macdonald's unprincipled administration that the people of Quebec are thus trained to regard their interests as in all respects distinct from the interests of the people of the other Provinces and from those of the Dominion at large."

We find also the *Globe* goes wild over the same question, and speaks of "the unprincipled gang which is supporting Sir John Macdonald." In October, 1885, it said:

"The *Globe* is not so wholly ignorant of latter-day Toryism as not to know that, whatever is done with Riel, not one of those votes which Sir John Macdonald calls his own will be lost to him. Had Riel's plans for

rising the Indians succeeded; had his second rebellion deluged the North-West with blood as at one time seemed possible; had there been 2,000 instead of 200 victims slaughtered; had the whole country been laid desolate, we know enough of the unprincipled gang which supports Sir John Macdonald to know that he would not have lost a vote in Parliament."

The *Globe* then suddenly sees power looming in the far distance, begins to repent of its intemperate language, drops down on its marrow bones, and, beginning to feel its way cautiously, tries to coax the French Bleus a little, asking them to walk into its parlor. It says:

"To refuse sympathy to our fellow-countrymen in Quebec, to hold that because they wish to punish the Government we will maintain it, would be almost an incredible instance of narrow-minded race prejudice and bigotry."

Then we find another organ, the *Port Hope Guide*, which, I showed this afternoon, had jumped the fence just about as quick as the hon. member for South Grey (Mr. Landerkin) could if he tried. That organ, bidding for the French vote, in the hope that a certain number of Bleus were going to upset the Government, says:

"It has come to a pretty pass indeed that in the noontide glare of the nineteenth-century political offenders must suffer death if they dare assert their just right. We extend our hearty sympathy to our Quebec brethren, and we assure them in the name of the Liberal party that they have hosts of friends in Ontario who will help them to organise a national party whose platform will be broad enough to hold the Reform members of the English speaking Provinces and our French Canadian friends. God save Canada."

I wish them luck when they go into the arms of those men. As a fair sample of what they may expect from the *Globe's* party, let me give you, Sir, from the *St. Thomas Home Journal*, the organ of the hon. member from Elgin (Mr. Casey) and the second or third organ in standing of the Grit party in Ontario, a quotation on 30th April, 1885:

"A Toronto contemporary has organised a crusade against the French in Canada, and advocates the formation of an anti-French society. The objections are not so much to the people themselves as to the perpetuation of their language and customs in this country. With this we agree. We have altogether too much French in Canada for Canada's good. This is an English country in preponderance of numbers, in speech and in sentiment; and it is anomalous, degrading and dangerous for us to longer recognise a foreign language as official. It is anomalous that the people of a portion of one Province should possess the right of speaking in a foreign tongue within the Federal House of Parliament to the detriment and annoyance of six other Provinces. It is degrading that the conquerors should permit the conquered to remain an isolated community, maintaining a language and customs separate and distinct from those of the successful nation, and thus ever prove a danger and a menace to the latter. The solid body of French who inhabit the Province of Quebec is the most dangerous element to the success of Confederation."

What does the hon. member for Beauharnois (Mr. Bergeron) think of that? The *Home Journal* again says:

"Increasing at an alarmingly rapid rate, and maintaining the ideas and customs of two hundred years ago, the French Canadians are nothing less than a huge obstruction in the path of Canada's progress. They are a distinct nationality imbedded in the heart of the Dominion, keeping themselves to themselves, utterly devoid of the sentiment of loyalty to Canada, and the progressive ideas common to the rest of the country, and hoping for nothing more eagerly than the re-establishment of a French dominion on this continent. That can never be, and the sooner our French brethren become convinced of the fact the easier it will be for them to swallow the unpalatable dose which sooner or later will be administered to them. The time is coming, and nothing is hastening it more than the conduct of the French themselves, when the English speaking provinces of the Dominion will refuse to longer bend the knee to Quebec, and will assert the right of British North America to be governed as a nation of Anglo-Saxons in speech, sentiment and custom."

Then we find that this paper, like the others, suddenly turns to the right about face, as soon as it was discovered there was some feeling of hostility being excited in Quebec against the Government. The *Globe* gave the cue to the lesser lights, and this is the way that organ turned its political sommersault:

"The greatest enemies of Ontario have never been the Quebec Bleus, though they have often been so represented (by the *Globe*). However much the people of Ontario (see Resolution of Reform Convention, 1859) may have thought themselves aggrieved by the unwavering support those Bleus gave Sir John Macdonald, it was never denied that in all their doings they sought the interests of the Province they represented. They felt they were justified in making the demands which they made,

and they had a right to presume that if the Premier and his Ontario followers thought this, that, and the other measure so reasonable and right as to support them, there was no particular reason for them to oppose what they knew to be advantageous to their own Province."

We find also the *St. Thomas Journal*, from which I previously quoted, jumping the fence and turning over to what it supposed to be the side of patronage and power. The *Journal* thus recants entirely, after the execution, what it held before:

"We would willingly see Mr. Blake at the head of an Administration which depended for its existence upon this fateful French vote. We say put Edward Blake in John A. Macdonald's place, even if it be by the hand of the Frenchman, and give him a chance."

That is the paper which denounced the French a foul execration on Confederation. There is one speech to which I can refer to with some degree of satisfaction, and I think, with benefit to the Province of Quebec, and that is the speech of Senator Girard in the Senate. His remarks will commend themselves to the intelligence of every right-thinking man in the country. He said:

"Certainly, had I acted as my friends in Quebec have done towards the people of Manitoba, I would have been forced to seek a home in some other country. Our friends in Quebec must understand that we do not care to submit to injustice when an injustice exists, any more than they do, and for that reason we desire to protest against the agitation that is brought about, as not being in the interests of the Confederation. It is very painful for me to have to rise in my place and say we do not thank the Province of Quebec for what it has done, and we ask it as a favor to let Manitoba alone."

That is the sentiment of an hon. gentleman who is thoroughly posted on all political matters in the Dominion, who understands the interest and welfare of Manitoba, and has the interest of the whole Dominion at heart, a Frenchman who lives in that section of the country, and who gives good advice. I hope our friends in the Province of Quebec will follow it. I think I have pretty thoroughly reviewed the arguments advanced by hon. gentlemen on the other side. I have endeavored to show that certain of those gentlemen have laid down the law differently from what it really is, and I have endeavored to show how fallacious is the position they have taken on these questions. These people now ask for an appeal to the people. I do not know that it would be refused by anyone on this side of the House. I think we would be rejoiced to have an appeal to the people. We have been twice before challenged to have an appeal, on both occasions that challenge has been accepted by us, and on both occasions the people have returned Sir John Macdonald's Government to power by an overwhelming majority. When an appeal does come, I am certain that the people will know how to choose between the friends of the Dominion, the friends of the Confederation, on the one side, and those on the other side who have shown themselves to be the party of bankruptcy and have so clogged in its working the machinery of Confederation.

Mr. BECHARD. I am not expected, I am sure, to follow the speech of the hon. gentleman who has just sat down. He does not come from my Province, and I think it is only an act of courtesy to leave the duty of answering him to some other gentleman coming from the same Province that he comes from. Besides that, the length of the speech, the very numerous quotations from newspapers with which he adorned it, render it impossible for a man, excepting perhaps a distinguished lawyer, as he may be, at least for a layman like myself, to swallow and digest such a dish as fast as it is prepared. But, Sir, the hon. gentleman, in the course of his long remarks, said something which peculiarly attracted my attention. In addressing himself to my hon. friends from Hochelaga (Mr. Desjardins), Bellechasse (Mr. Amyot) and Rouville (Mr. Gigault), he told them that there was a paper in this country which formerly attempted to incite religious fanaticism, to array Protestants against Catholics, and he mentioned the *Toronto Globe*. But, Sir, the hon. gentleman ought to remember that the proprietor of that perfidious

paper, the *Globe*, was, after having published all these terrible articles, embraced by the present First Minister of this country, that he was taken into the Cabinet as his associate and accepted by the late Sir George Cartier and the present Minister of Public Works. After this, I will leave the hon. gentleman to the reflections and meditations which that unnatural and unholy alliance can inspire. While I was listening the other day to the speech delivered by the hon. the Minister of Public Works, I noticed the cold reserve with which his words were received by his friends from the Province of Quebec. The applause, instead of coming as on former occasions, from all the friends of the Government in this House, came far more from those hon. gentlemen a part of whom are supposed to be the representatives of people who have nothing but sympathy for Riel, and the other part representatives of people who are considered the most bitter enemies of Riel and the half-breeds. Doubtless the hon. gentleman's Quebec friends expected that he was prepared to give stronger reasons and more valuable explanations than those which had been published some time ago by two of his colleagues in vindication of the Government's course in regard to Riel, but, at the close of the hon. gentleman's speech, you could notice the same reserve on the part of his Quebec friends as had been manifested from the beginning. However, the hon. gentleman was not to be discouraged by that *quasi* desertion of his old friends, and, as if to intimate that he had other friends in the House, he told us he was not representing in the Cabinet only the Province of Quebec but the whole Dominion. It is quite true that the hon. gentleman is Minister of Public Works for the whole Dominion, but it cannot be forgotten that, when Confederation was established, the rule was laid down that the different parts of the Dominion would have respectively a certain number of Ministers in the Cabinet; that Ontario would have five, Quebec four, and the Maritime Provinces four. According to that rule, I hold that, although the hon. gentleman is Minister of Public Works for the whole Dominion, and as such is in duty bound to act with equal fairness to all the Provinces, he represents particularly the Province of Quebec in the Cabinet, and if he has held so long a position in the Government of this country, he is indebted for it to the people of that Province. It is on that ground, and because he is in the Cabinet a representative of the Province of Quebec, that he would have been deeply affected, I am sure, by the *quasi* desertion of his friends the other day, had it not been only apparent. If anyone ever supposed that the majority of those hon. gentlemen would abandon him on that question completely, he must feel enlightened to-day and free from all illusion in that respect. It is obvious to everyone, after the vote which was taken yesterday in this House, that, although a certain part of those hon. members may be prepared to vote for the motion which is now before the House, although a certain number of them may be prepared to give a vote of censure against the Government for fear of being censured themselves by their electors, there is no doubt that, after that vote, they will next day return to their former allegiance, with the exception of a few, who, I think, mean to be persistent and consistent in the course which they have adopted. The hon. Minister of Public Works, in the course of his remarks, complained that he and his colleagues had been insulted, that the Government's conduct had been assailed in the public press and in public meetings which were held in many parts of the Province of Quebec; that he did not care to vindicate his conduct before the people, but preferred to wait until he could meet these charges and accusations here in Parliament, which he considered the proper tribunal to judge the conduct of Ministers. Sir, although the hon. gentleman chooses Parliament as the most competent tribunal to judge of the conduct of Ministers of the

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Crown, it will be admitted, I think, that the people are another tribunal who have a good deal to do with these matters. Sir, the people of the country are also a competent tribunal. They are the supreme tribunal, and whilst Parliament may decide one way they may decide another way—they may reverse the decision of Parliament, and they pronounce the final judgment. Sir, one day the hon. gentleman, as well as the rest of us, will have to make his appearance before the high tribunal of the people, and I think I am not mistaken in saying that when that day comes they will let the hon. gentleman understand that when they sent him to Parliament and elected him a Minister of the Crown, it was not with the expectation that he would at one time remain deaf to the solicitations, to the prayers, to the supplications of his friends, of his people, of his Province, for the purpose of securing the allegiance and the influence of the Orange lodges of this country. In another part of his speech, the hon. member informs us as to the practice of the Government in criminal cases, where sentence of capital punishment has been pronounced, and when petitions are sent to the Government asking for a commutation of the sentence. He said that in these cases the Government examined all the facts relating to the case; that they weighed well all the reasons pro and con, and then came to the conclusion which they considered right. Well, Sir, was this practice followed in the case of Riel? Has that rule been followed in all its integrity in the case which occupies the attention of this House? Did the Ministers well consider the facts and reasons which weighed in favor of Riel, as well as those which weighed against him? Did they weigh well all the extenuating circumstances of the case? If they followed that rule, they must have considered a great many facts which pleaded in favor of the unfortunate man. They must have considered the fact that the half-breeds have been for years petitioning the Government for a settlement of their claim. Sir, I hold in my hand a document which I have reason to believe is perfectly authentic, and which contains a large number of instances in which the attention of the Government was drawn to the claims of the half-breeds. I find in it a memorandum from Bishop Taché, urgently and eloquently exposing the grievances of the half-breeds, which document was sent to the Government in January, 1878. I find that a like document was sent in January, 1879, to the Government, by Bishop McLean, of the English Church. I find here that a memorandum upon the same subject, dated 17th December, 1879, was sent to the Government by Colonel Richardson; I find that a letter from Mr. Orde, Indian Agent, was sent to the Government on the 3rd April, 1880. I find the report of a meeting convoked by the Rev. Father André, at Duck Lake, on the 23rd February, 1880. I find a petition sent by Thomas MacKay, dated 10th May, 1880, from Edmonton and Prince Albert, and bearing 102 names; I find a petition to the Governor General from the half-breeds during the summer of 1881, bearing 112 signatures. I find a memorandum from the Lieutenant-Governor of the North-West, on the 14th June, 1881. I find, Sir, a telegram—and this is a most important document—sent by the Deputy Minister of the Interior from the North-West to the Government, and stating that steps ought to be taken to prevent a crisis and formidable agitation. I find that energetic resolutions were passed by the North-West Council, bearing date 21st July, 1884, and reasserting the absolute justice of the claims of the half-breeds. I find a letter from the Comptroller of the Mounted Police, dated 3rd December, 1884, asking that dispositions should be taken with the view of increasing the Mounted Police in the District of the Saskatchewan. Sir, these are only a small portion of the documents by which the attention of the Government had been called to this question. Surely if the Government gave due consideration to Riel's

case, they must have paid some attention to these documents. The Government must have considered that Riel did not go to the North-West of his own motion, that he was living in the Territory of Montana, where he was working to earn his livelihood, and that of his wife and children. Did they consider the facts that he was solicited, entreated by a delegation of his friends, the half-breeds, to come to the North-West, as they looked upon him as the only man who had sufficient education to obtain redress of their grievances? They must have considered the fact that from several persons in the North-West they had learned of the presence of Riel there, and that the agitation was increasing and might lead to serious consequences. Did the Government consider the fact that the half-breeds have Indian blood in their veins, that they are not so civilised as whites, and, consequently, ought to be treated differently and more leniently? Did the Government consider the fact that the half-breeds did not intend to rebel, as the fact has been already shown to this House by the hon. member for Provencher (Mr. Royal), a well-known supporter of this Government? Did they consider the fact that the half-breeds did not intend to rebel until their minds had been poisoned by some white settlers in the North-West who made them believe that the last answer they would receive to their petition would be bullets sent by the Government? Surely the Government must have considered the fact that the first shot was not fired by the half-breeds but by the Government Mounted Police; a fact which has been declared by no less person than Archbishop Taché to be a declaration of war. The Government have surely considered the fact that the Royal Commission which they had appointed last spring, after the first blood had been shed, for the purpose of investigating into the claims of the Metis acknowledged as well founded almost all those claims, more than two thousand of them, thus justifying the demands which the half-breeds had been for so many years pressing, but in vain, on the Government. Did the Government consider this other fact, that the late Minister of the Interior had to resign his position, a resignation which was interpreted by the people of the country as a confession and admission of the misconduct of the Government towards the half-breeds? If the Government have considered all these facts, if they have paid due attention to all the circumstances of the Riel case, they must have come to the conclusion that if we had an insurrection last spring in the North-West which cost the lives of brave soldiers and poor half-breeds and to the public treasury millions of money; if the homes of the half-breeds have been destroyed and the settlement scattered; if those people have been left upon the prairie destitute of all resources and in a most distressing condition; if respectable men, heads of families, have been arrested and sent to gaol, and if besides all that Louis Riel died by the hand of the hangman at Regina; that all those misfortunes have been brought upon this country by the Government's bad administration of the affairs of the North-West. We were told by the Minister of Public Works, and by other hon. members who have taken part in this debate, that the Government had to take the verdict of the jury, and that although the jury, after having found Riel guilty of the crime with which he was charged, thought proper to recommend him to the mercy of the Crown, the Government had nothing to do with this recommendation, but were bound to take the verdict of the jury as it was. I confess this is a piece of reasoning which seems to me very peculiar. I can well understand that it might apply to the judge who presided over the tribunal at Regina. I can well understand that, after the verdict had been brought in by the jury, the judge could not modify it; that he had nothing to do with the recommendation for mercy other than to transmit it to the Government, and that the sentence he had to pronounce was prescribed by law; but I think the Government of the country had more latitude in this respect than the judge. The

very law organising the court which tried Riel provided that in regard to sentences of death passed upon prisoners, they should not be carried out except upon a special order from the Government. But there is more than that. They had the use of the royal prerogative which stands above the law, and they had before them the humane practice followed in England for a number of years which has been pointed out by the hon. member for Rouville (Mr. Gigault) in the extract quoted from a speech delivered by Sir William Harcourt, in which it is reported that in criminal cases where a sentence of death had been passed against a criminal, and he had been recommended to the mercy of the Crown, the sentence never had been executed. The hon. gentleman and some of his friends pretend that after having set aside the question of the recommendation of the prisoner to the mercy of the Crown, they had only to deal with the question of the insanity of the prisoner. But the Government remained as firm on this as they did upon all the other questions. They appointed a medical commission composed of three gentlemen. I may say at once that the composition of that commission was not satisfactory to the people of Quebec. Sir, although the three gentlemen who composed the commission may be very respectable and honest men, and clever in the exercise of their profession, still they are not specialists; they do not profess to have the special knowledge necessary to make an investigation into mental diseases; one of them had already given his opinion, and it was therefore perfectly idle to put him on that commission. But, Sir, they made their report, and one of them says that although Riel has delusions upon the subject of religion, yet he holds him responsible. Another one says that although Riel has delusions on the subjects of religion and general government, yet he is responsible. The third one says that Riel is responsible on everything except on the subjects of religion and politics. Therefore, we see that those three gentlemen do not perfectly agree in their opinion as to the state of mind of Louis Riel. But, Sir, there was other evidence before them. They had the testimony of Dr. Clark of Toronto, who is a specialist, and who said he could not give a decisive opinion because he had not seen the prisoner for a sufficient time, that he would require a few weeks to have the prisoner under his notice and make a thorough study of his disease, in order to be in a position to give a positive opinion. However, he added that from the testimony he had heard in court, relating to the sayings and actions of Louis Riel, he had no doubt that this unfortunate man had delusions, and that respecting the subjects with regard to which he had delusions he would not hold him responsible. But, Sir, the Government had other evidence and stronger evidence than the evidence of these gentlemen. They had the evidence of Dr. Roy, who is a specialist, and who, for the last fifteen or sixteen years, has been engaged in the treatment of mental diseases in a lunatic asylum. He had had Louis Riel under his care for more than a year and a-half, and therefore had been able to make a study of his mental condition. He had had sufficient time to treat the disease with which Riel was afflicted, and, Sir, he swore that Riel had been a fool, that he had been insane, and from what he had heard of the evidence given by the other witnesses who had been heard in the case, as to the doings and sayings of Louis Riel, and from what he had himself seen of him during the short time he had been at Regina, he swore that he was irresponsible, not only with regard to the particular subjects with regard to which he had delusions, but that he was irresponsible generally. Sir, that is most positive evidence, but it seems to have had no influence with the Government. The Minister of Public Works, in the course of his speech, exclaimed: Had Louis Riel the right to be tried by another tribunal because he had French blood in his veins? I ask has the evidence of Dr. Roy, who was the only specialist sworn in the case, who knew the patient

thoroughly, has his evidence been set aside because he has also French blood in his veins and is a French Canadian? But, Sir, it has been alleged that the jury did not find the prisoner insane. I can well understand that, Sir. I can well understand that the jury, though they did not think that the prisoner was insane, yet that they had doubts as to his insanity, and that by reason of those doubts they felt bound in their consciences to recommend him to the mercy of the Crown. I can easily conceive that the jurors were not thoroughly convinced of his insanity, for it requires medical men to understand the peculiar effects of some mental diseases, and it may have appeared strange to them that a man may be insane respecting some peculiar subjects, whilst respecting all others he remains a sensible man. But, Sir, at all events there was enough to put doubts in their minds as to the insanity of Riel. Of course if they had been persuaded that he was insane, their verdict would have been different; but the fact that they recommended him to the mercy of the Crown gives reason for inferring that they were moved to that course by the doubts they entertained as to his sanity. But, Sir, that is not all. The extravagance of language and the extravagant pretension exhibited by Louis Riel were of themselves evidences of his insanity. The very language quoted yesterday by the hon. member for Montreal Centre, that language so offensive to Archbishop Taché, the benefactor and friend of Louis Riel, was proof that the man who used that extravagant language towards his benefactor was nothing but an insane man. The fact that he wanted to divide the territories of the North-West into seven parts, which he intended to give to seven different nationalities; the fact that he expressed the extravagant intention of giving Ontario to the Irish and Quebec to Prussia; that he intended to go to Rome to accomplish there no less a reform than to depose the Pope—all these facts, to any unprejudiced mind, show that they could be nothing but the dream of a lunatic, an insane man. But, Sir, the Minister of Public Works told us that after having considered and well weighed all the reasons which militated in favor of and against Riel, they have found out that they had a duty to fulfil for their Queen and country. I would like to know if Her Majesty the Queen had anything to do with the troubles in the North-West? Does any man believe that the poor half-civilised half-breeds ever thought they were fighting against the authority of the Queen? Sir, these men knew they had rights, and those rights have been acknowledged; they knew they had suffered for many years: they knew they had been threatened to be driven from their homes, which they had been improving for fifteen or twenty years, by white speculators, the friends of this Government; they knew that they had received cruel and brutal treatment at the hands of some of the Government agents in the North-West; they felt after that, having been so long the objects of the Government's neglect they could not obtain justice; and they fought, not against the authority of the Queen, but only to vindicate the rights which they thought were theirs and which had been trampled upon. Ah! Sir, if all the appeals which were made to this Government in favor of mercy had been sent to Her Majesty, and she had been left free to act upon them, independent of interference from the Canadian Government, I have no hesitation in saying that her mind would have soon fully appreciated the extenuating circumstances of the case, and that, finding her mind in accordance with the dictates of her noble heart, she would have pronounced the word "mercy," and Louis Riel would not have ascended the scaffold. The Government had their duty to fulfil to the country, it is said. Is it possible, Sir, that the prosperity and welfare of the country can depend upon the hanging of one man? But, Sir, the Government had for their instruction on that point several examples from other countries, where, in cases of political prisoners, it was not thought necessary to take their lives. The cases of Smith

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O'Brien, John Mitchell and John Meagher, the leaders of the Young Ireland party of 1846, have been cited by some of my hon. friends who have spoken. After having been condemned to death, the sentence of these men were commuted, and they were sent to Van Dieman's Land, to receive after a few years full amnesty. The case of Cetewayo has also been cited. It is well known that after some time spent in England, he was sent back to his country in Zululand. We have also the case of Arabi Pasha, who, after having been defeated by the British army, was pardoned. He was a rebel against the legally constituted authority of his country. Was he sent to the gallows? No, Sir; he was sent to the Island of Ceylon, where he is to-day living, as we usually say, the life of a Pasha. More than thirty years ago the French army captured the celebrated Arabian chieftain, Abd-el-Kadir, who had on many occasions succeeded in fomenting insurrection in French territory. After many encounters with him the French army captured him, and he was sent to France. Was he condemned to the guillotine? By no means; he was treated with all the respect and honor due to a conquered hero. After some time he was set free, and he lived in France for many years. He had during that time an opportunity to study the character and institutions of the French nation, and afterwards France had no better friend than the brave Arab Chieftain Abd-el-Kadir. The Government had another great example, which has been already quoted, but which cannot be quoted too often, as it forms one of the greatest acts of magnanimity ever witnessed by the world. After the terrible revolution of the Southern States, which began in 1861 and lasted four years, and which cost the United States thousands of millions of dollars and the lives of more than one million of men, the leaders of the rebellion were arrested; but were they sent to the gallows to become the victims of the hangman? No; after a short time they were set at liberty, and I do not hesitate to say that the American Government by that act of generosity and magnanimity did more to quell the passions of the people of the South, and to conciliate and consolidate the whole nation, than they would have done if they had resorted to the avenging arm of the law. These, Sir, are great examples, which should have taught our Government what was the best policy to have followed with regard to political prisoners and even rebel leaders. They show that some of the most civilised governments of the world have come to the conclusion that instead of taking the lives of political prisoners, it is better policy to extend to them the mercy of the nation, and by that means to bind them to future good behavior by a feeling of gratitude. Besides all these great examples, the Government of Canada had before them the numerous petitions, solicitations and applications which were sent to them by the people of the Province of Quebec. The people of that Province are well known to be an honest, peaceful, law-abiding people; they are sensitive and chivalrous in their character, always disposed to sympathise with the weak against the powerful, with the oppressed against the oppressor. Although they were willing that this insurrection should be suppressed, although they encouraged our soldiers when they left their homes to go to the field, yet the people of Quebec, who knew from the beginning that the half-breeds had been ill-treated by the Government and provoked to this rebellion, who knew the brutal treatment they had received at the hands of the Government and some of their agents, were willing that this Government should not hesitate to exercise clemency in their regard. The people of Quebec did not hesitate to send solicitations and prayers to this Government, and innumerable petitions were sent from all parts of the Province praying for clemency; petitions were also sent to the Government by people living outside of the country, by people living in the States, and some came even

from old France and England, all asking the same thing. The press, at least the French press of Quebec, was unanimous—both the organs of the Government as well as those of their opponents—in advising the Government to be merciful; a portion of the press of the United States, and of the press of France, and of the English press, joined in advising the Canadian Government to be merciful. They told the Canadian Government that the death of Louis Riel would be considered as a political crime, and would cause him to be regarded as a hero and a political martyr. But all this was of no avail; nothing could move the hearts of the Canadian Ministry, and Louis Riel had to ascend the scaffold of Regina and perish a victim of the hangman. Yesterday the hon. member for Montreal Centre (Mr. Curran) told this House that the indignation aroused in Quebec had been excited by the Rouge leaders. Does he not remember—and no man knows better than he—that the night of the very day when the execution took place, indignation meetings were held in the great cities of Montreal, Quebec, and even here, at Ottawa, at the very doors of the First Minister? This movement was spontaneous and soon became general. The people did not wait the suggestions or instigations of the Rouge leaders, and numerous meetings took place in different parts of the Province. Who were heard at those meetings denouncing the Government's conduct? Was it only the Rouge leaders? No; but some of the most distinguished and best friends of the Government as well. Now, with all those petitions, with all those appeals under their eyes, all praying for mercy, how is it that the Government could not come to the conclusion that Riel should be pardoned? The hon. Minister of Public Works (Sir Hector Langevin) told us why. He said the Government had before their eyes the fact that fifteen years ago Riel had been the cause of the death of Thomas Scott, and that he had not been tried for that offence; in other words, the unfortunate Thomas Scott had friends in this country, and Riel had to be sacrificed to their vengeance. Sir, I never, for my part, excused Riel for the death of Scott. When that sad event occurred I happened to occupy a seat in this House, and I did not hesitate to call that odious deed an act of insanity, an unnecessary act. But since I have known Riel more thoroughly than I did then, I am convinced that then, as afterwards, he was an insane man, because there was no necessity in that rebellion to put Scott to death. Scott could have been easily kept in gaol, and there was no reason which made it necessary to sentence him to death. In my view Riel was not excusable, except on the ground that he was then very likely insane, as he was shown to be afterwards. But Riel had already suffered punishment for that crime; and, Sir, according to English law, no British subject ought to be punished twice for the same offence. This man, however, stands to-day as having received a double chastisement for his crime. I could well understand that the First Minister should try to punish him a second time for the death of Scott, for I well remember that when my hon. friend the member for East York (Mr. Mackenzie), who was leading the Government, introduced the resolutions inflicting upon Riel and Lépine a compulsory absence of five years from the country, the right hon. gentleman, who was then leading the Opposition, laughed at the punishment, and said, in answer to my hon. friend from East York: Your resolutions inflict upon a bloody murderer the punishment that would have been inflicted upon a man who had stolen a sheep. The right hon. gentleman voted against those resolutions on the ground that the punishment they inflicted upon Riel was too light. But, Sir, how can the hon. the Minister of Public Works feel in accord with his leader on that point? It is true the Minister of Public Works was not in the House at the time, but his friends in the Province of Quebec, those who were then and are still his followers, those who act in sympathy and

harmony with him, those who share his feelings and of whom he is the leader and the instructor as a politician, all voted against the resolutions on the ground that the punishment was too light? No; but on the ground that it was too severe; they advocated a complete and full amnesty in favor of Riel. Now, after the Conservative party in the Province of Quebec, of whom the Minister of Public Works was and still is the leader, took such a position how can he agree with the leader of the Government in inflicting upon Riel a second punishment for an offence committed fifteen years ago? Sir, there are men sometimes who do not always hold the same opinions with regard to cases which, however, are analogous; and this was very well stated last night by my hon. friend from Megantic (Mr. Langelier) when he pointed out the fact that there were, in this House, hon. gentlemen who, while they were denouncing Riel as a rebel, were full of admiration for those who participated in two great rebellions which formerly took place in England. It is perfectly true that, if Riel had attempted to conquer the North-West and succeeded in establishing a permanent Government in that country, it would have been regarded to-day as a glorious event and he would have been a hero, and have been called by no one a rebel and a traitor. It is equally certain on the other hand that if Oliver Cromwell and the Prince of Orange had not succeeded in their attempts against the legitimate monarchs of England, they would have been treated as traitors and rebels and would have lost their heads on the scaffold. Yet I am sure that there are many gentlemen in this House who admire those great rebels of England, and who do not regard Oliver Cromwell and the Prince of Orange as rebels and traitors, while they consider Louis Riel as a rebel, a traitor and a deserter from his faith, though he is a rebel on a less scale. I cannot sit down without referring briefly to the speech made by my hon. friend from Provencher (Mr. Royal). The hon. gentleman, who is known to be a solid friend of the Government, admits that the half-breeds have been neglected by the Government, and such an admission, made on the part of a gentleman who is so strong a follower of the present Government, means a great deal. The hon. gentleman does not blame the agitation which has been for some time taking place in the Province of Quebec. He terms it, very mildly, the exaggeration of a noble feeling, but he would advise that it should not be continued, for it might lead to serious consequences; and, do you know, Mr. Speaker, what are these consequences? The first is, that it might lead to a change of Government. I can well understand that this would be, for my hon. friend, one of the worst consequences to be feared; but, for my part, I do not fear that consequence, and if we are to have it, I think the sooner the better, for the benefit of the country. The other consequence, he says, would be, perhaps, the annihilation of our special institutions in the Province of Quebec. I would ask if my hon. friend has been frightened by the threats of the *Toronto Mail* and the *Winnipeg Siftings*. If so, I can tell him that they have frightened no one in the Province of Quebec. We have, in that Province, as my hon. friend perfectly well knows, special institutions, special rights guaranteed to us, and we mean and intend to keep them, to maintain them and to defend them against all assaults, no matter from what quarter they might come; but we have no reason to fear that we shall ever be pushed to that extremity. So far, the hon. gentleman says, we have been well treated by the English majority in this Dominion. That is quite true, but at the same time it is well known that we, the majority in Quebec, treat with generosity the English minority in that Province. So long as we continue to act with that generosity towards our English friends; so long as we content ourselves with defending our rights, and resort to no other means but legal and constitutional means; so long as we never encroach upon the rights of others, I am sure that we will ever be met with the respect and the sympathies of all

honest, peaceable citizens, of all fair and good-minded men, and those form the vast majority of the English people of this Dominion. I am sure that the advice of my hon. friend from Provencher, although very charitable and friendly, will not be followed in the Province of Quebec, for, if the theory contained in such advice was to be put into practice, the people might become slaves, and the people of the Province of Quebec will never consent to be slaves in this Dominion. The people would only then have to let governments do as they please, and never hold them responsible for their actions. The people do not think so in the Province of Quebec, as they do not in old Ireland, where for some years they have been agitating for the redress of grievances of a very important and grave character. Both parties in England have been in power within a few years, but no Government ever attempted to arrest the Irish leaders, because those people are making a constitutional agitation; and I am free to say *en passant* that, although I deplore as deeply as any man the excesses, the outrages, the crimes which have been committed in some parts of that country in the course of that agitation, I could not prevent my heart enlisting its sympathies in favor of that people. I do hope that the present First Minister of England, who is regarded, and justly regarded, as one of the greatest statesmen of the age, I do hope the Grand Old Man, as they call him, will successfully prepare some measure and pass it through Parliament by which he may pacify Ireland in giving satisfaction to her people. I would be too happy if I could expect as much from the Canadian Government towards the poor half-breeds of the North-West.

Mr. LAURIER. Since no one on the other side of the House has the courage to continue this debate, I will do so myself. The Minister of Public Works stated that the Government were ready and anxious to discuss this question, and this is an evidence of the courage they pretend to possess. Sir, in all that has been said so far, and that has fallen from the lips of hon. gentlemen opposite, there is one thing in which we can all agree, and one thing only—we can all agree on the tribute which was paid to the volunteers by the Minister of Public Works when he entered into a defence of the Government. The volunteers had a most painful duty to perform, and they performed it in a most creditable manner to themselves and the country. But under the uniform of a soldier there is generally to be found a warm and merciful heart. Moreover, our soldiers are citizens who have an interest in this country, but when they are on duty they know nothing but duty. At the same time it can fairly be presumed that when on duty the heart feels and the mind thinks; and it may be fairly presumed that those who were on duty in the North-West last spring thought and felt as a great soldier, a great king, King Henry IV of France, thought and felt when engaged in battle for many years of his life in fighting his rebellious subjects. Whenever his sword inflicted a wound he used these words: "The King strikes thee, God heal thee." It may be presumed that perhaps our soldiers, when fighting the rebellion, were also animated by a similar spirit, and prayed to God that he would heal the wounds which it was their duty to inflict, and that no more blood should be shed than the blood shed by themselves. The Government, however, thought otherwise. The Government thought that the blood shed by the soldiers was not sufficient, but that another life must also be sacrificed. We heard the Minister of Public Works attempting to defend the conduct of the Government, and stating that its action in this matter was a stern necessity which duty to our Queen and duty to our country made inevitable. Mr. Speaker, I have yet to learn—and I have not learned it from any thing that has fallen from the lips of gentleman opposite—that duty to Queen and country may ever prevent the

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exercise of that prerogative of mercy which is the noblest prerogative of the Crown. The language of the hon. gentleman was not the first language of the same nature. This was not the first occasion when responsible or irresponsible advisors of the Crown attempted to delude the public, and perhaps themselves as well, that duty to Queen and country required blood, when mercy was a possible alternative. When Admiral Byng was sentenced to be shot for no other crime than that of being unfortunate in battle, there were men at the time who said to the King that the interests of the country required that the sentence should be carried out, though the court which had convicted him strongly recommended him to mercy. Those evil counsels prevailed, and the sentence was carried out; and the verdict of history, the verdict of posterity—posterity to which hon. gentlemen now appeal—has declared long ago that the carrying out of the sentence against Admiral Byng was a judicial murder. And I venture to predict, Mr. Speaker, that the verdict of history will be the same in this instance. In every instance in which a Government has carried out the extreme penalty of the law, when mercy was suggested instead, the verdict of history has been the same. Sir, in the Province to which I belong, and especially amongst the race to which I belong, the execution of Louis Riel has been universally condemned as being the sacrifice of a life, not to inexorable justice, but to bitter passion and revenge. And now, Sir, before going any further, it is fitting that, perhaps, I should address myself at once to the state of things which has sprung up in Quebec from the universal condemnation of the Government, not only by their foes, but by their friends as well. The movement which has followed the execution of Riel has been strangely misconceived, or I should say, has been wilfully misrepresented. The Tory press of Ontario at once turned bitterly and savagely upon their French allies of twenty-five years and more. They assailed them, not only in their action but in their motives. They charged them with being animated, not with any honest conviction of opinion, but with being animated with nothing less than race prejudices; they not only charged their former friends, but the whole French race as well, that the only motive which led them to take the course they did in the matter of Riel was simply because Riel was of French origin. They charged against the whole race that they would step between a criminal and justice, the moment the criminal was one of their own race. They charged against the whole French race that they would prevent the execution of the law the moment the law threatened one of their own. Mr. Speaker, on this matter I am not desirous of following the example which has been set before us by hon. gentlemen opposite of citing copious newspaper extracts, although I could cite extracts of the most bitter nature that ever was penned, of the *Mail* newspaper and other Tory organs against French Canadians. I will not import into this debate any more acrimony than can be avoided, but I will simply quote a single paragraph from the *Mail*—and one of the most moderate—which will show the general spirit of the attacks made upon us. On the 7th of December last, the *Mail* wrote as follows, speaking of the French Canadians:—

"Their leaders are paying us back at the present time by asserting that they should have the right of suspending the operation of law against treason whenever they choose to demand its suspension in the interests of a traitor of French origin, even though he may have been twice guilty."

Sir, I denounce this as a vile calumny. I denounce this as false. I claim this for my fellow-countrymen of French origin that there is not to be found anywhere, under heaven a more docile, quiet and law-abiding people. I claim this for my fellow-countrymen of French origin—and I appeal to the testimony of any of those who know them and have lived amongst them—that whatever their faults may be, it

is not one of their faults to shield, conceal and abet crime. It is true that upon the present occasion the French Canadians have shown an unbounded sympathy for the unfortunate man who lost his life upon the scaffold on the 16th November last. But if they came to that conclusion, it was not because they were influenced by race preferences or race prejudice, if you choose to call it so. They were no more influenced in their opinion by race prejudice, than were the foreign papers which deprecated the execution of Riel. It is a fact that the foreign press, the American press, the English press, the French press, almost without any exception, have taken the ground that the execution of Riel was unjustified, unwarranted and against the spirit of the age. Certainly, it cannot be charged against that press that they were influenced by race feelings or prejudices, if you choose to call them such. And in the same manner, I say, the French Canadians, in the attitude which they took, were not impelled by race prejudices, but by reasons fairly deducible and deduced from the facts of the case. But if it had been stated that race prejudices, that blood relations had added keenness and feeling to a conviction formed by the mind, that would have been perfectly true. I will not admit that blood relations can so far cloud my judgment as to make me mistake wrong or right, but I cheerfully admit and I will plead guilty to that weakness, if weakness it be, that if an injustice be committed against a fellow-being, the blow will fall deeper into my heart if it should fall upon one of my kith and kin. But I will not admit anything more than that. That race prejudices can so far cloud my judgment as to make me mistake wrong from right, I do not believe to be true. Before I go further, I desire to say this: It has been stated, time and again, by the *Mail* newspaper and by other Tory organs, that it was the present intention of the French Canadian leaders to organise a purely French Canadian party, to lay aside all party ties and to have no other bonds of party in this House but that tie of race. I protest against any such assertion. Such assertion is unfounded, it is calculated to do harm, it is not founded on truth. It would be simply suicidal to French Canadians to form a party by themselves. Why, so soon as French Canadians, who are in the minority in this House and in the country, were to organise as a political party, they would compel the majority to organise as a political party, and the result must be disastrous to themselves. We have only one way of organising parties. This country must be governed and can be governed simply on questions of policy and administration, and French Canadians who have had any part in this movement have never had any other intention but to organise upon those party distinctions and upon no other. In order to lay this question at rest, I cannot do better than to quote the language of the hon. member for Hochelaga (Mr. Desjardins) at a meeting that took place recently at Longueuil. That meeting took place in January, I believe. Mr. Benoit, the hon. member for the county, had been invited, but had not put in an appearance, and the fact had been commented on by some speakers who had addressed the meeting. Mr. Desjardins spoke as follows:—

“Mr. Benoit has perhaps done well to hesitate, because I have myself hesitated, seeing at the head of the invitation I received, ‘Parti National.’ If it be understood by ‘Parti National’ that it is a party other than those already existing, I am not of that party; but if it be understood that Liberals and Conservatives shall unite in the same idea and present a united front when their national interests may be imperilled, I am of that party. In our movement we have not desired that a criminal should escape death because he was a French Canadian; but because as regards Jackson and Riel, if the first had his life saved, the second should have had it also. We do not want any more privileges; we are strong enough, but what we want is justice for all.”

It has been stated by sober-minded people that the execution, even if unjust, of the man who was executed and who is believed to have been insane by those who sympathise with him, does not make this a case for

the outburst of feeling which has been made in Quebec on the occasion of Riel's execution. I differ from that view. In our age, in our civilisation, every single human life is valuable, and is entitled to protection in the councils of the nation. Not many years ago England sent an expedition and spent millions of her treasure and some of her best blood simply to rescue prisoners whose lives were in the hands of the King of Abyssinia. In the same manner I say that the life of a single subject of Her Majesty here is valuable, and is not to be treated with levity. If there are members in this House who believe that the execution of Riel was not warranted, that under the circumstances of the case it was not judicious, that it was unjust, I say they have a right to arraign the Government for it before this country, and if they arraign the Government for it and the Government have to take their trial upon it, it must be admitted as a consequence that certain parties will feel upon the question more than others. It is not to be supposed that the same causes which influenced public opinion in Lower Canada acted in the same manner with all classes of the community, that the causes which actuated the community at large were identical in all classes of the community. Some there were who believed that the Government had not meted out the same measure of justice to all those that were accused and who took part in the rebellion. Others believed that the state of mind of Riel was such that it was a judicial murder to execute him; but the great mass of the people believed that mercy should have been extended to all the prisoners, Riel included, because the rebellion was the result of the policy followed by the Government against the half-breeds. That was the chief reason which actuated them, and it seems to me it is too late in the day now to seriously attempt to deny that the rebellion was directly the result of the conduct of the Government towards the half-breeds. It is too late in the day to dispute that fact. Yet we have heard it disputed in this House. By whom? By the last man whom I should have expected would have disputed it—by the hon. member for Provencher (Mr. Royal). He gave us the other day his version of the origin of the trouble. Everybody is responsible for the rebellion except one body. The *Globe* is responsible for it; the Farmer's Union is responsible for it; the white settlers are responsible for it. Everybody you can conceive is responsible for it except the Government. The Government is perfectly innocent of it, as innocent as a new-born child? Such was the statement made by the hon. member the other day. But if the hon. member is now earnest as to that matter, how is it that the half-breeds alone have been prosecuted. If the *Globe* is the cause of that rebellion, the *Globe* should have been the first to be indicted. If the white settlers were the instigators, the white settlers should have been indicted also. There is more than that. The counsel for the Crown received authority and even instructions specially to proceed against the instigators of the rebellion, the white settlers, who certainly would have been more guilty than the half-breeds whom they had instigated to rebellion. Here is part of the instructions given by the late Minister of Justice to the counsel for the Crown:

“It must be, and from the information which the Government have it seems probable”——

It seems the Government share the opinion of the hon. member for Provencher, and they profess to act accordingly.

“It must be, and from the information which the Government have, it seems probable that the rebellion has been encouraged actively by whites, particularly in Prince Albert. Nothing in the whole duty entrusted to you is, I apprehend, more important than that we should if possible find out some of the men who, with far better knowledge than the half-breeds, stirred them up to rebellion, and your special attention is asked to this point.”

The hon. member for Provencher (Mr. Royal) does not seem to have given any help to the counsel for the Crown,

notwithstanding the knowledge which enables him to say on the floor of Parliament, with the responsibility attaching to his utterances, that the white settlers are responsible for the rebellion. If they are, how comes it that no white settler has yet been indicted—that every white settler is at large? What are we to infer from this? Are we to infer that the Government has receded from the position which was here taken by Sir Alexander Campbell? Or are we to infer that the statement of the hon. member for Provencher is only one of those wild assertions made as a last expedient in the defence of acts otherwise indefensible? But the hon. gentleman went further. He not only charged the white settlers, the Farmer's Union, and the *Globe* newspaper, but he also held responsible the Mackenzie Administration. He said that the Administration of that Government, from the time that they took office to the time they left had been a perfect blank. Well, Mr. Speaker, it is a charge which cannot be made against the present Administration. Their Administration was not at all one blank. Blood, blood, blood, prisons, scaffolds, widows, orphans, destitution, ruin—these are what fill the blank in the Administration of this Government of the affairs of the North-West. But, Mr. Speaker, there might be something to say, as the hon. gentleman will apprehend, upon the Administration of the hon. member for East York (Mr. Mackenzie) of the affairs of the North-West Territories, but the present would not be a seasonable time, and the occasion may arise hereafter. But let me tell this to the hon. gentleman: If the Administration of Mr. Mackenzie was blameable for its treatment of the affairs of the North-West, if they were remiss in their duties, how much more blameable must be the present Administration, which have not yet done that which should have been done by their predecessors? But I forget; the hon. gentleman has nothing, or, at least, very little, to say against the present Government. It may be possibly that they have not been altogether diligent in the duties they had to perform, but still they have shown a great deal of good will—at least, so says the hon. gentleman. Here is what he says:

"In 1880 Sir John Macdonald took the first opportunity he had, in order to bring in a Bill in this House—he himself, the leader of the Conservative party, introduced a Bill in Parliament to extend the same privileges and rights to the half-breeds in the territories as those enjoyed under the Manitoba Act by the half-breeds in the Province of Manitoba."

This statement is correct, except with regard to the date which should have been 1879 instead of 1880. Sir John Macdonald, as he says, introduced a Bill to extend to the half-breeds of the North-West Territories the same privileges as have been granted to those of Manitoba. That was done in 1879, and the Act which I hold in my hand reads as follows:—

"That the following powers are hereby delegated to the Governor in Council to satisfy any claims existing in connection with the extinguishment of the Indian titles preferred by the half-breeds resident in the North-West Territories, outside the limits of Manitoba previous to the 15th day of July, 1870, by granting land to such persons to such extent and on such terms and conditions as may from time to time be deemed expedient."

The provisions of this statute were repeated in the Act of 1833. But before we proceed further, it may be important to at once define what were those privileges and rights which were extended to the half-breeds of Manitoba. By the Act of 1870 it was decreed as follows:—

"And whereas it is expedient towards the extinguishment of the Indian title to the lands in the Province to appropriate a portion of such ungranted lands to the extent of 1,400,000 acres thereof for the benefit of the families of the half-breed residents, it is hereby enacted that under regulations to be from time to time made by the Governor General in Council, the Lieutenant Governor shall select such lots or tracts in such parts of the Province as he may deem expedient, to the extent aforesaid, and divide the same among the children of heads of families residing in the Province at the time of the said transfer to Canada."

And by a further Act, the Act of 1874, the same privileges were extended, not only to heads of families but to minors,
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the children of half-breeds, as defined in section 32 of that Act. These Acts, as they were administered, assigned, first, to each head of a family the plot of land of which he happened to be in possession at the time of the transfer, to the extent of 160 acres; and, besides that, the half-breeds were also granted, for the extinguishment of the Indian title, 160 acres of land or scrip for 160 acres of land; and each minor, 240 acres or scrip for that quantity. In 1879 the First Minister took power to extend the same privileges to the half-breeds of the North-West. It will be seen that the half-breeds of Manitoba were treated as a special class. They were not treated as Indians; they were not treated as whites, but as participating in the rights of both the whites and the Indians. If they had been treated as Indians they would have been sent to their reserves; if they had been treated as whites they would have been granted homesteads; but as I have said they were treated as a special class, participating in both rights of whites and Indians; as whites they were given a homestead of 160 acres on the plot of land of which they happened to be in possession; as Indians, they were given scrip for lands to the extent of 160 acres for each head of their family, and 240 acres for minors. In 1879, as I have said, the Government passed a statute similar to the statute of Manitoba. Did they act upon it? When did they act upon it? When was the first thing done by the Government of Canada to put in force the Act of 1879? The first thing ever done by the Government of Canada to put in force the Act they themselves had passed was on the 28th January, 1885. Six long years elapsed before they attempted to do that justice to the half-breeds which they had taken power from Parliament to do at the time. During all that time the Government was perfectly immovable. The hon. member for Provencher (Mr. Royal) told us the Government had done their duty by the half-breeds. Sir, if the Government had done their duty by the half-breeds, how is it that the half-breeds so often petitioned the Government to grant them their rights? How is it that they so often deluged the Department with petitions and deputations? How is it that they so often appealed to the hon. member for Provencher himself? How is it, for instance, that on the 19th of November, 1883, Maxime Lépine, now a prisoner in the Manitoba penitentiary, Baptiste Boucher, wounded in battle, Charles Lavallé, wounded in battle, Isidore Damas, killed in battle, and several others, addressed Mr. Duck, the agent at Prince Albert, asking him to try and induce the Government to grant them their rights, representing at the same time that they had petitioned, and that their petitions had been supported by prominent men, amongst others the Hon. Mr. Royal, the member for Provencher, and all without avail? How is it that these men, in order to obtain the rights which were denied them, have gone through such an ordeal as they have, if the Government did justice by them? Is this not the greatest condemnation that could be pronounced against them? An agitation was going on all the time in the North-West, and the Government were perfectly immovable. The hon. member for Bellechasse (Mr. Amyot) stated the other day that the Government during all those years were slumbering and snoring. I believe the expression was none too strong, because we have evidence of its truth in the Government's own blue book. Would you believe it, Mr. Speaker, we have evidence that the Department had forgotten the law which they themselves had placed on the Statute book; we have evidence that the Government actually forgot that the half-breeds were entitled to special privileges. The thing is almost incredible; yet here is the evidence of it. There was a meeting held at Prince Albert of the settlers of the locality, to take into consideration their own grievances and the grievances of the half-breeds as well; and amongst the resolutions carried was the following, the third one:—

"Moved by Mr Miller, seconded by Mr. Spencer, and carried unanimously:—'Whereas the Indian title in this district or territory has not become extinct, and the old settlers and half-breed population of Manitoba were granted scrip in commutation of such title, and such allowance has not been made to those resident in this Territory—Resolved, that the right hon. the Minister of the Interior be requested to grant such scrip to such settlers, thus placing them on an equal footing with their *confrères* in Manitoba.'"

This resolution simply asked that the half-breeds of the North-West should be treated just as the half-breeds of Manitoba were treated—just as the hon. member for Provencher said they should have been treated; and what was the answer of the Department? The answer of the Department will show precisely what I have stated, that the Department at that time, in 1881, had forgotten the tenor of the statute they had placed on the Statute-book before. Here is the answer, addressed to the Hon. Lawrence Clarke, who had transmitted the petition:

"DEPARTMENT OF THE INTERIOR, OTTAWA, 22nd Nov., 1881.

"SIR,—By direction of the Minister of the Interior, I have the honor to acknowledge the receipt of memorial handed in by you, of certain resolutions passed at a meeting of the inhabitants of the district of Lorne (which you represent in the North-West Council), held at Prince Albert on the 18th October, 1881.

"In reply to the questions involved in the several resolutions contained therein, I am to say as follows:—

"Resolution No. 3. As by treaty with the Indians their title to any portion of the territory included within the district of Lorne has been extinguished, this resolution would need explanation."

Here was a resolution calling upon the Government to give effect to a law passed by themselves—to give the half-breeds the special rights to which by law they were entitled to, and yet the Government declares that this resolution requires explanation. Well, the explanation came, and it was not long in coming. Mr. Clarke answered as follows:—

"CARLTON, N.W.T., 25th January, 1882.

"SIR,—I have the honor to acknowledge the receipt of your letter of the 22nd November last, embodying the reply of the right hon. the Minister of the Interior to a memorial, handed in by me, of certain resolutions passed at a meeting of the inhabitants of the district of Lorne, held at Prince Albert on the 18th October, 1881.

"With regard to resolution No. 3, it is remarked that:

"As by treaty with the Indians, their title to any portion of the territory included within the district of Lorne has been extinguished, this resolution would need explanation."

"I would respectfully submit that the Indian title, no doubt, has been extinguished, but evidently not that of the half-breed residents of the North-West Territories.

"The Government of the Dominion of Canada have repeatedly acknowledged the right in the soil of the half-breed inhabitants, as is proved by the Parliament of Canada, in 1870, 33 Vic., chap. 3, section 31, as follows:—

Then he recites all the acts by which the Parliament of Canada had declared, time and again, that the half-breeds were entitled to for their Indian title; and goes on:

"It will be seen, therefore, that from the first enactment, in 1870, to the last, in 1879, the rights in the soil of the half-breeds, have been recognised by the Government, and provision made for the extinguishment of their title."

This explanation was certainly clear enough, but the Government at once fell again into the state of immovability in which they had been living, and the Minister fell again into the state of repose in which he had been living for so many years before. The half-breeds petitioned again; they sent their friends upon delegations to Ottawa; they sent the hon. member for Provencher; yet the Government never took any action in the matter until the 28th of January, 1885, when the Minister felt his seat shaken by the tempest that was threatening to sweep over the country. But it was then unfortunately too late. When the seeds of discontent have long been germinating, when hearts have long been swelling with long accumulating bitternesses, and when humiliations and disappointments have made men discontented and sullen, a small incident will create a conflagration, just as a spark on the prairie, under certain circumstances, will kindle a widespread and unquenchable

fire. Then the Government moved, but it was too late. The incident occurred—what was it? The hon. member for Provencher told us what it was. After the Government had sent a commission, a man had the imprudence to say that a commission would not come, but that bullets would come instead; and this statement of the hon. gentleman is corroborated by a statement of Archbishop Taché in a letter published in December last, in which, speaking of the commencement of the rebellion, he said:

"The assurance that a commission would be sent was not accepted. People preferred to believe a rumor which went to show that instead of granting them their rights, the authorities were to send irons for their leader, and bullets for those who would protect him. That conviction produced the result which was to be expected. The half-breeds thought they would resist and defend themselves. Badly armed, without ammunition or provisions, they took possession of the stores in the vicinity. The unfortunate attack made against them at Duck Lake was a declaration of war."

It will strike many minds now that there is a great analogy between the origin of this rebellion and the origin of the rebellion in Lower Canada in 1837. An agitation had been going on in Lower Canada for many years, as it had been going on in the North-West for many years, and it was when the Government attempted to arrest the leaders of the movement that the rebellion broke out; and without going any further, I am glad to recall the fact that, deplorable as was this rebellion in Lower Canada, it secured at once to the Lower Canadians the rights which they had been vainly seeking for so many years, and secured this further result: that although the population had been hitherto in favor of rebellion they at once became the most faithful subjects England ever had. In the same manner, though the last result has not been obtained, it may be and will be obtained, I have no doubt, in the North-West, because the immediate result of the rebellion there has been to secure to the half-breeds the rights which had been denied to them up to that time. I have charged the Government with not only having been negligent in the duty they owed to the half-breeds, but with denying to the half-breeds the rights to which they were entitled. I charge them with, not ignoring only, but actually refusing, of design aforethought, the rights to which the half-breeds were entitled. The first order the Government passed under the statute was that of the 23th January, 1885. What was that order? Its provisions are important to consider, in view of the charge I have just preferred against the Government. The order runs as follows:—

"On a memorandum dated 26th January, 1885, from the Minister of the Interior, submitting that it is desirable, with a view of settling equitably the claims of half-breeds in Manitoba and the North-West Territories, who would have been entitled to land had they resided in Manitoba at the time of the transfer and filed their claims in due course under the Manitoba Act, and also of those who, though residing in Manitoba and equitably entitled to participate in the grant, did not do so, to ascertain the number of such half-breeds, and recommending that he be authorised to obtain an enumeration of them, and to employ three persons to make such enumeration."

The provisions of the order, you see, were, first, to cause an enumeration to be made of the half-breeds who were entitled to compensation, in order to settle equitably the claims of those half-breeds. What was to be that equitable settlement? The order is vague upon that point; it is not only vague, it is silent. Was the settlement to be that which was granted to the half-breeds of Manitoba, as was insinuated the other day by the hon. member from Provencher (Mr. Royal)? I say no; I say that the settlement that the Government then contemplated, and which is called equitable, was not the settlement which had been made in favor of the half-breeds of Manitoba. I may here recall what was the latter settlement. The half-breeds of Manitoba were given, first, a free grant of the plots of land which they occupied, to the extent of 160 acres each, as whites; they were given, in the second place, in extinction of the Indian title, land to the extent of 160 acres for each head of family, and

land or scrip to the extent of 240 acres for every minor. Was this to be the settlement which was to be given by the Government under order of 28th January? I say it was not; and I call to witness upon this point the language spoken by the First Minister himself on the 26th March last, when this matter came before this House. On that occasion he said:

"As a whole the half-breeds have been told that if they desire to be considered as Indians there are most liberal reserves that they could go with the others; but that if they desired to be considered white men they would get 160 acres of land as homesteads. But they are not satisfied with that; they want to get land scrip of equal quantity—I think upwards of 200 acres—and then get, as a matter of course, their homesteads as well."

You see, therefore, that the Government, on the 26th March, 1885, was not disposed to treat the half-breeds of the North-West Territories as they had treated the half-breeds of Manitoba. If they had been disposed to do so, the First Minister would have said: We will give them, as we have given the half-breeds of Manitoba, the plots of land on which they reside, as free grants of 160 acres each, this to be their rights as homesteaders; and as Indians we will give them, in extinguishment of their rights to the Indian title, land scrip to the extent of 160 acres for each head of family and 240 acres to each minor. No; the language of the First Minister shows that he was opposed to their being treated in this way. He said: "If they wanted to be treated as Indians, they could go on the reserves; but if they wanted to be treated as whites, they could have a homestead like other whites." Therefore I charge the Government with this, that when they passed the order of 28th January, 1885, it was not the intention of the Government to afford the same justice to the half-breeds of the North-West Territories that had been afforded to those of Manitoba. But, by the way, I may mention that this passage, which I have just quoted from the speech of the First Minister, has been eliminated from the bound volume of *Hansard*, and I call the attention of the *Debate*; Committee to this fact. *The intentions then expressed in the language I have just quoted from the First Minister were carried out four days later, on the 30th March, when another Order in Council was passed, and how did that Order in Council read? It read as follows:—

"The Minister of the Interior is of the opinion that it is expedient that those claims should be satisfied by granting: First, to each half-breed head of a family resident in the North-West Territories, outside of the limits of Manitoba previous to the 15th July, 1870, the lot or portion of land of which he is at present time in *bona fide* and undisputed occupation by virtue of residence upon and cultivation thereof, to the extent of 160 acres, and if the lot or portion of land for which he is in *bona fide* occupation as aforesaid, should be less than 160 acres, the difference to be made up to him by an issue of scrip, redeemable in land, at the rate of one dollar per acre, and in case of each half-breed head of a family residing in the North-West Territories previous to the 15th day of July, 1870, who is not at present in *bona fide* occupation of any land, scrip be issued, redeemable in land, to the extent of \$160."

The same provision is thereafter made for the minors. Let us examine this Order in Council. What does it provide for? It provides simply this, that the half-breed, shall get a grant of 160 acres as settler or homesteader, but that nothing shall be given him in extinguishment of his Indian title. If the half-breed is in possession of a plot of 160 acres, he is to receive a free grant of it—nothing more; if his lot is not 160 acres, he is to receive the difference—nothing more; so that it is manifest at that date, under this Order in Council, it was not the intention of the Government to give to the half-breeds of the North-West Territories the same rights that had been given to the half-breeds of Manitoba. The commission being issued under this order, it was not possible for the commissioners to do otherwise than to carry out the provisions contained in the order. They had no authority to go to any greater length than they were authorised by that order. The commission was issued to Mr. Street, Mr. Goulet and Mr. Forget, and, as soon as they came to the North-West, as soon as they came to

* See Personal explanation on page 186.

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investigate the matters involved, they saw at once that this proposed settlement would be no settlement at all, that the half-breeds would be still dissatisfied; and, upon the 4th April, Mr. Street telegraphed to Mr. Macpherson, the Minister of the Interior, as follows:—

"If desired by half-breeds, would it not be advisable to grant scrip, one sixty or two forty dollars, permitting them to acquire title to lands in occupation through possession? Otherwise, Government really gives nothing for Indian title. Do you wish me to give notice that commission will take evidence of claims other than those of half-breeds? Pearce concurs in first suggestion."

Here is the telegram in which the commissioner at once points out that, if he carries out the Order in Council, the Government gives nothing to the half-breeds for the extinguishment of the Indian title. Then the next day, a letter followed up the telegram from Mr. Street, and it is still more significant:

"MY DEAR SIR DAVID,—We arrived here early this morning, and I met my fellow commissioners at the Dominion Lands Office at 10 o'clock. They introduced the subject as to which I telegraphed you yesterday, and spoke very strongly as to its being one which was likely to be a serious stumbling-block in our dealings with the half-breeds. Lest you should not fully have understood my telegram I will shortly state the point. Suppose we find that a half-breed has been upon and, since 15th July, 1870, in occupation of a parcel of say 160 acres, under circumstances which, if he were a white settler, would entitle him to a grant of the land under the homestead clauses under the Dominion Lands Act, under the authority we now possess we could, if he were the head of a family, allow him nothing more than the 160 acres; we could allow him nothing for his claim as a half-breed, and, inasmuch as the Government has all along been purporting to deal with the half-breeds as if they had some general rights beyond those of ordinary incoming settlers, my fellow commissioners say that great dissatisfaction and disappointment will be created if we give to these occupying half-breeds only that which any ordinary settler can claim, and nothing for the extinguishment of his Indian title. Mr. Pearce discussed the matter very fully with us and concurred in the advisability of our obtaining, if possible, the power to enable us to allow the half-breed to claim the land occupied by him under the homestead provisions, and in addition to give him his scrip for the \$160 or \$240, as the case may be, for his Indian title."

There was the policy which was suggested by Mr. Street as soon as he had commenced to investigate the matter, and what was the answer? The very following day there was this telegram which should have been sent six or seven years before at least:—

"W. P. R. STREET, Q.C., Chairman Half-breed Commission,
Winnipeg.

"No objection to your suggestion to give scrip, and allow occupants to acquire title through possession when desired by them."

At last justice had been given to these people. For seven long years they had petitioned, and petitioned in vain. On the 26th March, the Prime Minister in his place in this House, gave it as his policy that these men were not entitled to any special privileges, that they had no such rights as were given to their *confrères* in Manitoba, that they were to be treated not as half-breeds, not as a special class, but either as Indians or whites. At last justice was coming to them. At last what they had been petitioning for for so many years was coming to them, and what was the cause? In ten days, from the 26th of March to the 6th of April, the Government had altered their policy and had given what they had refused for years. What was the cause? The bullets of Duck Lake; the rebellion in the North-West. The Government had been refusing for years, and at last these men took their lives and liberties in their hands, and at last the Government came down and gave them what they were entitled to. I appeal now to any friend of liberty in this House; I appeal not only to the Liberals who sit beside me, but to any man who has a British heart in his breast, and I ask, when subjects of Her Majesty have been petitioning for years for their rights, and those rights have not only been ignored, but have been denied, and when these men take their lives in their hands and rebel, will anyone in this House say that these men, when they got their rights, should not have saved their heads as well, and that the criminals, if criminals

there were in this rebellion, are not those who fought, and bled and died, but the men who sit on those Treasury benches? Sir, rebellion is always an evil, it is always an offence against the positive law of a nation; it is not always a moral crime. The Minister of Militia in the week that preceded the execution of Riel, stated his sentiments of rebellion in these words: "I hate all rebels; I have no sympathy, good, bad or indifferent with rebellion." Sir, what is hateful—I use the word which the hon. gentleman made use of—what is hateful is not rebellion, but is the despotism which induces that rebellion; what is hateful are not rebels, but the men who, having the enjoyment of power, do not discharge the duties of power; they are the men who, having the power to redress wrongs, refuse to listen to the petitions that are sent to them; they are the men who, when they are asked for a loaf, give a stone. The hon. gentleman hates all rebels, he says. I wonder if he will extend his hatred to the great rebel whose proud statue stands almost at my arm's length. I venture to say that if that man whose statue has been erected here had been living to-day, and had occupied his place on the Treasury benches, he would have remembered that he was once a rebel. I have seen the day when the Minister of Militia had not for rebellion the horror he now possesses. I have seen the day when the Minister of Militia had not for rebels the deep hatred which he proclaimed to the world almost within the hearing of a condemned man; I have seen the day when the Minister of Militia had great sympathy in his heart for rebellion, when he had deep sympathy in his heart for the very rebel whom he had in his mind, and whose death knell he was in advance ringing when he was proclaiming his hatred of rebellion at Winnipeg. Riel was once before a rebel; he was indicted before, not for rebellion, but for murder connected with a rebellion. The hon. gentleman who now has such a hatred for rebels spoke on that occasion. Resolutions were introduced into this House on a certain occasion to extend an amnesty for all offences connected with the rebellion and to all offenders, Riel and a few others excepted, and granting an amnesty even to them, but with certain restrictions. The hon. gentleman spoke on that occasion. Did he then proclaim, as he now does, his hatred of rebellion? Did he speak the language which he spoke lately in Winnipeg? Did he say he hated all rebels? "I have a hatred of all rebels; I have no sympathy, good, bad or indifferent with rebellion." No; but this is what he said:

"Mr. Caron said that he will vote against the resolution because it does not afford a complete solution of the North-West difficulty. Having voted against the expulsion of Riel from this House he cannot vote for his banishment from the country. A complete amnesty is the only practical solution, and he is sure that the same difficulties will recur next year."

Mr. Speaker, that was the sentiment of the hon. gentleman at that time. Well, if on that occasion Riel was entitled to a full amnesty, was he not entitled, at least, to a commutation of sentence on this occasion, when this last rebellion had not been darkened by such an act as darkened the pages of the first rebellion? The hon. gentleman in those days stated again and again that the first rebellion was justified. If the first rebellion was justified, was not the second rebellion equally justified? Where would be the half-breeds to-day if it had not been for this rebellion? Would they have obtained the rights which they now enjoy? I say, Sir, that the Canadian Government stands convicted of having yielded their rights only to rebellion, and not to the just representation of the half-breeds and of having actually forced them into insurrection. Mr. Speaker, such were my sentiments, and I spoke them elsewhere. I appeal, upon this occasion, as I did elsewhere, to every friend of liberty, to all those who, during twenty-five years past, have felt their hearts thrill whenever a struggle for freedom was going on in any corner of the world; with the Italians, when

they delivered their country from the yoke of Austria; with the Americans, in their stupendous struggle for national unity; with the Mexicans, in their successful attempt to resist the foreign domination which the French Emperor sought to impose on them; with the French themselves in their generous though often misguided efforts to establish amongst themselves the bulwark of freedom and responsible government; with the Danubian population, when they attempted to rid themselves from the degrading domination of the Turks; and when at last—at last—a section of our own countrymen rose in arms to claim rights long denied them, rights which were immediately acknowledged to be just, as soon as they were asked with bullets, are we to have no sympathy with them? Though, Mr. Speaker, these men were in the wrong; though the rebellion had to be put down; though it was the duty of the Canadian Government to assert its authority and vindicate the law, still, I ask any friend of liberty, if there is not a feeling rising in his heart, stronger than all reasoning to the contrary, that these men were excusable? Such were, Mr. Speaker, my sentiments. I spoke them elsewhere. I have had, since that time, occasion to realise that I have greatly shocked Tory editors and Tory members. Sir, I know what Tory loyalty is. Tories have always been famous for preaching loyalty to others. Tories have always been famous for being loyal, as long as it was profitable to be so. Under the reign of James, the Tories were gushing in their loyalty as long as the tyranny of the king fell upon the Whigs and Dissenters; but when at last the tyranny of James fell upon the Tories themselves and the Church of their heart, their slavish notions received a most salutary shock. They took side with the Whigs, and, horror of horrors, they shouldered the musket and joined the Prince of Orange and put him on the throne; and I believe that to this day the Tories will say that it was a happy day for England when that rebellion took place. If we pass from England to this country we have the same tale to tell. In 1849 the Tories were gushing in their loyalty as long as they expected the Governor General to be disloyal to the people, but when they found the Governor General was loyal to the people, their own loyalty oozed out of their bodies and vanished into thin air. They did not shoulder the musket—that would have been too noble a weapon—but with eggs and stones they pelted the representative of Her Majesty. They did not shoulder the musket, but with pen and ink they wrote and signed annexation manifestoes. And, Mr. Speaker, if we continue the story, even down to the days since this Government has been in power, we find that when they introduced the National Policy, and it was objected that that policy was unfair and ungenerous to England, and that it might possibly endanger British connection, the cool Tory answer was: "So much the worse for British connection." Sir, this is Tory loyalty. Ready they are to-day to sacrifice British connection, if British connection stands between them and their selfishness; ready they are to-day to sacrifice British connection if it stands between them and their enjoyment of power; ready they are to sacrifice British connection for mere sordid greed, but they affect, forsooth, to be shocked when we profess sympathy for men who, in the west, have been vindicating their rights long denied. Sir, I will not receive any lectures on loyalty from men with such a record. I am a British subject, and I value the proud title as much as anyone in this House. But if it is expected of me that I shall allow fellow countrymen unfriended, undefended, unprotected and unrepresented in this House, to be trampled under foot by this Government, I say that is not what I understand by loyalty, and I would call that slavery. I am a British subject, but my loyalty is not of the lips. If hon. gentlemen opposite will read history, they will find that my ancestors, in all their struggles against the British Crown in the past, never

sought anything else than to be treated as British subjects, and as soon as they were treated as British subjects, though they had not forgotten the land of their ancestors, they became amongst the most loyal subjects that England ever had. Sir, since our loyalty has been impugned by hon. gentlemen opposite, I am inclined to quote the sentiments of my race and of my party, as they were expressed by my hon. friend from Megantic (Mr. Langelier) on an occasion which was not political. Last summer certain delegates from boards of trade in France visited Canada. They were entertained by the Corporation of Quebec which presented them with an address, and the hon. member for Megantic, in his quality of mayor, answered as follows:—

“The fate of arms has decreed that our political destinies should be united with the destinies of England, and when we consider all the advantages which we have reaped from that state of things, our regret at being separated from France is not without compensation. When we can establish with France extended commercial relations, nothing more shall we want. We preserve a political *régime* of which we are proud, and we obtain at the same time the satisfaction of preserving our interests and sentiments.”

This is the loyalty of the French Canadians to-day. They are true to their ancestors. And who should object? We speak the French language, and if you look at it from a purely utilitarian point of view it is a great disadvantage, because we have afterwards to learn a foreign language to take our part in the national movement of this country. Everyone must learn to speak it the best he can in his own poor way. It would perhaps be best, from a utilitarian point of view, to have only one language; but the French is the language of our mothers, the language which recalls to our minds the most sacred associations which first dawn on the heart of man and which can never die out, and so long as there are French mothers the language will not die. But these sentiments are quite consistent with our loyalty to England, and loyal we are to England; and if I were called to illustrate it, I could not do so better than by quoting the remark of a French Canadian lady to Mr. De Bolvize who, in 1855, visited Canada by order of Napoleon III: “Our hearts are with France, but our arms are to England.” But loyalty must be reciprocal. It is not enough for the subject to be loyal to the Crown; the Crown must also be loyal to the subject. So far as England is concerned she has done her duty nobly, generously; but this Government has not done its duty towards the half-breeds. The Government are shocked, and their friends profess to be shocked, because those men claim their rights and demanded them with bullets. Have the Government been loyal to those half-breeds? If they had been loyal to the half-breeds no such trouble would have occurred. But the Government have not been loyal to the laws. If the Government do not respect the law themselves, and if afterwards men, to vindicate their rights, take weapons in their hands and brave the laws, I say the Government are bound to search their consciences and see if they have given occasion for rebellion, and if they have, to give the benefit to the guilty ones. This is what we, in Lower Canada, have been claiming, and this is one of the reasons why we have felt so warmly upon this question. But such is not, however, the doctrine of the Government. The doctrine of the Government is not put in that way in the memorandum which was issued some time after the execution of Louis Riel. Shortly after that execution the Government thought it proper, and I do not blame them for it, to put their defence before the country. They did it in a very able paper signed by the late Minister of Justice, Sir Alexander Campbell. In the very first words he speaks as follows:—

“The opponents of the Government have asserted that the rebellion was provoked, if not justified, by their mal-administration of the affairs of the North-West Territories and inattention to the just claims of the half-breeds. With this question, which has been made one of party politics, it is not thought becoming to deal here. Upon such a charge, when made in a constitutional manner, the Government will be responsible to the representatives of the people, and before them they will be prepared to meet and disprove it.”

Mr. LAURIER.

That the Government should be compelled to submit their reasons for having so acted goes as a matter of course. They were to give their reasons—they were responsible to the people. This is a matter of course. But this is not what is contended here. The contention laid down is that when the people of Canada are to examine the action of the Government in executing Riel, the question whether or not the rebellion was provoked is not to be taken into consideration. Was there ever a more unconstitutional, more intolerable doctrine propounded? I say it is contrary to the true doctrine, for if there is any occasion when the Government is bound to search into the matter to see if provocation has been given for the committal of an offence, which has involved the death penalty, it is when the offence charged is purely a political one. It is always with regret that the Minister of Justice finds himself unable to report in favor of the commutation of a death sentence. Whenever in this country a sentence of death is passed upon any of our fellow beings, it is the duty of the Minister of Justice to enquire into the causes of the crime in order to see if the requirements of the law would not be equally met if the death sentence were not carried out. Nothing is left behind that can lead to that desired end? And yet we are told here that when a man is charged with a political crime, the Government are not to consider whether there was provocation or not by the Crown? With the Government all rebellions are alike, whether provoked or not, and they have all to be treated in the same way. You are to look at all rebellions as utterly bad. You have to look upon the rebellion of Junius Brutus and the attempted rebellion of Cataline as equally bad. I say, on the contrary, that this is one of the grounds on which I arraign the Government. It was their duty when they came to consider, whether the death sentence should be carried out on Riel, to consider whether he had received provocation for the deed which brought him into that situation; and having failed to do so, the Government, on their own confession, stand guilty of having failed in a duty, which is one of the most sacred that ever can fall upon man. But the doctrine of the Government is so untenable that they could not adhere to it to the last. Even before Sir Alexander Campbell had reached the end of his factum, he abandoned his theory, for in the very bottom lines, he says:

“Whether rebellion alone should be punished with death is a question upon which opinions may differ. Treason will probably ever remain what it always has been among civilised nations, the highest of all crimes; but such conviction for that offence must be treated and disposed of by the Executive Government upon its own merits, and with a full consideration of all the attendant circumstances. In this particular instance, it was a second offence, and, as on the first occasion.”

The ex-Minister of Justice commenced by saying that we should not look into the causes which had induced the rebellion; he had conveniently left aside looking into the causes, but he no less conveniently looked into the fact that this was a second offence. This was the second offence. So it was, and for the second time the Government was guilty of that rebellion; for the second time Riel was a rebel, and was a rebel on account of the conduct of the present Government. Sir, I am not of those who look upon Louis Riel as a hero. Nature had endowed him with many brilliant qualities, but nature denied him that supreme quality without which all other qualities, however brilliant, are of no avail. Nature denied him a well-balanced mind. At his worst he was a subject fit for an asylum; at his best he was a religious and political monomaniac. But he was not a bad man—I do not believe at least that he was the bad man that he has been represented to be in a certain press. It is true that at the trial a most damaging fact was brought against him; it is true that he had offered to accept a bribe from the Government. But justice to his memory requires that all the circumstances connected with that fact should be laid before the House. If he accepted this money, it is evident that in

his own confused mind it was not with a view of betraying the cause of his fellow countrymen—

Some hon. MEMBERS. Yes, yes.?

Mr. LAURIER. Why, Mr. Speaker, I do not expect that the members who now interrupt me would deal in the same manner, but, Sir, I give them the credit of having better balanced minds than Louis Riel. In his own dazed mind it is evident that if he accepted the money it was not with a view of betraying his fellow countrymen—it was with the view of working for them in another way, since he said he would start a paper in the United States and raise up the other nationalities.

An hon. MEMBER. Another rebellion.

Mr. LAURIER. I grant that if that reasoning had been made by a man in his senses, such as an hon. gentleman on the other side, it would be enough to stifle any sympathy we could have for him; but we must make due allowances for the fact that it is proved that if he was not actually insane, no man can deny that upon this subject of politics his mind was not right or sound; and of course in the case of a mind unsound or insane we cannot apply the same tests that we should apply to a reasonable mind—it would be unfair to him. But that he was insane seems to me beyond the possibility of controversy. When the reports first came here last spring and in the early summer of his doings and sayings in the North-West, when we heard that he was to establish monarchies in the North-West, that he was to depose the Pope and establish an American Pope; those who did not know him believed he was an impostor, but those who knew him knew at once what was the matter with him. In the Province of Quebec there was not an instant's hesitation about it. Almost every man in that Province knew that he had been several times confined in asylums, and therefore it was manifest to the people of Quebec that he had fallen into one of those misfortunes with which he was afflicted. When his counsel were engaged and commenced to prepare his trial, they saw at once that if justice to him and only justice to him was to be done, their plea should be a plea of insanity. It has been said that the trial was a fair one. I deny it. I will not go over some of the arguments which have been put forward on this subject, but I ask the special attention of the House to this fact: This man asked for a month's delay for his trial; he obtained eight days. Was that justice? Was that British justice? Was that giving fair play to the accused? When he swore that justice to his case demanded a delay of one month could there be any public reason that militated against that demand? Could there be any public reason why such a request as that should not have been granted? and yet it was refused. Again, when he asked for witnesses, was the request granted him? No, it was again refused. I again recall the attention of the House to the affidavit which Riel gave, that he wanted several witnesses, amongst others Gabriel Dumont, Michel Dumas and others. I grant at once that to bring Gabriel Dumont and Michel Dumas to this country, both of whom were fugitives from justice, was hardly possible; but remember that he asked as an alternative a thing which was perfectly feasible, and it was denied him. He asked this alternative under oath:

"That unless the Government of this country or this honorable court do provide the means with which to secure the attendance of the above-named witnesses before this court, it is essential to my defence that the various papers, writings and documents taken from me at the time of my surrender to General Middleton, and taken by him and his officers from my house subsequently, should be placed in the hands of my counsel for their examination and consideration, previous to being put upon my trial."

Sir, you see the treatment of the accused on that occasion; he asked one of two things. He said either procure me the attendance of certain witnesses, Gabriel Dumont and

Michel Dumas and others, or if you cannot or will not do that give to my counsel the papers taken at Batoche. Was there ever a more moderate or reasonable petition presented to a court of justice? When this man simply said: I do not ask those witnesses if you cannot give them to me, but there is one thing you can give to me; you can give me communication of my papers which were taken from me at Batoche. Why were they not given? Reasons of State. Why, these papers have been moved for in this present Session, and the Government granted the motion without any objection. There could not, therefore, be any reason of State. True they have not been brought down yet, but the reason of State which was invested at the trial is not brought forward in this House, and why? Because such a reason would never have stood discussion in this public Parliament. That was the reason—I can see no other. But with this imperfect trial the jury recommended him to the mercy of the court. The Minister of Public Works said the other day that it was nothing unusual for juries to bring in verdicts with recommendation to mercy. No, it is not unusual, but what is very unusual is that the Government should give no heed to this recommendation. That was the unusual thing done on this occasion. After the trial was over the conviction was so deeply seated in the minds of many friends of the Government that ample and full justice had not been done, that they at once petitioned the Government to issue a commission to examine the prisoner, to see whether he was sane or insane in mind. This petition was made, as I am informed, by friends of the Government, to the Government, again and again. The Government did not refuse, but treated it simply as the petitions of the half-breeds were treated—put off, put off, until the very week that preceded the execution. And then the commission—was it a commission? I do not know what kind of a thing it was, what kind of instructions were given we do not know. But we do know that upon the 8th of November, 1885, just a week before the execution, two medical gentlemen from the east were at Regina and examined the prisoner. Were those gentlemen sent to Regina with the object of advising the Government whether or not the sentence should be commuted? I say emphatically, no. I charge this against the Government again, that when they sent this so-called commission to Regina to examine the state of mind of Louis Riel, it was not with a view of determining the question whether the sentence should be carried out or commuted, but it was to throw dust in the eyes of the public and enable the Government to say afterwards, we have consulted specialists and they have reported in favor of sanity. But Mr. Speaker, we have it on record that when this commission was sitting in Regina, when on the 6th, the 7th, and the 8th of November, Dr. Lavell and Dr. Valade were examining Riel to see whether he was insane or not, at that time the Government had determined to hang Riel; and this fact stands to the shame of the Government, perhaps more than anything else, because at that time they were simply playing a comedy; they were not acting with a view to justice; they were simply attempting to blindfold the people—to deceive the people. Why, Sir, the Order in Council containing the decision of the Government was passed on the 12th of November, but long before that time the Government had come to their conclusion. The hon. Minister of Militia about that time made a trip to the North-West. He arrived at Winnipeg on the 7th or 8th of November, so that he must have left Ottawa about the 3rd or 4th, or the 2nd of November; and before the hon. gentleman had left Ottawa for Winnipeg, the sentence, if not recorded, had been decided upon by the advisers of His Excellency. We have the evidence of the Premier himself as to that. Here is a letter which was sent by the hon. Prime Minister to the hon. Minister of Militia:

" OTTAWA, 20th November, 1885.

" MY DEAR CARON,—You say you are charged with having left Ottawa before the decision of the Governor in Council was arrived at with respect to Louis Riel, and as if for the purpose of avoiding being party to the decision.

" This is not the case, the Council had come to the conclusion that it was necessary, in the interest of justice, that the sentence should be allowed to be carried into effect, in your presence as a Member of the Council, before you left for Winnipeg."

Sir, we must give the Minister of Militia his due; he has had a full share in the hanging of Louis Riel; let him have what really appertains to him. Before he left Ottawa, the sentence had been decided between him and his colleagues. Let him have his full share of the merit, if merit there be or the shame; let him have also his full share of the comedy which was afterwards played before the public. For, I ask it of any man in his senses—I ask it of any man on the Opposition benches; I ask it of any man in this country—was there ever a more shameful thing enacted by a Government, than—after they had decided to execute for the purpose of blinding the public, to send a commission to enquire whether the convict was insane or not? What was the object of enquiring whether he was insane or not, if the Government, at that time, had made up their minds and decided that he should be hanged? The object was to do what has since been done—to say to the people of Canada: We have consulted medical officers, and they have reported, and upon their report we have acted. Sir, it was not upon this report that they acted; this report was a false note, and they did not act upon it, because when they got it their decision had been arrived at; and upon this I arraign the Government of the country, not only as being guilty of a cruel act, but as being guilty of an attempt to deceive the people of this country. Sir, if the Government had been desirous of learning whether Riel was insane or sane, there was no need of sending a commission to examine him. It would have been sufficient to look at his history; it would have been sufficient even to look at his record in the rebellion. We have it now as a fact of history that while Riel was inducing that rebellion, he chose as his chief adviser and secretary, a man notoriously insane, William Joseph Jackson, who signed his letters and Orders in Council. Will it be pretended by any man that if Riel had been in his senses, if he had had a sane and discerning mind, he would have accepted an insane man as his chief adviser? Why did this not strike hon. gentlemen opposite? One of the things which we in Lower Canada have felt as deeply as we have ever felt anything, is that we have believed that the measure of justice which was extended to Louis Riel was not the same measure of justice which was extended to William Joseph Jackson. Jackson was put upon his trial, and I am bound to say this, in duty to the Crown prosecutors, that upon that occasion they did their duty. They acknowledged at once the insanity of the prisoner and directed an acquittal. The trial of Jackson took place on the 24th of July last. Mr. Osler, counsel for the Crown, in opening the case, spoke as follows:

" The prisoner is charged with having participated in the recent rebellion, with having acted in the capacity of private secretary to Louis Riel, the leader of the rebellion. He is charged here now formally with this crime, but it is understood that the counsel for the prisoner, Mr. McArthur, will be able to give you satisfactory evidence of the insanity of the prisoner, and that he is not really responsible, and was not responsible for the acts committed by him. The Crown do not propose to contest that contention on the part of the prisoner's counsel. The evidence, in fact, comes from the medical men who have examined the prisoner on the part of the Crown, and evidence that has come to the knowledge of counsel for the Crown, during the course of preparation for other trials, is conclusive that, at the time he committed the acts, he was not responsible for them."

Now, Sir, it is important to look at the evidence which was adduced on that occasion. Dr. Jukes was examined:

" By Mr. Osler—Q. Is he so insane that it would be unfair to say he was not responsible for his acts?—A. There are occasions when I would consider he would be quite responsible; to-day he spoke and reasoned
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with me in a manner that was very clear, but only three days ago he was dazed. His mind seems to be dazed. I do not think that, to bring him at a moment's notice, he would be capable of conducting his trial, or of doing justice to himself in any manner.

" Q. To a considerable extent, your opinion is, that he could not control his actions?—A. I have never seen anything about him to give me the impression that his actions were uncontrollable. It is rather his mental hallucinations, his ideas. He holds peculiar ideas on religious matters in connection with this trouble, and in connection with the new religion of which he thinks that Louis Riel is the founder, and which he thinks it is his duty to sustain.

" Q. Would this be consistent with his committing crime?—A. If he spoke rationally I would think so, but he does not.

" Q. Then you would not hold him responsible for acts done in connection with these ideas?—A. If he committed any acts in the condition he is now, I would not hold him responsible. The slightest excitement produces a great effect upon him."

Well, Mr. Speaker, I ask any fair-minded man if this applies to William Joseph Jackson, would not every line of it apply equally to Louis Riel? Is it not a fact that these two men were deluded on the same subjects? Jackson spoke rationally, but he had hallucinations, just as Riel had; and yet one of these men is acquitted, is sent to an asylum, and is then allowed to escape, while Louis Riel is sent to the gallows. He is free to-day, and Riel is in his grave. I therefore cannot come to any other conclusion than that upon this occasion the same measure of justice which was extended to one man was not extended to the other. I do not want to raise national prejudices, but prejudices are not always the outgrowth of ignoble passion; sometimes they are simply the outgrowth of a noble passion; national prejudices may be the outgrowth of national pride, and when the people of Lower Canada found that the one prisoner was treated in one way and the other in a different way, there was occasion, at least, why they should feel as they did upon this matter. But we never knew, until the Minister of Public Works spoke the other day, what was the true reason of the execution of Riel. We have it now; he has spoken and we know what was the true inwardness of it. The Government had written a pamphlet in order to justify themselves. The utility of that pamphlet is gone; it never had any; not one of the reasons it gave for the execution of Riel was the true reason. It never had any usefulness at all, except, perhaps, as affording to the Government job printing to settle the wavering consciences of some of their followers. But now we know the true reason why Riel was executed, and here it is in the language of the Minister of Public Works:

" We had this before us, we had the fact that Louis Riel had, fifteen years before this, committed an act which was considered at the time one that should have been punished in the most severe way. The prisoner, Louis Riel, at that time was not condemned to a severe punishment; he was allowed to remain out of the country for five years, and he was not brought before a tribunal to be tried, and punished or absolved, for the death of Thomas Scott."

Here is the reason—the death of Thomas Scott. Since I have named Thomas Scott, let me pause a moment. The Minister of Public Works said the other day that those who to-day sympathised with Riel could not condemn the Government for his execution, because that excused him for the execution of Scott; and the only defence made in his favor was that the act was done by a *de facto* government. This was not the true reason. Whether the government of Riel was a *de facto* government or not, is a question upon which there may be considerable difference of opinion. The death of Scott has not been prosecuted for other reasons, to which I shall come presently, but since I have spoken of the death of Scott, I must say that I have always held the view that it was one of the most painful tragedies that has ever occurred in the life of any country; it was one of those acts for which there could be no possible excuse, unless the excuse we now have, that the man's mind was unsound. I cannot conceive that any one of sound mind could have committed so cruel an act. Whether the death of Scott was the act of a *de facto* government or not, does not matter. *De facto* governments are sometimes guilty of judicial murders, as we know to-day. Whether the act of Riel was the act of

a *de facto* Government or not, if that man had been responsible for his acts, as gentlemen on the Treasury benches are responsible for theirs, then the execution of Scott would be a stain on the memory of Riel, just as the execution of the Duke D'Enghien is a stain on the memory of Napoleon, as the execution of Louis XVI is a stain on the records of the French Convention, as the execution of Admiral Byng is a stain on the English Government of that day, as the execution of Mary Stuart is a stain on the memory of Queen Elizabeth, and as the execution of Riel will be a permanent stain and shame on the present Government. The death of Scott is the cause of the death of Riel to-day. Why, if the hon. gentleman thinks that the death of Scott was a crime, did not he punish Riel at the time? Scott was executed in the early days of 1870, the Government remained in power until the fall of 1873, yet they never did anything to bring that man to justice, who had committed such a crime as they say now he committed. 1870-71-72-73, almost four full years, passed away, and yet the Government, knowing such a crime as it has been represented here had been committed, never took any step to have the crime punished. What was their reason? The reason was that the Government had promised to condone the offence; the reason was that the Government were not willing to let that man come to trial, but, on the contrary, actually supplied him with money to induce him to leave the country, and, Sir, I ask any man on the other side of the House, if this offence was punishable, why was it not punished then? and if it was not punishable then, why should it be punished now? The language of the hon. gentleman is obvious, it is plain, it is transparent, it was spoken with the view of reaching the feelings of a certain section of our countrymen; but I recall to hon. gentlemen the language which was spoken by the Minister of Militia, who showed that this offence should have been fully pardoned at the time. Well, if the offence was to be fully pardoned at the time, is it fair to bring it as a charge against the offender now? Is it now fair to base a condemnation of death against him upon it? Sir, I say it is one of the greatest mistakes—not a mistake alone, but one of the gravest faults against the rights of mankind that ever was perpetrated by any Government. But I must say I was not altogether surprised at the language of the hon. Minister of Public Works. We had heard something of that before. The Secretary of State visited his county in the month of January, and he also spoke of this event and the execution of Louis Riel. The Minister of Public Works would not meet his accusers except upon the floor of Parliament. The Secretary of State did not object to meet the people, but not his accusers. Still, he went to Terrebonne, and here is the manner in which he spoke of the death of Scott:

"I have my sympathies for the half-breeds, and I have proved it; I have proved it before to-day. In 1874, when Ambroise Lépine was accused of murder, I travelled over 2,000 miles to defend him. I did not go round passing my hat for subscriptions to pay me for defending the accused. I did it manfully, without any hope of reward. (Cheers) The insurrection of 1870 had a color of an excuse. Men higher than I am in politics have gone so far as to say that there was justification for the rebellion of that day. It was the assertion of the rights of nationality against the cession of territory by supreme power. I defended my client and during that defence I had proof, and the best proof, too, that the killing of the unfortunate Scott was one of the most atrocious murders ever committed. That atrocious murder was without the connivance and without the approval of Lépine, but it was the result of the selfish vengeance of the then dictator of the North-West—Louis Riel."

Such was the language spoken of by the hon. gentleman on that occasion. He was speaking something like ten years after he had gone to the North-West to defend Ambroise Lépine, and after he had acquired that knowledge which enabled him to say that the murder of Scott was one of the most atrocious murders ever committed. Yet, scarcely a few weeks after his return from Winnipeg, where he had defended Lépine, the hon. gentleman moved in the Legislature of Quebec, a resolution, in which he thus

characterises the act which he now represents as one of the most atrocious murders ever committed:

"The troubles in the settlement of the Red River, now the Province of Manitoba, in 1869-70, unfortunately produced a conflict of such a nature as to develop into a rising of considerable magnitude. The leaders of that movement then constituted themselves into a government, and one act to be deplored, perpetrated under the assumed authority of that government, was the execution of one of the subjects of Her Majesty. * * * * * While bowing to the verdict rendered against one of the actors in the movement above mentioned, public opinion in that remote Province of Manitoba, as well as in the other Provinces of the Dominion, and even in England, has been strongly impressed with the idea that the deplorable act of violence is so interwoven with the political events of that unhappy period as to render it impossible to assimilate it to ordinary cases of murder. * * * * * With the view of satisfying such sentiment of clemency, and of realising the ideas of conciliation, peace and tranquility, which presided over the establishment of the Confederation, and further, with the view of removing all causes of divisions and hostile sentiments from among the various nationalities of the country, and especially with the view of giving effect to the recommendation to mercy which the jury coupled with their verdict, your Excellency is humbly prayed to be pleased to exercise, in favor of Ambroise Lépine, now under sentence, the royal prerogative of mercy, by extending to him grace and pardon."

Now, if in 1874, the hon. gentleman, just fresh from Winnipeg, where he had just defended Lépine, represented this act as one "so interwoven with the political events of that unhappy period as to render it impossible to assimilate it to ordinary cases of murder," in order to obtain the life of one man, is it fair and just now to represent the same act as an atrocious murder in order to take the life of another man? Sir, this issue of the death of Scott has long been a buried issue, and it should not have been brought up again for political consideration. There was a time when it was a living issue, too living an issue, before the people of this country. When the Administration of my hon. friend the member for East York (Mr. Mackenzie) came into power, that had been for years a living, burning issue before the public. Scott had been executed in the early days of January, 1870. An amnesty had been promised by the men who now sit on the Treasury benches, but they never had the courage to carry it out, they never had the courage to stand by their word and deal to the offenders in that rebellion what they had promised to them. They allowed years and years to pass, and, in the meantime, passions were getting more and more bitter. There are prejudices in Ontario and there are prejudices in Quebec, and upon such a question the people of Ontario took one view and the people of Quebec took the other view. The people of Ontario demanded that the law should take its course; the people of Quebec demanded that the promises of the Government should be carried out; and between the two Provinces the Government had not the courage to do anything, and they allowed this bitterness of feeling to grow until it became a public danger which they had not the courage to face. But, when the Government of my hon. friend the member for East York came into power, they grappled with the difficulty and settled it in a way which must ever be a credit to them. They asked their followers from Ontario and their followers from Quebec each to give up a certain portion of their pretensions for the common weal, each to sacrifice upon the altar of their country something of their pretensions and to unite upon a common course; and upon that they united, and the result has been what was stated by the hon. member for Rouville (Mr. Gigault), that at least peace prevailed which had been unknown for so many years. This issue of the death of Thomas Scott has been long dead, and now it is raised by whom? It is raised by members opposite—the last men who should ever speak of it. Sir, we are a new nation, we are attempting to unite the different conflicting elements which we have into a nation. Shall we ever succeed if the bond of union is to be revenge, if we are to rake up the old scores and launch them at the heads of one another? I am sorry that the Government upon this occasion did not take a leaf from the book of our friends to

the south of us. After the civil war was over, there were men who, when they learnt of the outrages at the Andersonville prison and other places, demanded that, if an amnesty was given to political offenders, at least those who were guilty of those outrages should be brought to justice, but not a drop of blood was shed, not a trial was had, and it is manifest to-day that the nation is the greater for it. I am sorry also that the Government did not take another leaf from the book of the American nation. I believe there was a reason—a reason adequate to my mind, at least—why they should have granted, if not an amnesty—I do not say that—at all events a commutation of sentence. On the 13th May, the day after the battle of Batoche, General Middleton, the commander of the forces, wrote as follows to Louis Riel:—

“MR. RIEL.—I am ready to receive you and your council, and to protect you until your case has been decided upon by the Canadian Government.

“FRED. MIDDLETON.”

Riel surrendered. Did he or did he not surrender in virtue of that letter, of that invitation of General Middleton? On that point there can be no better evidence than that of General Middleton himself:

“May 15th.—I sent out parties of mounted men, under Major Boulton, to scour the woods. In the afternoon two scouts—Armstrong and Hourie—who had been sent out with Boulton, and had moved away by themselves, came upon Riel, who gave himself up, producing my letter to him, in which I summoned him to surrender and promised to protect him until his case was considered by the Canadian Government.”

Sir, is there not evidence that Riel then surrendered by virtue of the invitation given by General Middleton? If such is the case, then I submit it to any man's sense of justice and honor if the Canadian Government were justified afterwards in executing a man, their prisoner upon their own invitation? It may be that legally speaking Riel could not bring this as a bar in his trial to any indictment against him, but it seems to me that it is repugnant to any one's sense of honor and justice that a man whom you have invited to become your prisoner in order to avoid the death of a soldier upon the battle field, should afterwards be hanged to a gibbet. The letter of General Middleton was undoubtedly dictated by the most humane sentiments, and not only that, but it is evident also that the course was politic. We see by the report of the General that, after the capture of Batoche, one of his objects was the capture of Riel. We can easily understand that. As long as Riel was in the field the rebellion was not ended, and there was a possibility that he might organise guerilla bands, and more lives and treasure would have to be spent before the rebellion was suppressed. We see that the General states in his report:

“May 14th.—We marched for Lépine's Crossing. Having halted for dinner, I received information that Riel was somewhere in the vicinity, so determined to make for Guardapui, or Short's Crossing, which was some miles nearer, and camp for the night.”

You see the General is obliged to alter his course because Riel is in a certain direction which he had not anticipated. Then when Riel surrendered, the least the Government could do, was not to treat him as they would have done if he had been taken on the field of battle. We have in this matter the precedent of General Lee and General Grant. On the 2nd April, 1865, Richmond, which had so long withstood the Union forces, surrendered, and General Lee commenced his retreat with the object of joining his forces with those of General Johnston. He was followed closely by the victorious army, and, on the 7th of April, General Grant sent him a letter, not inviting, but simply suggesting to him to surrender. General Lee refused, and continued to fight; but, two days afterwards, finding that his situation was hopeless, he sought a conference with General Grant, and accepted the invitation to surrender. General Grant dictated his terms, and here they are:

Mr. LAURIER.

“APPOMATTOX COURT HOUSE, VIRGINIA, 9th April, 1865.

“GENERAL.—In accordance with the substance of my letter to you of the 8th instant, I propose to receive the surrender of the army of Northern Virginia on the following terms, to wit: Rolls of all the officers and men to be made in duplicate, one copy to be given to an officer designated by me, the other to be retained by such officer or officers as you may designate. The officers to give their individual paroles not to take up arms against the Government of the United States until properly exchanged, and each company or regimental commander to sign a like parole for the men of his command. The arms, artillery and public property to be packed and stacked, and turned over to the officers appointed by me to receive them. This will not embrace the side arms of the officers, nor their private horses or baggage. This done, each officer and man will be allowed to return to his home, not to be disturbed by the United States authority so long as they observe their paroles and the laws in force where they may reside.”

General R. C. Lee.

There you see that the surrendered army were paroled. They were not confined, but allowed to go at liberty so long as they did not take up arms again and violate the laws of the United States; but some authorities in the United States held that this did not prevent the Government from prosecuting the leaders for treason, for guilty of treason they certainly were. The new President of the United States, Andrew Johnson, took steps to bring General Lee, and several of the most prominent officers, to trial. This was steadily opposed by General Grant. The magnanimity of General Grant's character then came out, and he threatened to resign his position in the army if General Lee and the other prisoners of war were tried for treason. A few months afterwards a committee of Congress sat upon the question. General Grant was brought before the committee and gave this evidence:

“I frequently had to intercede for General Lee and other paroled officers, on the ground that their parole, so long as they observed the laws of the United States, protected them from arrest and trial. The President, at that time, occupied exactly the reverse grounds, viz., that they should be tried and punished. He wanted to know when the time would come when they would be punished. I told him not so long as they obeyed the law and complied with the stipulation.

“Eldridge.—You looked on that in the nature of a parole, and held that they could only be tried when they violated that parole.

“Grant.—Yes, that is the view I took of the question.

“Eldridge.—Did you consider that that applied to Jefferson Davis?”

“Grant.—No, Sir, he did not take any parole. It applied to no person who was captured—only to those who were paroled.

“Eldridge.—Did the President insist that General Lee should be tried for treason?”

“Grant.—He contended for it ... I insisted that General Lee would not have surrendered his army, or given up their arms, if he had supposed that after surrender, he was going to be tried for treason and hanged.”

Now, is it not manifest, as was stated by the hon. member for West Huron the other night, that if Riel had supposed that in surrendering he would meet with the same fate as if he was taken prisoner, he would never have surrendered, but would have done as Gabriel Dumont and several others did? Recurring to the American case, who can doubt that of those two men, Andrew Johnson and General Grant, the true statesman, the true patriot, was the one who advocated clemency? You see the result to-day. Scarcely twenty years have passed away since that rebellion, the most terrible that ever shook a civilised nation, was put down, and because of the merciful course adopted by the victors, the two sections of that country are now more closely united than ever before—more closely even than they were when fighting for their independence. The Canadian Government should have followed this example, and I repeat again that we cannot make a nation of this new country by shedding blood, but by extending mercy and charity for all political offences. But the Government say they were desirous of giving a lesson. In the last paragraph of their written defence, they say:

“In deciding for the application for the commutation of sentence passed upon the prisoner the Government were obliged to keep in view the need of exemplary and deterrent punishment for crime committed in a country situated in regard to settlement and population as are the North West Territories; the isolation and defenceless position of the settlers already there; the horrors to which they would have been exposed in the event of an Indian outbreak; the effect upon intending settlers of any weakness in the administration of law, and the consequences which

must follow such a course in a country if it came to be believed that such crimes as Riel's could be committed without incurring the extreme penalty of the law, by any one who was either subject to delusions, or could lead people to believe he was so subject."

Indeed the Government have convinced all the people here mentioned, the half-breeds, the Indians, the white settlers, that their arm is long and strong, and that they are powerful to punish. Would to heaven that they had taken as much pains to convince them all, the half-breeds, Indians and white settlers, of their desire and their willingness to do them justice, to treat them fairly. Had they taken as much pains to do right, as they have taken to punish wrong, they never would have had any occasion to convince those people that the law cannot be violated with impunity, because the law would never have been violated at all. But to-day, not to speak of those who have lost their lives, our prisons are full of men who, despairing ever to get justice by peace, sought to obtain it by war, who, despairing of ever being treated like freemen, took their lives in their hands, rather than be treated as slaves. They have suffered a great deal, they are suffering yet, their sacrifices will not be without reward. Their leader is in the grave; they are in durance, but from their prisons they can see that that justice, that liberty which they sought in vain, and for which they fought not in vain, has at last dawned upon their country. Their fate well illustrates the truth of Byron's invocation to liberty, in the introduction to the Prisoner of Chillon:—

"Eternal Spirit of the chainless Mind!
Brightest in dungeons, Liberty, thou art!
For there thy habitation is the heart—
The heart which love of thee alone can find;
And when thy sons to fetters are consigned—
To fetters and the damp vault's dayless gloom—
Their country conquers with their martyrdom."

Yes, their country has conquered with their martyrdom. They are in durance to-day; but the rights for which they were fighting have been acknowledged. We have not the report of the commission yet, but we know that more than two thousand claims so long denied have been at last granted. And more—still more. We have it in the Speech from the Throne that at last representation is to be granted to those Territories. This side of the House long fought, but fought in vain, to obtain that measure of justice. It could not come then, but it came after the war; it came as the last conquest of that insurrection. And again I say that their country has conquered with their martyrdom, and if we look at that one fact alone there was cause sufficient, independent of all others, to extend mercy to the one who is dead and to those who live.

Sir ADOLPHE CARON moved the adjournment of the debate.

Motion agreed to.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to, and the House adjourned at 12.10 a. m. Wednesday.

HOUSE OF COMMONS.

WEDNESDAY, 17th March, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

ADJOURNMENT—ST. PATRICK'S DAY.

Sir HECTOR LANGEVIN moved that when the Speaker leaves the Chair at 6 o'clock, the House shall stand adjourned until to-morrow at 3 o'clock p.m.

Motion agreed to.

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FIRST READINGS.

Bill (No. 55) to incorporate the Portage la Prairie and Lake of the Woods Railway and Navigation Company.—(Mr. Watson.)

Bill (No. 56) to incorporate the Nova Scotia and Western Railway Company.—(Mr. Dodd.)

INTERCOLONIAL RAILWAY EXTENSION.

Mr. POPE moved for leave to introduce Bill (No. 57) respecting the extension of the Intercolonial Railway from a point at or near Stellarton to the Town of Pictou.

Mr. BLAKE. Explain.

Mr. POPE. An appropriation was made for this railway last year or the year before—last year, I think. It is from Stellarton, about fifteen miles from Pictou. We had not authority, of course, to expropriate the land, and this Bill is for the purpose of giving us authority to build the road.

Motion agreed to, and Bill read the first time.

HOMESTEADS WITHIN CANADIAN PACIFIC RAILWAY BELT.

Mr. BLAKE asked, How many homesteads have been entered within the Canadian Pacific Railway belt up to 31st December last, between: 1. The first and second principal meridians; 2. The second and third; 3. The third and fourth; 4. The fourth and fifth?

Mr. WHITE (Cardwell). The number between the first and principal meridian is 11,644; between the second and third, 3,862; between the third and fourth, 40; and between the fourth and fifth, 98; or a total of 15,644.

NORTH-WEST TRIALS—LETTER OF MINISTER OF JUSTICE.

Mr. BLAKE asked, Whether any report has been received from the Government counsel in the North-West rebellion prosecutions, on any, and if so, on which of the points referred to in the letter of the Minister of Justice to them, of 20th June, 1885; and whether any report has been received from them with reference to the trials, or to the discharge of their duties in the North-West; particularly, whether any report has been received from them on the subject of the seventh paragraph of the letter of the Minister of Justice, which is as follows:—"It may be, and from the information which the Government has, it seems probable that the rebellion has been encouraged actively by whites, particularly of Prince Albert. Nothing in the whole duty entrusted to you is, I apprehend, more important than that we should, if possible, find out some of the men who have with far better knowledge than the half-breeds and Indians, stirred them up to rebellion, and your special attention is asked to this point."

Mr. THOMPSON (Antigonish). Reports have been received on all those points.

GOVERNMENT PROPERTIES IN RICHELIEU.

Mr. MASSUE asked, Whether it is the intention to offer for sale the properties owned by the Government in the county of Richelieu, and of which the leases expire in April next, and if so, when and in what places?

Mr. WHITE (Cardwell). It is the intention of the Government to dispose of the properties owned by the Government in the county of Richelieu, but whether by lease or sale has not yet been determined. They will be offered by competition, whichever plan may be adopted.

INTERCOLONIAL RAILWAY TO PASPEBIAC.

Mr. EDGAR asked, Whether any contract or agreement has been entered into by the Government with Senator Théodore Robitaille, Mr. L. J. Riopel, M.P., or any other parties, corporation or association, for the construction of a railway from the Intercolonial to Paspebiac? If such agreement has been made with individuals, what are their names? If with a corporation, what are the names of the directors thereof? and will such agreement be submitted for the approval of Parliament?

Mr. POPE. There has been a provisional agreement with the Baie des Chaleurs Railway Company. The directors of the company are the Hon. Théodore Robitaille, President; the Hon. Thomas McGreevy, Vice-President; the Hon. Louis Robitaille, L. J. Riopel, Robert H. McGreevy, Francis Giroux and Octave Martin. The agreement will be laid before the House, and is subject to the approval of Parliament.

BLUE BOOK PRINTING—QUEEN vs. LOUIS RIEL.

Mr. BERNIER asked, Where, and by whom was the blue book entitled "The Queen vs. Louis Riel" printed? How many copies were printed for the Government, and what was the amount paid for them?

Mr. CHAPLEAU. This book was printed by the *Minerve* Printing Company. 4,000 copies were printed, English and French, of which 1,200 copies were for Sessional Papers, at the cost of \$92.21.

PRINTING JOINT STOCK COMPANIES BLUE BOOK.

Mr. BERNIER asked, Where, and by whom was the blue book giving particulars of the Joint Stock Companies incorporated in 1885, printed? How many copies were ordered by the Government, and at what cost? Was the work done at the rates mentioned in the contract with the present contractors for Departmental printing, or at higher rates?

Mr. CHAPLEAU. The book was printed by *La Minerve* Printing Company—

Some hon. MEMBERS. Hear, hear.

Mr. CHAPLEAU. I did not ask hon. gentlemen to applaud me. There were 2,500 copies printed in English and in French, and 470 for Sessional Papers, at a cost of \$315.07—at a slightly higher rate than the Government contract rates.

PERSONAL EXPLANATION.

Mr. LAURIER. I beg the indulgence of the House to correct a misstatement which I made last evening when addressing the House. Having quoted a passage from a speech delivered by the Premier on the 26th of March last, I stated that this passage was not to be found in the bound volume of the *Hansard*. My attention was drawn to the matter, and I find I was incorrect. My impression was that the statement was made in a passage I quoted on a motion made by my hon. friend the leader of the Opposition, and I made a search for it in the bound volume of the *Hansard*, but I found the passage, where it should have been, in a speech previously delivered by the Premier on the same date. Therefore I beg to say that my statement was incorrect, and I offer the fullest apology to the House and to the parties affected by it.

Mr. WHITE (Cardwell).

CASE OF LOUIS RIEL—QUESTION OF ORDER.

Sir HECTOR LANGEVIN. Perhaps the hon. gentlemen opposite will have no objection to our doing as we did yesterday—dropping the notices of motion.

Mr. BLAKE. The question differs to-day.

EXECUTION OF LOUIS RIEL—RETURNS.

Mr. AMYOT (Translation) moved for:

Copies of all telegrams, letters, petitions or documents asking or recommending that the sentence of death against Louis Riel should not be commuted, or that it should be executed.

He said: It is useless for me to say, Mr. Speaker, that this motion is extremely important, and I am fully convinced that the Government will move no amendment with a view, not only to exclude it from the list of motions, but even to put it at the foot of the roll. For nearly a week we have been discussing the most important facts of the great question which agitates the Parliament after having agitated the country, and we have not yet before us the documents required for this debate. I have ascertained that several parts of the records have not been included in the blue book, which was submitted to the House and the country. I fail to understand this exclusion, this very extraordinary exclusion, as this blue book, at first sight, seems to be a complete copy of the record, which it is not. Why it is that one part was printed and then the other, I will leave it to the hon. ministers to explain; as for us, we are unable to find a satisfactory explanation. What I demand is that part of the documents which was laid on the Table in the Council room, when the ministers arrived at a decision and also the petitions praying that the execution should take place; that part is not yet before us and I do not see why the hon. ministers should find it necessary to oppose this motion and to withhold from us these documents to which we have a right and the contents of which the public has an interest to know. Therefore, Mr. Speaker, I venture to hope that my motion will be granted and that we will soon have the required documents. If I am not mistaken, it has been stated by the hon. Minister of Public Works that in the Executive Council, the arguments and the petitions for and against the execution had been duly considered. We are now here, as a Committee of the Whole House, to examine whether the decision taken at that time was really such as to be justified by the law and by the facts, and it is our right to have all these documents.

Sir HECTOR LANGEVIN. I made a proposal just now to the hon. gentleman opposite, in order that it might not be necessary to move that the 17th Order be now called on, as I did yesterday and the day before. But as the hon. gentleman insists, I must make that motion again. The reason of that is, as the First Minister stated at the beginning, that it is desirable that the debate on the motion of the hon. member for Montmagny (Mr. Landry) should go on from day to day, as the Government wished to know whether their action is approved or disapproved by the House, and the only way to do that is to go on with the debate from day to day until we come to a vote. Therefore, I hope the House will sustain me in voting that the 17th Order be now called.

Mr. EDGAR. This debate has been going on for some time, and surely the House might fairly have expected that during all these days the Government would have brought down for our information a great many of the papers that have been so long promised us. A great many were promised last Session, and many more have been ordered to be brought down this Session. I have no doubt there are many hon. members fully prepared, from the information in

their hands, to give an intelligent vote on the question moved by my hon. friend, the member for Montmagny (Mr. Landry); but we have heard from other hon. members that they require the light of further papers and fuller information before giving a vote. At any rate, it is not proper for the Government to hold back information that might possibly influence the members of this House one way or the other. Why, Sir, it is only within the last moment or two that the hon. member for Bellechasse (Mr. Amyot) has moved for very important telegrams bearing on this question, and instead of that motion being allowed to pass, an amendment is moved to strike it off the paper, and to put this other motion in its place. We also find, from the answer given by the Minister of Justice, just now, to a question put by the leader of the Opposition, that there are very important reports which have lately been received by the Government from their counsel, relating to a matter upon which great stress has been laid, that is, the complicity of the white settlers of the North-West in the rebellion; and we heard the other day from the Minister of Justice that there were certain important telegraphic reports as to the sanity or insanity of Louis Riel, on which the execution was ordered, and these reports, instead of being placed before the House, were given back to the men who made them. Surely the Government have had time to get copies of them, either from the telegraph office, or from the men to whom they gave them. Now, in order to test the feeling of the House, I beg to move the following as an addition to the original motion of the hon. member for Bellechasse: ¶

And that it is the duty of the Government without further delay to bring down further papers relating to North-West affairs, and throwing light on the situation prior to, during, and subsequent to the late rebellion.

Mr. SPEAKER. I do not think it is in order to move an amendment. The amendment now before the House is in the nature of moving the previous question, and, according to the rules, I do not think it is in order to move this amendment.

Mr. BLAKE. The motion which you, Sir, put the other day, was this, and it was in order:

Mr. Farrow moved, that it is expedient to provide that members of the House of Commons of Canada and members of the Senate of Canada, who may be absent from the House by sickness in themselves or their families, though not in Ottawa during such sickness, shall not be deprived of their indemnity by such absence.

Sir Hector Langevin moved in amendment thereto, that all the words after the word "that" to the end of the question, be left out, and the following substituted therefor: "the 35th Order of the Day, on the Public Bills and Orders, be now read."

The hon. Minister of Public Works, therefore, proposed to strike certain words out of the main motion, and to substitute other words. It was not a substitutory motion, such as would take place on the Order of the Day being called, but it was a motion in amendment to a motion; and I do not understand why it is not competent to any other member to propose another alteration, to propose a second amendment.

Mr. SPEAKER. I expressly called the attention of the Clerk to this, to know whether the amendment was correctly entered, and he said it was not, that the motion in amendment had been put without leaving out the words after "that." Bourinot on "Parliamentary Practice" says:

"If a question on the motion paper is under consideration, any member may move, 'That the Orders of the Day be now read,' or 'That the House do now proceed to the Orders of the Day.' If this question is resolved in the affirmative, the original motion is superseded, and the House must proceed at once to the Orders of the Day. It has been ruled in the Canadian, as well as in the English House, that no amendment can be made to the motion to proceed to the Orders of the Day, it being considered equivalent for a motion to the previous question."

And I understand now this is a motion to proceed to a particular Order of the Day.

Mr. BLAKE. I understand you to say that the motion made the other day was either not put in the words in which I find it put in our proceedings, or, if it was put in those words, it was incorrectly put.

Mr. SPEAKER. I called the attention of the Clerk to it specially, and he told me the way the motion was put in the Votes and Proceedings is incorrect, and that it is correctly put in the Journals.

Mr. BLAKE. Under these circumstances, I hope that the error will be noted in our daily record, so that we may know what motions are put to the House and what the regular course of business is. When the hon. gentleman proposed that we should adopt the course he urged yesterday, I ventured to say that the situation was not the same. The situation yesterday was this: An hon. member had a Bill in the Orders relating to another matter before the House, and the result of pressing the motion that we should proceed to the Orders of the Day, as against the Bill, would injuriously interfere with the progress of a Bill which had nothing to do with this question; but the question we are called on to consider to-day is which of two propositions we will adopt, both of which have relation to the matter in hand. The first is that we should have the evidence material to the formation of a judgment before proceeding to a judgment, and the second is that we shall proceed to judgment before getting the evidence. The hon. member for Bellechasse (Mr. Amyot) proposes that certain papers of high consequence in considering the question, and in considering the conduct of the Government—papers upon which the Government proceeded in coming to a conclusion—shall be laid upon the Table, so that we may know what that was which the Government had before it when they came to their conclusion. In amendment or in supersession, at any rate, with a view of defeating that proposal and obliterating it from the Order paper, the hon. gentleman proposes that we should proceed to judgment in the case. Of course, we all understand that there is a well-known rule of law which is based on the common sense of mankind and which will answer the purpose of a judgment in this particular, though not so satisfactorily as the production of documents. That rule is:—*Omnia praesumuntur contra spoliatorem*. Everything is presumed against the man who suppresses, conceals, or gives away the documents in the case. If the Government, in preference to submitting to the Order to produce the papers, insists upon the trial of the case without the documents, that presumption will be drawn here amongst lawyers and laymen and by the world at large. I am prepared to draw it, and I think other people will draw it as well. But that is not satisfactory to me, because I believe the proper course is that the papers should be produced, and that, not upon such presumptions, however well founded they may be in law and common sense, but on the documents themselves should we proceed to judgment. I call your attention, Sir, to this question of the production of papers, and to the view this Government seems to take as to its duties and responsibilities, and as to the rights and responsibilities of Parliament in that connection; because it seems to me that it is extremely material to the disposition of this motion that we should understand, once for all, what is the duty and responsibility of Government, and what are the rights and responsibilities of Parliament. Now, remember that the first papers which are material to the particular question in hand, so far as that question at all bears upon the conduct of the Government before the rebellion, were moved for by myself as long ago as pretty early in the Session of 1883. These papers were connected with the complaints and representations of the settlers near Prince Albert, and the House unanimously ordered, on that occasion, the production of those papers. The Session of 1883

went on, and it ended, and the papers were not produced. The Session of 1884 commenced, it ran its course, and it ended, and the papers were not produced. The Session of 1885 commenced, and ran a long way in its course, and the papers were not produced. The rebellion broke out; the Government was pressed, time and again, to bring down the papers so long delayed. It was pressed to comply with this Order, so contemptuously ignored for these several periods, and at length, long after these repeated demands were made, in the Session of 1885 these particular papers, or some of them, were brought down, in obedience to the Order of 1883. I say that if the Order of the House had been complied with, it is in the highest degree improbable that the rebellion would have occurred. If this Parliament had obtained those documents and papers which were called for in time for it to consider them, with the light and knowledge those documents would have given us, with the knowledge of what were the grievances of the people and what the Government had done and was doing, we might have been saved the shame and pain and disgrace of the events which have since occurred. But the Government ignored, as it always has done, its duties and obligations towards this House, not indeed by contesting our right to the papers, except very rarely, but by passing the motions without a word, and then contemptuously ignoring the Orders of the House, with the results to which I have referred. Then the rebellion broke out just about this day a year ago, or a little earlier. The call was made again for papers, a call which has been repeated continuously since that time. I point to your attention that upon the occasion of a former outbreak, the outbreak of 1869-70, the Government had recognised their duty in that regard. The moment Parliament met, the outbreak having taken place during the recess, although it was still going on, although there was an alleged provisional Government, or a *de facto* Government, in that country, the Government felt that it was their duty to the Parliament, that it was their obligation to the public of that day, to lay before Parliament the papers which contained the information with reference to the causes of the outbreak, and with reference to the course and the conduct of the Government in connection with the outbreak, the papers which would enable us to measure what had been the discharge of their duties by the Government in that regard. They felt it to be their duty to lay those papers before Parliament, voluntarily and spontaneously. They were promised in the Speech from the Throne, and they were laid before us a very few days afterwards. It was said, indeed, that there might be some phrases or a name or two which it might be inexpedient to publish at that time, and the First Minister pointed out, and pointed out with propriety, the importance of not doing any damage to private interests in that region; and the Government therefore proposed a secret committee to look over the papers and decide which could be published without damage to public or private interests. The First Minister did not then arrogate to himself the right to be the judge of what should be the materials to be brought down to Parliament to enable us to decide upon the cause which might be pending between the people and the Administration of the day. He felt that his own position demanded that men on both sides of the House should see all the papers, and that to men from both sides of the House should be committed the task of determining whether public or private interests required the publication or the suppression of certain papers; and, from this side of the House, my hon. friend from East York (Mr. Mackenzie), the late member for Chateauguay (Mr. Holton), and myself, and I think another, but I am not quite sure, were appointed. We met, we looked through all the papers, they were all brought down, and I think we omitted one sentence and two or three names, and it was agreed between us unanimously that these should be omitted; but, as to all the rest, we agreed that they were

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fit to be made public, that they were fit to be made known to Parliament and to the people; and so they came on the Table of the House, so they were made public to the world, and so the whole information as to the events which had preceded the rebellion, the events which had brought about the rebellion, the course, conduct and policy of the Government, which could be discovered at that time in the public offices, were brought forward. I say not that everything was brought forward; I say that much was not brought forward which ought to have been; I say not that much was not then concealed. All of us who have since watched public events, all of us who have since read the proceedings of the Select Committee on the North-West troubles, know that much was kept back; but still ostensibly all was brought down; the duty was acknowledged if it was not performed, to bring down everything affecting the matter; and hon. gentlemen on both sides decided what should be published. Here, a rebellion takes place, an outbreak takes place, many lives are lost, millions of treasury are expended, I call for papers, and the hon. gentleman says: I will decide for myself what papers should be brought down and what should not be brought down. No longer does he say he will bring down all the papers, and strike a committee to see what should be made public and what should not; but he says that he will himself see what papers should be brought down, with a view to the effect which such and such papers will have on the fortunes of the Government of the day. Do you mean to tell me that the Government of the day, whose political futures, whose political as well as personal reputations depend upon the evidence to be brought down, are the fit judges of what papers are to be kept back and what papers are to be laid before Parliament? Do you mean to tell me that it is to be left to them to say what pieces of evidence are innocent enough, or harmless enough, or are sufficiently well known to hon. gentlemen opposite to render it useless to retain them, what papers can be safely brought down or what papers can be safely kept back? It is not human nature, to is not common sense that such a doctrine should be laid down, that those who are charged and who admit, as the First Minister admitted last Session, in answer to myself, that an outbreak has occurred of such serious consequence as to render them responsible to the House and to the country, should have it left to themselves to say what shall come down, and that too at a moment when they are pressing on a decision upon one of the important questions involved in this matter. With one breath they call upon us to sit from day to day, and from hour to hour to discuss this question, to the suppression of all other business; and with the other, they hold back, they refuse to produce the documents which are important to arrive at a right conclusion on that very matter. A few papers were brought down, under dint of constant pressure—pressure administered from day to day—were brought down after as much reluctance and difficulty as if the operation had been one of the extraction of teeth referred to by me last Session. At one time we heard that the clerks' time prevented these papers coming down, that there were not enough clerks in the Department to copy them; and, after that was told to us, they were brought down, and I had them copied by one or two men in twenty-four hours. While millions of dollars were being expended in the suppression of a rebellion, we were told we could not hire enough men at a dollar and a half a day to copy the documents which would tell the people who were responsible for that rebellion. At another time, we were told that the public interest required the suppression of certain papers during the revolt. We are yet to have it shown or pointed out to us that there is a single paper, the production of which would have hurt the public interest at that time. The fact is, that the hon. gentlemen have for a long time confounded the public interest with

their own, that they have confounded the public interest with the interest of the Tory party, and that they are disposed to say that whatever hurts the Tory party hurts the public interest, and, therefore, they will not bring down these papers. Well, some evidence was omitted; some papers were refused for another reason. I was told that, in a heartless manner, regardless of the interests of the missionaries in the North-West who were there with their lives in their hands; regardless of the temporal interests of Bishop Grandin and of other missionaries, Protestant and Roman Catholic; regardless of the interests of the officers of the Government, I was calling ruthlessly, while yet there was war between the half-breeds and the rest of Canada, and, after that was over, while yet there was danger of an Indian war, for the production of documents which would endanger the lives of these men—documents, Sir, which would have proved that these men had done their duty by the people of that country, documents such as those which my hon. friend from Bellechasse (Mr. Amyot), the other day produced, though the Government declined, out of tender consideration and care for the interests of Bishop Grandin and those under him, to bring them down last Session; documents which proved that that prelate had, in the month of June, just after or just before Riel had arrived, communicated to the Government the condition of affairs, communicated to the Government the condition of discontent, communicated to the Government the condition of excitement, pointed out what the nature of the demands was, pointed out that some were reasonable and some were unreasonable, called upon the Minister of Public Works to do his duty by his compatriots and his country, called upon him to give his early and earnest attention to this subject, and called upon the First Minister as well, that these documents, which pointed out that there had been great neglect on the part of the Government in the past, that Bishop Grandin himself had appealed to them time and again, that he had been received, as he said he was, as we know that everybody is, by the First Minister with most courteous words, with the kindest promises, but with no measure of performance; documents which prove the urgency of the case, documents which speak of another interesting event, also up to that time concealed from us, which speak of a visit of the Lieutenant-Governor to those quarters, which occurred prior to the month of June, and of the reception which that dignitary met with from the inhabitants of that country, an unsatisfactory reception which the Bishop regretted, but which he explained by the existence of discontent. Well, Sir, we were told that Bishop Grandin would be injured; his authority, already shaken, would be destroyed, if the Government brought down the papers which proved that Bishop Grandin had done his duty by his people. He had made representations of their interests and of their condition, and had exhorted the Government repeatedly, though without success, to give attention to the matter. We were told by the First Minister that the production of the papers at that time would hurt Bishop Grandin. I answered him, that the production of such papers was necessary to preserve the honor, to maintain the authority and in the true interest of those dignitaries, whether they be officers of the Government of Canada, or officers of the church of that country; and I say so now. I say once again, that you cannot believe, in the face of the fact that the officers of the Government in that country still hold their office—you cannot believe but that they have reported from time to time, and fully, to the Government, what the position of that country was, and what was going on. Have they or have they not? if they have not, how does it come that Government dares to meet Parliament with these men still in office. If they have, is it not of the last consequence that we should see what their reports say, and understand what the situation of affairs was? one way or the other—these men are unfit for their duty wholly, and

proved to be unfit, or they have reported. If they have not reported, how are they in office? if they have reported, why have we not their report? It is utterly impossible, Sir, to escape from the view, the men being retained in office, that those reports have been made. It was their first duty, their first charge, to have made them, if their duty was fully performed. Then, Sir, there is another report to which I have already referred, which has been suppressed, the report of Colonel Houghton, of the 28th July previous, when he reported the condition of affairs in that country at that time, when he went to get the arms, and which report the Minister of Militia declines to give us, but which gave most important information as to the condition of that country, information which indicated what the duty of Government was, in a very plain way. Now, Sir, the Government has not ventured, much as it ventures upon the fidelity, not to say the subserviency, of this Legislature—the Government has not ventured openly to aver that it would not bring down the papers. Towards the close of last Session I made further demands. As to some, the First Minister, and as to some, the present Minister of Finance, then acting as Minister of the Interior, answered me that there were such and such papers, and that they would be brought down. And this Session, having appealed four times, or five, to the First Minister upon this subject, he has at length stated that the Government was about to bring down spontaneously the papers of the North-West. Why? Because he acknowledges it his duty to do so, because he acknowledges that it is his obligation towards this House to bring down these papers. And why not now? Because they are now in course of preparation! Sir, the rebellion commenced a year ago, Parliament has been prorogued for six or seven months, we have met now for three weeks, and if an obligation is admitted to bring down papers to Parliament, does it not imply, and necessarily involve, the obligation to have these papers ready for Parliament, to bring them down in time to Parliament? Does it not, at any rate, involve the proposition that so long as you tell us that your neglect of your duties has prevented you from preparing the papers and from implementing your obligation, so long as you ought not to press on with the decision of the cause, that you will not, with one hand, force a motion into the Speaker's hands, insisting upon a decision on it, and put the other hand behind your back and say: In our own good time; after you have a decision of the question, we will bring down as many papers as we think it safe to bring down, or as we think we cannot escape from bringing down, and leave you to prove how many more you know of, or to move a committee of enquiry, or some other futile step, because we do not know what are the papers which remain. Sir, the First Minister, when I first called upon him this Session, declared that he would look at the demands which I made last Session, and give me an answer. Two or three times I appealed to him, and he said that he had not been able yet to go through it all, and in the end he said to me: Really, the documents were so numerous, would cover such a large amount of ground, that he must ask me to do it myself, must now ask me once again to say what it is I want. Whereupon I asked whether any papers were to be brought down spontaneously, to which the hon. gentleman replied, yes. I suppose that nobody here was so very innocent as not to understand the meaning of the First Minister's observations. He was extremely anxious to put it upon me, who have not access to his department and his pigeon-holes, who do not know all the papers that are there, who cannot tell what he has got, to specify all that I may have heard of, and thus to limit the scope of his obligation and his duty. Sir, he acknowledged that he had a duty, that duty he has neglected, and still persistently neglects. I say that we ought not to proceed with the enquiry at this time. I believe, Sir, that the

proposal which is now being made is one to put the cart before the horse. My opinion is, and always has been, that it was necessary that the debate of which the hon. gentleman proposed the resumption, should be proceeded with, that it should be fully discussed in Parliament, that it should be debated and decided here; but my opinion also is, that an essential element in a final judgment and satisfactory conclusion of that question is a thorough threshing out of the events which preceded the rebellion, and of the conduct of the Government with reference of all those events, and an ascertainment of the relative measure of the responsibility of the Government and of the half-breeds in that regard. I do not think these questions can conveniently, owing to the great magnitude of each of them, be conjoined; and am of opinion that it is putting the cart before the horse to dispose of this question first and the others afterwards. But the Government, by the use of its majority, and for various obvious purposes, has chosen to put the cart before the horse and to propose that this question should be decided first, before the other question which is, in order of time, in order of convenience, in order of reason and common sense, the first to be discussed and threshed out. Well, we are obliged to submit to the decision of the majority as to the time and mode in which the trial of the Government will take place. They have selected, apparently, an accuser, they have framed an indictment, they have got hold of a jury, they are now deciding what the evidence shall be against themselves. I say that the form of procedure being selected by themselves, the least that should happen to us is that, at any rate, we should get the evidence before we are called on to decide the cause. I do not believe, Sir, that in any other Parliament in the world would a motion, such as the hon. gentleman has just now made, prevail. I do not believe any House in which the forms of constitutional government and parliamentary government still represent its substance are still animated by its spirit, would allow a motion to bring down material evidence to be superseded at the instance of the accused by a proposal to proceed to judgment. I shall not believe it in spite of what I see before me, in spite of what I fear. Until I see it, I shall not believe that this Parliament will deliberately determine to proceed to judgment in preference to obtaining the evidence material to form the judgment. It may be so, but if so, I shall deeply regret it, and I shall know, of course, what inferences to draw as well as regards those who propose as those who support such a course.

Mr. WHITE (Cardwell). The hon. gentleman, Mr. Speaker, may rely upon this, that the public of Canada will know what inference to draw from the position which he has taken upon this question since the House opened. We have had to day a speech from him, one of a series of speeches which he has delivered since the House opened, in which he has endeavored, if possible, to shield himself from the embarrassment in which he and his party find themselves, under the pretence that they have not the information which will enable them to come to a judgment upon this question. What has been the history of this agitation? Do hon. members from the Province of Quebec who commenced this agitation the day after, or, rather, the very day of the hanging of the unfortunate man, Louis Riel, pretend to say there is no information before Parliament and the country which will enable them to judge of the wisdom or otherwise of the act of the Government in permitting the execution to take place? Are they prepared to say that those meetings which were held in Quebec, that that great inaugural meeting which was held on the Champ de Mars at Montreal, that that effigy burning, which I am bound to say was a disgrace to the party politics of Canada, in which too many of them indulge, and sustained by their

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presence—do they pretend now to say that all those things took place under circumstances which rendered it impossible for them to find a fair judgment as to whether the Government were right or wrong in the course which they pursued? The hon. gentleman has, since the opening of this House, on more than one occasion called for papers; but he has been most careful not to specify the particular papers which he asks from the Government. He has not ventured to put his finger upon a particular paper which he desires and which he says should be furnished. He has not ventured to take the responsibility of stating the documents he asks, and which he says are absolutely necessary to enable him to form a judgment upon this question. We had, last Session, from that hon. gentleman a speech of six hours—seven hours, if I mistake not—an admirable speech from his point of view, a speech in which he indicated most clearly his own conception of his public duty—that of holding a brief for his party—in which he came before this House with that brief in his hand, endeavoring to arraign the Government for their conduct in the management of the North-West Territory; and after that speech, based upon information which the Government had furnished him, after that speech in which he cited document after document, which he held justified the condemnation of the Government, he now comes forward and tells the House and the country, forsooth, that the Government have concealed the papers which would lead to their condemnation and have refused to bring those papers down, furnishing only such as they please. Sir, what are the papers that have been brought down? Has there been a single petition from the people of the North-West suppressed?

Mr. BLAKE. Yes.

Mr. WHITE (Cardwell). Has there been a single letter, so far as the hon. gentleman can name it, from anyone in the North-West suppressed?

Mr. BLAKE. Yes.

Mr. WHITE (Cardwell). Have we not the letters from Bishop Grandin, of Father André and of Father Vegreville; have we not the petitions of the half-breeds of the North-West, complaining that delays were taking place in the administration of affairs connected with their lands and in the settlement of the question of the Indian title? Have we not all those petitions brought down?

Mr. BLAKE. No.

Mr. WHITE (Cardwell). No? Let the hon. gentleman look at the blue book.

Mr. BLAKE. I have.

Mr. WHITE (Cardwell). Let the hon. gentleman look at the Sessional Papers of last Session.

Mr. BLAKE. I have.

Mr. WHITE (Cardwell). Where, then, did the hon. gentleman get those petitions which he cited here last Session? Where did he get the letters? Where did he get those documents upon which he arraigned the Government for neglect of duty in not bringing down papers and information to Parliament? I have no hesitation in saying that as one I recognise to the fullest extent the duty of the Government to furnish this House with all the information necessary to be laid before Parliament. I recognise at the same time the equal responsibility of the Government of the day to withhold, if they think proper, such papers as in their judgment in the public interest should be withheld.

Some hon. MEMBERS. Hear, hear.

Mr. WHITE (Cardwell). I tell the hon. gentleman this, and I leave it to the future to decide whether I am right or not, that as to the papers to which he refers as having been suppressed, the private communications which the

First Minister, last Session, declared he could not at that time bring down, if they are brought down the hon. gentleman will find that the Government, instead of suppressing papers which would militate against themselves, suppressed papers which bore testimony to the truth of the position they took and in relation to which they certainly, on party grounds and on personal grounds, had no reason whatever to fear publication. What is the particular motion which is now brought up by the hon. member for Bellechasse (Mr. Amyot), and in relation to which this motion has been made as an amendment? It is a motion for petitions sent to the Government praying for the commutation of the sentence or for the execution of the sentence passed on the unfortunate man, Louis Riel. Are we to be told in Parliament that the judgment of the Executive is to be formed by public petitions from people praying for commutation or for the execution of the death sentence? Are we to be told that the solemn responsibility that rests on the Executive is to be affected by popular clamor of one kind or another? Is that the hon. gentleman's conception of his duty, if he were Minister of Justice to-day as he was Minister of Justice in the past? Is this question which is before us to-day going to be affected in any way whatever by the production of any petitions either for or against the commutation of the sentence on Louis Riel?

Mr. BLAKE. Why did you give a list of them in your own blue book?

Mr. WHITE (Cardwell). We have given a list of them; and there, Mr. Speaker, is the statement of the hon. gentleman. Did we conceal anything? Would he have known any more if the words of the printed headings—for that is what most of them were—had been put there—if they had been brought down with a list of the names attached to them? Was that going to alter the judgment of the House in the matter? Why, Sir, the fact that the list of petitions was put in, the fact that the Government frankly stated in the report which they brought down to Parliament, that there were petitions, and gave the number of those petitions in the Blue Book they submitted to this House—the very fact that they did that, is a proof that they did not want to shield themselves against the suggestion that, in spite of petitions, they have permitted the execution to take effect. Sir, the hon. gentleman pretends that he has not got information enough upon which he can decide this question. For one, Sir, I think it would be a most unfortunate thing if we had to deal with the whole question of the administration of affairs in the North-West and the execution of Louis Riel, as one question. They are not one question. Admit every single thing which the hon. member for East Quebec (Mr. Laurier) so eloquently said last night, in a speech of which,—although I differ from him altogether, and I trust I shall be able before this debate is closed to show that his appreciation of the facts was not at all accurate—in a speech of which I, as a Canadian, am justly proud, because I think it is a matter of common pride to us that any public man in Canada can make, on the floor of Parliament, such a speech as we listened to last night; but I say, admit for the sake of argument, everything he said; admit that there was delay in settling the Indian title of the half-breeds; admit that there was delay in settling the land question; admit, for the sake of argument, that their petitions were unanswered—will the hon. member for West Durham (Mr. Blake), the leader of the Opposition, take the responsibility of saying that that justified the rebellion in the North-West? Does it justify the bereavement of the families who have been brought to grief throughout this country, the Metis in the North-West, the English people of Manitoba and Ontario, who to-day find their hearths desolate by the absence of loved ones—will he pretend to say that these delays justified a rebellion which brought about that condition of things? The execution of Louis

Riel, his conduct in connection with that rebellion, must stand by itself, and it does stand by itself with information far more sufficient to enable a judgment to be formed upon it than was the information which the hon. gentleman had fifteen years ago, when he paraded Ontario from one end to the other against “the red-handed murderer,” as he described Louis Riel, and when by the purchase—I cannot say by him, but certainly under circumstances which were at least suspicious in relation to the matter—by the purchase of a man who betrayed his colleagues, and by appeals to the very classes in the Province of Ontario whom his friends are now so violently denouncing, he managed to obtain office. I say he did this, Mr. Speaker, on evidence far less than that which he has to-day, and which, unfortunately—so little capable is he, according to his own judgment, of forming an opinion on a subject of this kind—he considers insufficient to enable him to say whether Louis Riel was justly executed, whether he justly expiated his crimes on the gallows, or whether, on the other hand, he should have been reprieved—should have been set at liberty in order that in a few years more he might, if possible, inaugurate another rebellion. Mr. Speaker, the hon. gentleman has counted without his host, if he thinks he can divert public attention from this question by talking of the absence of papers. I tell him that he will find—and I have predicted with regard to him before in Parliament, and my predictions have turned out to be correct—he will find that when he comes to face his constituents, and his followers at his back from the Province of Ontario, when they come to face their constituents, will find that the people there are not going to be told that all that has occurred during the last eighteen months is a blank to them, and they cannot make up their minds whether this man committed a crime sufficient to justify his execution, or whether he did not. The whole thing is an attempt to draw a red herring across the trail, which the hon. gentleman will find to have been a fatal mistake. I predict it now, and he will realise before he is very much older that my prediction has been a true one.

Mr. BLAKE. I desire to say that the hon. gentleman has misunderstood a part of my speech. I did not say that the absence of these papers would disable me from forming a judgment. On the contrary, I have said that in the absence of these papers I knew what inferences I should draw, and I am prepared to draw them. I am prepared to give my vote and my reasons for my vote, and will do so before this debate is over; but I did say that it would be infinitely—

Some hon. MEMBERS. Order, order.

Mr. BLAKE. I am not out of order; I am perfectly in order, but I did say—and here is where the hon. gentleman misunderstood me—that it would be much more satisfactory to this House that the material for a judgment should be placed before it is called on to decide.

Mr. CAMERON (Huron). This, Mr. Speaker, is another of the many attempts made by the Government—hon. gentlemen on the other side are prepared to decide this question and render their verdict, evidence or no evidence; it is of no kind of consequence to them. As soon as the Minister of Public Works cracks the ministerial whip they will vote according to his dictation; I say, Mr. Speaker, that this is another of the many attempts made by this Government to cripple this discussion and to stifle the enquiry that we are endeavoring to make with respect to the conduct of this Administration. The hon. member for Cardwell ventures upon a prediction. He says that the public of this country will be able to draw their inferences from the conduct of my hon. friend from West Durham. There is another inference which the people of this country will be able to draw, and which they will draw

from the conduct of this Administration in destroying, in mutilating and in refusing to submit to Parliament the evidences of their own misconduct, that inference is that the Government have something to conceal. The hon. gentleman says that we have all the papers before us that are necessary to form an opinion on this subject, and he refers to the discussions which took place last year, and the papers which were then before Parliament. Why, does not the hon. gentleman know that what we are now discussing is an entirely different question from that which we were discussing last year? We were then discussing the question of the grievances of the half-breeds, and then, as now, in every movement we made we were crippled by the action of the Administration. They refused then to produce the papers, and my hon. friend from West Durham (Mr. Blake), day after day, week after week, and month after month, made motion upon motion, and besought the Administration to bring down papers upon which to form an opinion; but the Government delayed until the closing hour of the Session, and the documents upon which to form an opinion had not been printed by Parliament. So it is now. Documents are required to judge of the conduct of the Administration, to form a clear opinion upon their conduct, have many of them been suppressed. Fortunately, in the papers submitted to Parliament last Session, in those brought down this Session, and from other sources, we have sufficient to justify any reasonable man in coming to the conclusion that the conduct of this Administration, from the beginning to the end—from the outbreak to the closing of the rebellion, to the closing scene at Regina, was such as to deserve the condemnation of this country. The hon. gentleman asks, are we prepared to justify a rebellion? We do not pretend to justify the rebellion; but we say that the responsibility for the rebellion, with all its consequences—the loss of life, the shedding of human blood, the ruin and desolation of the homes of the half-breeds,—rests on the shoulders of hon. gentlemen opposite; and they know it. Why, Sir, one of their own officials says—and they will find it in the last report of the Department—that the Indians of the North-West were forced to join the rebels because they were starved; and yet we are told that the conduct of the Government prior to the rebellion has been fair and honest conduct. The Minister of Public Works, when he undertook to defend the Government, two or three days ago, stated, candidly enough I suppose, that he desired that this should be a fair, an open, a full discussion—that the Government had nothing to conceal, that they desired to disclose everything, and that he was delighted to have the opportunity of meeting his accusers face to face; but the hon. gentleman has taken good care not to submit to Parliament the very documents on which hon. members may be enabled to form an opinion on this case. In a pamphlet that has been scattered broadcast throughout the Dominion, printed at a printing office owned by a member of Parliament, they have set forth some of the petitions against the execution of Louis Riel. If they publish the petitions against the execution of Louis Riel, is there any reason why they should not publish those in favor of that execution? We know that there were petitions, letters, telegrams, insisting on the Government carrying out the law, and yet not a single one of those documents is submitted to Parliament. The Minister of Public Works, the Minister of Militia, and the Minister of Inland Revenue knew perfectly well the influences that were brought to bear on the Administration, to induce them to let the law take its course with respect to Louis Riel; and yet not a single one of the documents showing that influence has been submitted to Parliament. Is it pretended that any of those resolutions and other documents I read to the House, asking the Government to let the law take its course, threatening them with the loss of support if they did not do so, and directing that copies should be sent to Sir John Macdonald,

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have not been submitted to the Government? and if they have been, I say Parliament ought to be put in possession of them. The hon. gentleman tells us we have all the documents we require. Have we the reasons why the Crown did not proceed with the prosecution against Jackson? We know, as a matter of fact, that the counsel for the Crown in that case declined to proceed; we believe that the Government so directed him; and if that is so, we ought to have the instructions which were given to the Crown counsel on that subject. We also know that the First Minister charged that the rebellion was caused by the conduct of the white settlers. If so, why were the white settlers not prosecuted? I am told the report as to that is not down yet. And hon. gentlemen see fit to force on this discussion in the absence of all these documents. We know that Father McWilliams wrote a letter to a high official in this country; we believe the Government are in possession of that letter. Why is it not produced? Now, Sir, I am not very much surprised at the conduct of this Administration, as a general rule; but I am a little surprised at the course of the Minister of Justice. He was a judge; he has only lately descended from the Bench and laid aside the ermine, to enter the political arena. When he was a judge, I know from report that he held the scales of justice in an honest hand. But evil communications corrupt good manners, and the moment he gets beside his colleagues he lays aside the impartiality that he exercised as a judge. I ask him if, when he was a judge, a criminal were brought before him, and the Crown counsel had suppressed and concealed or mutilated one-half of the evidence, what would he, holding the scale of justice, have said, of such conduct on the part of the Crown prosecutor? He would probably have recommended the Law Society to strike his name off the roll. On the other hand, suppose he was trying a prisoner, and one-half of the evidence that would exculpate him and relieve him from the punishment that he would receive, if convicted, were suppressed by the Crown prosecutor, would the Minister of Justice have forced on the trial? Not at all; he would not have allowed the case to go on until the matter was fairly and honestly placed before the court. But when he becomes a politician he acts in a different sense. He is quite willing now that a verdict should be given by this House with one-half of the evidence before it. Why? Because his colleagues are the offenders, and are now on their trial before the people of this country. The hon. gentleman tells us we have all the papers. Where are the papers moved for by the hon. member for Bellechasse (Mr. Amyot)? He had four or five motions on the Notice paper. Those motions were passed by this House and assented to by the Government; and yet scarcely a single document that he asked for have the Government seen fit to bring down. I myself have submitted motions for documents of the first consequence to enable us to decide this case, but they have not been brought down. What has become of the diary of Louis Riel, which I believe would throw a flood of light on the conduct of the Administration, and very likely on the question of the sanity or insanity of Riel? The Government have these papers in their hands, and yet the Minister of the Interior tells us with his usual composure that we have all the papers we require to enable us to form a judgment on this case. What has become of the minute book containing the Order in Council of the insurgents' council? Is that not of essential consequence to the forming of a fair and reasonable opinion on this case? So far as I am concerned, I said, when I addressed myself to this question, that I felt embarrassed because these documents were not submitted to the House. It is true, we have the judge's charge; but who has seen it? The truth of the matter is, the Government are afraid to produce these documents—afraid of the consequences of their production—afraid that this country will condemn them on their production: and they refuse to pro-

duce them. And yet the Minister of the Interior tells us that these documents, if produced, would relieve the Government of all responsibility, and exculpate them. If the Government had any documents that would relieve them of their responsibility and of the consequences of their actions, neither the people of Canada nor the members of this House are so green as not to know that they would be submitted to Parliament. What are the Government afraid of? We have moved for these documents and we are anxious to see them. If they will exculpate the Government, bring them down. But we know that that is not the case. The fact of the matter is, this Government is treating this House as they treated Louis Riel. They decided to hang him before they had a report of the medical commission, and now they want to get at the hands of Parliament a snap verdict of acquittal without producing the evidence, because the evidence will incriminate themselves. The people of the country, when called on to pronounce on the question—and I do not care how soon, in the light of the prevarication of the Government, in the light of their concealment of documents, in the light of the fact that they have mutilated documents and eliminated from the report material portions of the report itself, in the light of the fact that by their own organs and some of their leading men they have been accused of being the authors of, and having provoked, the rebellion—how soon the Government will appeal to the country; and I venture this opinion, that among those who will not come back will be the hon. member for Montreal by way of Cardwell.

Mr. DESJARDINS. Before being called on to record my vote on the amendment proposed by the hon. Minister of Public Works, I must explain why I shall oppose it. I am ready to pronounce judgment on the main question. I have enough information to form a sound judgment upon it, but political friends in our Province, who are here, refused, when called on to give their opinion by their electors, to give it, for the reason that they wanted to give fair play to the Government, and to give the Government every occasion of giving to the House all the documents and information they had in reference to this question. They said: We do not want to condemn the Government hastily. Moreover, at the beginning of the session the Government organs asked us not to press any motion bearing on this question, but to give fair play to the Government and to afford hon. members who had not formed any opinion—because they pretended they had not sufficient information—an opportunity to obtain information. Also upon the very legitimate demand of the leader of the Opposition, asking us not to press any motion in amendment to the Address, because he wanted the documents which the Government had promised to bring down, before being called upon to judge the question. I thought it was only fair that we should allow those hon. gentlemen an opportunity of forming their opinions, and it was in accordance with the desire expressed by them that we took the stand we take. The hon. Minister of the Interior (Mr. White) said, speaking against the motion brought by the hon. member for Bellechasse (Mr. Amyot): Why bring those petitions asked for by this motion; they have no bearing in any way; they have had no influence on the question? Well, this is the first time that I hear it stated that petitions sent by the people to the Government or to the House of Commons are to be treated in this way. My impression was that petitions were one of the forms of constitutional means to bring to the Government and the House of Commons a knowledge of public opinion, and I thought they should be better received than the Minister of the Interior seems disposed to receive them. I do not wonder now that the petitions sent to the Government from the North-West for so many years received so little attention. The Minister of the Interior, pointing to the French-speak-

ing members, referred to the meetings that took place in the different parts of Quebec, and spoke of the burning of effigies as disgraceful to the cities where those burnings took place. Well, he who resides in Montreal ought to be better versed as to the burning of effigies on the Champ de Mars. I condemned myself the burning of effigies which took place after the 16th November; but these were not the first burning of effigies that took place in Montreal. The hon. gentleman ought to have remembered that in 1849 effigies were burned in Montreal, and something more than effigies; and if those burnings took place, I can say that they were not the work of French Canadians, but of the Tories of that time.

Mr. WHITE (Cardwell). Whom you have supported ever since.

Mr. DESJARDINS. No, Sir.

Mr. BOWELL. And they are now the Grits.

Mr. DESJARDINS. The population of Montreal had that example in view probably when the burning of effigies took place. As for us, we are satisfied with constitutional meetings—regular, quiet and loyal meetings—to give expression to our opinions, and we thought it our duty to do so. I think it but fair that when such motions as my hon. friend from Bellechasse (Mr. Amyot), and other motions of that kind are made, they should receive at the hands of the Government the credit and attention they are entitled to.

Mr. AMYOT. When we had the pleasure and honor of hearing the Minister of Public Works speech, he told us, after having stated that the place for discussion was not the hustings, thereby exhibiting the scandalous spectacle of a Ministry divided among themselves—he said the proper place for the discussion was in Parliament, and then he added:

“But to-day, here before the representatives of the people, before our peers and judges, that are to give their verdict either for or against us, we can be heard, and we intend to be heard, and we intend to explain the position of the Government, what we have done, why we did it, and also the reasons why we should be sustained by this House.”

Since many days we have heard of petitions sent in to the Executive against the commutation of Riel's sentence and in favor of his execution. We want to know if there were any such petitions. The blue book does not give even a list of those petitions or the names of the petitioners, and it is certainly a mistake on the part of the hon. member to say that the blue book contains them. The blue book does not say there were any petitions calling for blood, and my motion asks for the production of those petitions. What is the reason that is given for withholding this information? The Government says it is against the public interest. Does the Government believe that in order to understand exactly what is in the public interest, we must hold a portfolio? Does the hon. gentleman think that, when we are members, selected by counties to represent them in Parliament, we are not judges of that also? And when the Government have said they would give all the information to the House, does the hon. gentleman think that he can withdraw that statement to-day? In the name of my friends from the Province of Quebec, I beg of the Minister of Public Works to use his great influence and his position as leader of the House, in the absence of the Premier, to obtain that information. I ask it on behalf of the members from the Province of Quebec, who form part of the majority of peaceful men in this Dominion; I ask him to give us the information as to those who love peace and harmony in this Confederation, and those who will only be satisfied when their thirst for blood is satisfied. We want to know who are in sympathy with the finding of the jury, and who are those who will have blood in any case, notwithstanding the finding of the jury. We want now, for later it will be

too late, to know the whole cause of this rebellion. The hon. Minister who spoke says we have enough information to explain the rebellion. He made the first admission we have had that there were some causes bringing about that rebellion. To-day we had a long and excited speech in reply to the most admirable speech of the hon. member for Quebec East (Mr. Laurier) who proved last night, that the Government not only ignored the law, but ignored the petitions presented to them on behalf of the half-breeds, and to-day the Ministers admit that there are causes sufficient to justify the rebellion. We have not sufficient evidence to show us all those causes, but, no doubt, we have enough to enable us to decide rightly as public men on this motion. The Minister of Justice will admit, I am sure, that, in order to decide as judges, we should have the whole record before us. It was only yesterday that I could investigate the record, which is now upstairs, and I was struck by finding that a great part of it is not in the blue book. The charges of the judges and divers incidents of the trial are not printed there in a blue book which purports to be the whole record, but which is not so. Why it is not I will leave the Ministers to say; but it is most extraordinary that anyone should have the audacity to put before Parliament a record in an incomplete shape. They say that the part which is withdrawn is in favor of the Government. My answer to that is that the fact of the Government withdrawing that part of the record from the public would be in itself sufficient to withdraw from them the confidence of the public. The conduct of the Government in this case has been very extraordinary from the beginning. First, there is a motion made. I will not accuse the mover, and I will not accuse his intentions, but it is known—and, if it is not, I will make it known—that his motion was made without consulting the other members of this House who are in favor of that motion. It was proposed at a time when the Government had not put the papers before the House; and the second step was to come in with a motion for the previous question, so that the debate would go on from day to day and from hour to hour until a decision was arrived at, without the production of the necessary documents. What is the necessary consequence? Some of the members from Ontario, not being cognizant, perhaps, as others may be, of the facts of the case, will have to support the Government, and the game will be won. If we have any consideration for the public and for our individual honor, we must insist upon having the whole case brought before the House, upon having the whole of the documents before us, and then there will be no excuse for any member when he comes before his constituents, and has to answer for the verdict which the Minister of Public Works said the Government were expecting from this House. The hon. Minister of the Interior said the agitation in the Province of Quebec was a disgrace. Well, over 200 municipal councils, over 300 public meetings, over 300,000 people have made that agitation, and they were led by the organ of the hon. Minister of Public Works all the time; and, if there has been any disgrace, it is due to the one who has reached the position of being the leader in his Province, and it is upon his own colleagues that the hon. gentleman is laying the blame, though the Minister of Public Works has been snubbing those who had the courage to face the disgrace which he referred to before the public. All these affirmations show the Government cannot boldly come before the House and say: Here is the whole record, here are the whole of the facts, here are the whole of the documents; read them carefully, and we are not afraid of the appeal to the people when the decision of the House comes before the country. But there is something to hide at the bottom of all that. Beginning with the telegrams of the Medical Commissioners, the decision arrived at before the commission was sent out, continuing with the telegrams that must have been sent

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from Winnipeg to Ottawa by the Minister of Militia to the Prime Minister, and with those petitions and letters and telegrams pressing for the hanging and asking for blood, there is something to hide everywhere. We cannot reach the bottom, and everything will remain hidden for some time, perhaps; but, sooner or later, the country will get at the truth, and the country will know the causes of the rebellion and the justice of our pretensions.

House divided on motion of Sir Hector Langevin:

YEAH:

Messieurs

Abbott,	Ferguson (Leeds & Gren)	O'Brien,
Allison,	Ferguson (Welland),	Orton,
Bain (Soulanges),	Fortin,	Quimet,
Baker (Missisquoi),	Foster,	Painé,
Baker (Victoria),	Gagné,	Pinsonneault,
Barker,	Gault,	Pope,
Barnard,	Gordon,	Pruyn,
Beaty,	Grandbois,	Reid,
Bell,	Guillet,	Riopel,
Benoit,	Hackett,	Robertson (Hastings),
Bergin,	Haggart,	Ross,
Blondeau,	Hall,	Rykert,
Bossé,	Hay,	Scott,
Bourbeau,	Hesson,	Shakespeare,
Bowell,	Hickey,	Shanly,
Bryson,	Homer,	Small,
Burnham,	Hurteau,	Smyth,
Burns,	Ives,	Sproule,
Cameron (Inverness),	Jamieson,	Stairs,
Campbell (Victoria),	Kaulbach,	Taschereau,
Carling,	Kilvert,	Tassé,
Caron (Sir Adolphe),	Kinney,	Taylor,
Chapleau,	Kranz,	Thompson (Antigonish)
Cimon,	Landry (Kent),	Townshend, J.
Cochrane,	Langevin,	Tupper,
Colby,	Lesage,	Tyrwhitt,
Costigan,	Macdonald (King's),	Valin,
Coughlin,	Mackintosh,	Vanasse,
Cuthbert,	Macmaster,	Wallace (Albert),
Daly,	Macmillan (Middlesex),	Wallace (York),
Daoust,	McCallum,	Ward,
Dawson,	McDougald (Pictou),	White (Cardwell),
Desaulniers (St. Maurice),	McDougald (C. Breton),	White (Hastings),
Dickinson,	McGreavy,	White (Renfrew),
Dodd,	McLelan,	Wigle,
Dugas,	McNeill,	Wood (Brockville),
Dundas,	Massue,	Wood (Westm'd),
Everett,	Moffat,	Wright.—116.
Farrow,	Montplaisir,	

NAYS:

Messieurs

Allen,	Dupont,	Livingston,
Amyot,	Edgar,	Mackenzie,
Armstrong,	Fairbank,	McMillan (Vaudreuil),
Auger,	Fisher,	McCraney,
Bain (Wentworth)	Forbes,	McIntyre,
Bécharde,	Gaudet,	McMullen,
Bergeron,	Geoffrion,	Mills,
Bernier,	Gigault,	Mitchell,
Blake,	Gillmor,	Mulock,
Bourassa,	Girouard,	Paterson (Brant),
Burpee,	Glen,	Platt,
Cameron (Huron),	Guay,	Ray,
Cameron (Middlesex),	Guilbault,	Rinfret,
Campbell (Renfrew),	Gunn,	Robertson (Shelburne),
Cartwright (Sir Richard)	Harley,	Scriven,
Cassey,	Holton,	Somerville (Brant),
Casgrain,	Innes,	Somerville (Bruce),
Charlton,	Irvine,	Springer,
Cockburn,	Jackson,	Sutherland (Oxford),
Cook,	King,	Trow,
Coursol,	Kirk,	Vail,
Davies,	Landerkin,	Watson,
De St. Georges,	Landry (Montmagny),	Weldon,
Desaulniers (Maskin'è),	Langelier,	Wilson,
Desjardins,	Laurier,	Yeo.—75.

Motion agreed to.

EXECUTION OF LOUIS RIEL.

The House resumed the adjourned debate on the proposed motion of Mr. Landry: "That this House feels it its

duty to express its deep regret that the sentence of death passed upon Louis Riel, convicted of high treason, was allowed to be carried into execution ;" and the motion of Sir Hector Langevin : "That this question be now put."

Sir ADOLPHE CARON. Mr. Speaker : Last night, at an hour far advanced, I moved the adjournment of this debate. For several days the time of this House has been occupied in the discussion of this most important subject, and I must say that I hail with pleasure the opportunity which is furnished me to-day of submitting to Parliament and to the country the view which I have taken from the beginning of the now historical Riel question, and the reasons which actuated me in the conduct which I considered it my duty to take in reference to it. Of all the charges that can be levelled against a public man, of all the grave accusations which can be brought against a public man in the discharge of his official duties, I think the most infamous is that of being a traitor to his country, a traitor to his people. For weeks, nay, for months, my hon. colleagues and myself have been traduced before public opinion in our Province. We have been accused of being traitors to our blood and traitors to our Province. Sir, I wish to ask to-day how came it that we could have laid ourselves open to such a grave charge. I want to know how it is possible that men, who for years and years have enjoyed the confidence of their countrymen, of the friends who support us in Parliament, should have rendered themselves guilty of the charge which has been brought against us. Sir, under circumstances of extreme difficulty, knowing as we did know, and as it was our duty to know, what public opinion was in the Province of Quebec in regard to this question, we have been charged with being traitors to our people and our Province, because we allowed the law to take its course. We did so because we considered it our duty not to interfere with the carrying out of the sentence against Louis Riel. Mr. Speaker, I consider it my duty ; I consider, moreover, that I would not be displaying that courage which every public man should possess in the performance of the duties entrusted to him, if I were not to state, from my place, to Parliament and the country, that if similar circumstances should arise again to those which took place last year, I should do exactly as I did on that occasion. I do not wish, Sir, to be misunderstood. I felt, and I feel to-day, more than I can express, how painful was the duty which we were called upon to perform. I felt that it was not a light thing to sever those ties, political and social, which had bound me to those friends and countrymen who had entrusted me with their confidence and who withdrew it on that occasion. But I felt that it was my imperative duty to my own Province of Quebec, which I love so much, to take the course I did ; and I say again, notwithstanding what hon. gentlemen opposite may say, that if the same circumstances should arise again, I would do exactly as I did before. Sir, I am glad to be able to say that since this debate commenced it has, with few exceptions, been conducted in a manner befitting the gravity of the question under discussion, and in a manner of which we have no reason to be ashamed. In doing my little share in this discussion, and in the presentation of my views, I hope I shall be able to follow that which has already been set by several hon. gentlemen, and that I shall do so without injuring the feelings of those who differ with me. Sir, I think I am expressing the opinion of all my friends, which opinion has already been expressed by my hon. colleague the Minister of Interior, in saying that we all feel proud in having as a member of this House, the hon. member for Quebec East (Mr. Laurier), in view of the speech which he made last night. It was a speech of which I believe I am safe in saying any Parliament could be proud, and in discussing the question which to him, coming from the Province of Quebec, as to

me coming from the same Province, is one certainly which must have appealed to his feelings, as he showed it did during the delivery of that speech,—I say, he has conducted the discussion in such a way as I hope will have a beneficial effect on the whole debate. I have said that I considered it was my bounden duty to my country, to my Province, to act as I have acted as an adviser of the Crown. Mr. Speaker, as Ministers of the Crown, occupying, as we do, the Treasury benches, we are here representing, not one individual Province but the whole Dominion of Canada. I deemed it was an obligation for us, occupying those positions, to maintain the peace and order in the Dominion. I considered it our duty to maintain the credit of this country at home and abroad. I considered that was our duty as Ministers of the Crown, responsible for the peace of the citizens inhabiting this country. I say more. We know, from the public documents of this Parliament, how much treasure Canada has been investing for the purpose of bringing to our vast and fertile prairies of the west, the population of the overcrowded centres of Europe. It is necessary, if we are to hold out inducements to immigrants to come to Canada and to settle in happy homes in our country, to show that Canada can protect those who entrust their future to her care. It is necessary for us to show that, whether in the extreme North-West or in the older Provinces, the Government of Canada is sufficiently strong to protect her people and to maintain law and order. It was important from that standpoint that there should be no uncertain sound about the action of the Government. It was important that it should be known abroad, in the old country and all over Canada that the Dominion was strong enough, vast as are her territories, to maintain, as I have stated, law and order in every portion of her domains. We have, moreover,—and this is a most important feature, as I understand it, in the present debate—thousands of an Indian population in the North-West. I believe every man who desires to see Canada advancing and prosperous must feel that, having acquired those territories which formerly were the uncontested homes of the Indians, we should be true and loyal to those whom we have taken under our protection. We have a large number of Indians in that territory who have a right to expect that they shall be loyally and kindly treated, that the treaties into which they have entered with the Government shall be scrupulously carried out ; but it is of the greatest importance that they should also learn that peace and order must be maintained in those territories. It is of the greatest importance that they should understand that whatever grounds there may be for agitation, there is a constitutional way of agitating. A constitutional agitation will always achieve results much more satisfactory than those secured by violence ; and I say, therefore, that, whatever the complaint may be, the people of Canada should understand that they can only agitate in a constitutional way without appealing to force, violence and arms. Under those circumstances we felt that it was of the utmost necessity that we should allow the law of the land to take its course in the case of Louis Riel, and not to interfere with the carrying out of the sentence which had been passed. It would be useless for me, after the speeches which have already been delivered, to enter into the question of the origin of the Riel risings in the North-West. We all know the circumstances which led to the first rising. We know that Louis Riel, in 1870, organised a rebellion in the North West ; and it must be remembered that when the case which is now under review by this Parliament, is dealt with, that the second revolt and trouble which took place was also the work of the man who had originated and perpetrated the first. By organising those two revolts among the half-breeds, whom he so shamefully deceived, and which, for a moment, threatened to call into play all the Indian population of the North-West, it cannot be denied that Riel rendered himself guilty of one of the

most heinous crimes of which a man in any country can be guilty. I consider that he deceived his people, that he tried to sell them and to carry out blackmail by consenting that if money were given to him by the Government, he would give up their cause, would retire and allow them to fall back upon their own resources. In doing this, I think he is not deserving of the sympathy of men who wish to go into this question calmly and dispassionately, who consider it from the standpoint of the interests of the country, from the standpoint merely of a duty which had to be performed by those who occupied responsible positions as advisers of the Crown. When we consider, reading as we have read, the history of these Indian wars, what might have been their result if these Indian tribes, who fortunately kept quiet to a very great extent, and who, if they did keep quiet, did not do so because Riel had not endeavored in every possible way to get them to help him in fighting the Government of his country—who, after considering what might have been the consequences of an Indian war, can for a moment have any sympathy with the movement which had been inaugurated by Riel? We know perfectly well that at the very beginning of the outbreak, when he had succeeded by his machinations in getting the Metis to withdraw their allegiance and their confidence from their clergy, from the missionaries who during so many years had been laboring so disinterestedly in the interests of the Metis nation—when we come to consider that at the beginning of the outbreak the first victims of Louis Riel and of his agitation were the two missionaries, Father Marchand and Father Fafard, I ask myself how it is possible to afford to Louis Riel the sympathy which in some quarters it has been attempted to make believe existed. When all the circumstances of this outbreak are fully gone into, when we come to consider the manner in which it was prepared and organised, when we come to consider the number of lives which it has cost the Dominion, the treasure that has been expended during the revolt, I say it was time for us to consider whether the most energetic possible means should not be taken to prevent the recurrence in the future of any such troubles as we had in the North-West. But, Sir, I hope that within the precincts of this Parliament we shall not find any hon. gentleman who will say that, in allowing the law to take its course, in not interfering with the execution of the sentence legally passed on Louis Riel the Government has sacrificed a martyr and a hero. I do not see how this is possible, although I have been reading, for the last several months, articles in newspapers which would really indicate that some of those who edited or wrote them must have considered that this man was a great hero and great martyr. I ask myself, reading the evidence which has been taken in his case, knowing the circumstances which attended the rising, knowing everything he did for the purpose of getting up the troubles in the North-West; I ask myself how it is possible that any person having at heart the interests of his country, should consider that the example of Louis Riel is one which should be held out to the admiration of the people of any country, or that he should be considered a hero and a martyr. Is he not the man who stirred up an Indian war with all its horrors? Is he not the man who wrote to Major Crozier that he wanted to commence without delay a war of extermination; and, Sir, upon that one point, I should like to read a very short extract from the evidence which has been taken during the trial and published in a pamphlet by the Government. At page 168 there is this letter which he addressed to Major Crozier:

"ST. ANTONY, March 21st, 1885.

"To Major Crozier,

"Commandant of the Police Force at Carlton and Battleford.

"Major,—The Councillors of the Provisional Government of the Saskatchewan have the honor to communicate to you the following
Sir ADOLPHE CARON.

conditions of surrender: you will be required to give up completely the situation which the Canadian Government have placed you in, at Carlton and Battleford, together with all Government properties.

"In case of acceptance, you and your men will be set free on your parole of honor to keep the peace; and those who will choose to leave the country will be furnished with teams and provisions to reach Qu'Appelle.

"In case of non-acceptance, we intend to attack you when to-morrow (the Lord's Day) is over, and to commence without delay a war of extermination upon all those who have shown themselves hostile to our rights.

"Messrs. Charles and Maxime Lépine are the gentlemen with whom you will have to treat.

"Major, we respect you. Let the cause of humanity be a consolation to you for the reverses which the Governmental misconduct has brought upon you.

LOUIS DAVID RIEL,
Ex oede.

"RÉNÉ PARENTEAU, *Chairman.*

"CHARLES NOLIN.

"GABRIEL DUMONT.

"MOÏSE OUELLETTE.

"ALBERT MONKMAN.

"BAPTISTE BOYER.

"DONALD ROSS.

"AMABLE JOBIN.

JEAN BAPTISTE PARENTEAU.

PIERRE HENRY.

ALBERT DELORME.

DAM. GARRIÈRE.

MAXIME LÉPINE.

BAPTISTE BOUCHER.

DAVID TOUROND.

PH. GARNOT, *Secretary.*"

Here, Mr. Speaker, is this man who is held up as a hero, writing this letter wherein he states that his object is to get up a war of extermination. Can the signification of this letter be misunderstood? Can it be contended that that man, being carried away by his devotion to his people, wanted merely to agitate for the purpose of having rendered to them the justice which he had tried to get for them, when we see among the papers which have been produced, forming part of the evidence which has been taken in that case, that his object was to get up in the North-West a war of extermination? It was his purpose to get up a war the most horrible of all wars, an Indian war; and more especially so, among a population like that of the North-West which is so widely scattered over that country, not living together compactly like the population of the older Provinces of the Dominion, but where the settlers are living at considerable distances from each other, and where it is almost impossible for them to give help or succor to each other. It was under these circumstances that he intended, as is established by his own letter, by evidence which cannot be controverted, that he intended, as he states here, to get up a war of extermination. He took all the means that were at his disposal to get up such a war; he tried everything in his power to make his nefarious project a successful one; he used every means he could to get up a war which, so far as it went, had the most disastrous results for Canada, and which, if it had been complicated by an outbreak of the Indian population, would have been more terrible and more disastrous still.

I beg to move the adjournment of the debate.

Motion agreed to.

It being six o'clock, the House adjourned.

HOUSE OF COMMONS.

THURSDAY, 18th March, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

CASE OF LOUIS RIEL—PETITIONS FROM ORANGE LODGES.

Mr. TAYLOR asked, 1st, Were any, and how many, petitions sent by Orange lodges to the Government praying that the sentence of death passed upon Louis Riel for high treason be not commuted; and if any, from what lodges, and

where situate? 2nd. Were any, and how many, copies of resolutions sent to the Government passed by either the Grand Orange Lodge, district, county or private lodges, to the same effect; and if any, by what lodges, and where were they located?

Mr. CHAPLEAU. There have been no petitions sent by Orange lodges to the Government; there have been no copies of resolutions sent to the Government passed by either the Grand Orange Lodge or by district or county lodges to the same effect. The only things that have come to the Department over which I preside are: A letter from a member of Parliament transmitting certain representations from an Orange lodge, two petitions from the North-West, transmitted by Nicholas Flood Davin, and a private letter from a person of the name of Charles O'Hara, of Cranbourne, Quebec, which I lay before the House.

EXECUTION OF LOUIS RIEL.

The House resumed the adjourned debate on the proposed motion of Mr. Landry (Montmagny): "That this House feels it its duty to express its deep regret that the sentence of death passed upon Louis Riel, convicted of high treason, was allowed to be carried into execution;" and the motion of Sir Hector Langevin: "That this question be now put."

Sir ADOLPHE CARON. Yesterday, Mr. Speaker, when the House adjourned, I was expressing the hope that within the precincts of this Chamber no hon. member would be found who, upon his responsibility, would say, as I read in some newspapers, that Riel was a hero, and that the Government had allowed him to be sacrificed and to be made a martyr. In the course of my remarks I read a letter which was addressed by Riel to Major Crozier, to show what kind of a hero Riel was—a letter in which he was expressing his determination to carry on a war of extermination. I shall to-day, Sir, supplement the information which that letter conveyed to us by reading another which Riel addressed to Poundmaker, and which proceeds to say:

"Since we wrote to you, important things have occurred. The police attacked us. We met them. God has given us a victory. Thirty half-breeds and five Crees stood the fight against one hundred and twenty men. After fighting during thirty-eight or forty minutes the enemy took flight.

"Bless God with us for the success that he has had the charity to give us. Rise up. Face the police. If possible, if it is not done yet, take Fort Bataille. Destroy it. Save all the provisions and goods, and come and join us. You are in sufficient numbers to send us a detachment forty or fifty strong.

"All that you do, do it for the sake of God Almighty, under the keeping of Jesus Christ, the Holy Virgin, St. Joseph and St. Jean Baptiste.

"(Signed) LOUIS DAVID RIEL, *Excoedé*."

This letter shows what kind of a hero Louis David Riel was. Now, Sir, with your permission I shall read a letter which was addressed to me some time ago by His Grace Archbishop Grandin, and which I now read to the House with his permission. The letter is dated the 12th of July, 1885. To avoid reading the original and translating it before the House, I have translated it myself, and I shall read to the House the translation I made. The original, however, is here, and can be given to *Hansard*; but so as not to inflict upon the House the reading of the letter in French and English, I thought it might be more convenient and more acceptable to the members if I read from the translation:

"HONORABLE AND DEAR SIR,—Assuredly the troubles in the North-West did not fail to worry you a great deal, and it seems to me that Your Honor must breathe more freely now that they are subdued. I fully share your satisfaction. However, I must add that, as to me, it is far from being complete. The rebellion has particularly wounded my heart; I have suffered when I saw our good half-breeds—deceived and terrified by a miserable maniac—despise our advice, mistrust our devotion, declare against the Government, against the Church and against God. Above all, I have been painfully affected when, at the voice of that sort of po-essed man, I saw the Indians rise and go to the extent of murdering persons who had never done them any wrong, who had never done them aught but kindness—persons who, like our dear missionaries, had sacrificed for them their very existence.

"The murders, the almost entire destruction of our settlements, the absolutely complete destruction of many others, the poverty, the uneasiness, the anguish of mind, the fear, the discouragement among the vanquished, the hatred and despair among many—this, above all, is what frightens me and causes me almost to forget my personal disasters. No doubt every one suffers more or less from this uneasiness and these sad forebodings; but it seems to me that I suffer therefrom more than any one."

Here is another extract from that letter, which I beg also to read:

"I forward to the Minister of Justice a petition in favor of the half-breeds compromised in this lamentable rebellion, not that I approved of it, far from this, but I positively know that these poor rebels have been shamefully deceived; their simplicity was prevailed upon, they were made to take up arms almost without being aware of it. A wretched man had carried their confidence by holding himself up as one Divine. They were convinced that he enjoyed a power almost Godly, they feared his anger and his threats; had his hand held the thunderbolt, they would not have dreaded him more. He did not reach this of a sudden. He has turned everything to his advantage, his former popularity, his reputation, the affection and the confidence his countrymen had for him, their truly religious and sometimes superstitious spirit, and, above all, their grievances against the Government. Well aware that in order to master them he absolutely needed the help of religion, he at first tried to secure the help of the clergy, whilst he was attempting to incite the half-breeds against the Government. It was but too easy for him to succeed upon the latter point, but he failed with the priests. To obviate this loss, he labored a long time to earn from his countrymen the reputation of being a saint and a great saint. He spent in prayers both days and nights. He would fast often and told everyone that his was a truly Divine mission. He wound up by giving himself as a man of God, and from that moment there was nothing to hinder him. Enjoying a Divine authority, he was superior to the clergy and to all religions; these words were always in his mouth, 'the will of God must be done.' Many of his countrymen were frightened at his excesses; as the priests had done, they wished to resist him; in the debates, he would conquer them with abuse, lies and threats; he caused them to be imprisoned, and even condemned them to death. Understanding that it was impossible to resist him, many took refuge either in Prince Albert or in the bush. When they returned they found themselves ruined as well as the others. So it is, honorable and dear Sir, that the greater part of the prisoners at Regina are victims specially of terrorism. They are more stupid than guilty, and, therefore, I claim indulgence towards them. When I asked this favor, I can say that I would be borne up by all reasonable persons in the country, of all nationalities and of all religious denominations."

The Bishop goes on to speak of the councillors who also were prisoners at Regina:

"As regards the councillors of this new Mahdi, how can they be justified. Alas! dear Sir, these poor people have positively been chosen on account of their ignorance and of their timorousness; in the meetings they dared not open their mouths, resolutions were passed in their name; when they did not even know what was the matter. To-day terror reigns amongst all the half-breeds of the district, nay, through all the nations, although they praise the noble conduct of General Middleton, who—said to me poor mothers and the missionaries—acted more like a father than as a conqueror."

These letters go to show what kind of a man Riel was. It is almost impossible, the more one goes into the history of this rebellion, the more one reads the documents and papers relating to it, to understand how even an attempt could be made to convert Riel into a hero. Not only have we got these letters which I have read, but we have got letters which I will not read, because they have been already submitted to the House, from Fathers André, Moulin, Vegreville, Lecoq, and Frère Piquet, who states positively that the rebellion was entirely the work of Louis Riel, and that he was perfectly sane. We have got, if it were necessary to complete the testimony adduced, evidence to show the disastrous plans entertained by Riel, and to show that he was perfectly capable, from the state of his mind, of carrying out his nefarious schemes. His own writing which he published, his last will and testament, his letters to his mother and to his wife, his farewell letters, his retraction of his religious errors—all these go to show that he was really in a sane state of mind and perfectly accountable for the acts of which he was found guilty. We have also evidence to show what his intentions were, for he tried to induce the Indians to join in his rebellion, and we have an interview, which was published in the newspapers, establishing beyond the possibility of doubt

that he had tried to induce Crowfoot, one of the leaders of Indians, to rise in rebellion. We have undoubted proof that he tried to kindle an Indian war in 1879-80; we have also the evidence of Father André, which establishes beyond the possibility of discussion, that the motives of Riel in the agitation were interested, personal motives, and that he stated he was perfectly prepared to give up the Metis cause provided his claims against the Government were satisfied. We have, further, the very important piece of evidence, to my mind, that on the 2nd February, two months before the outbreak, Sir John sent a despatch to Nolin, which was communicated to Father André and to Riel, about the settlement of Metis matters. In this despatch there was no mention of indemnity to Riel, who, in consequence of this, decided to take up arms. We have all this evidence, which cannot be controverted, to show how far this man was deserving of the pedestal on which he is placed to-day as a hero before the people of Canada. Who forgets what an enormous amount of influence the sermon delivered by Father Dowd had upon the population of this country? Here is a gentleman who, being outside of all party questions, outside of any political consideration, having merely at heart the interest of his own people, states positively that he has had an interview with Bishop Grandin, and says:

"He had enjoyed the privilege of a personal interview with His Lordship Mgr. Grandin, Bishop of the North-West Territory, the scene of the late rebellion. From His Lordship's own lips he had heard the recital of all the atrocities that had been committed by the pagan Indians and easily deceived half-breeds, urged on by a bad and unscrupulous man; how poor missionaries had been butchered almost under His Lordship's eyes; how the half-breeds had been led to revolt not only against the Government of the country, but under their wicked leader had been induced to abandon their faith and turn their backs on the devoted clergy to follow that leader who wished to set aside Pope and Church, and all authority, ecclesiastical and civil."

But, Sir, there is more. In all that has been done by this unfortunate man, I think nothing was more deserving of the fate that followed his acts than the manner in which he tried to get the Indians to join in the troubles. I hold in my hand a letter addressed by Poundmaker and other Indians, dated, Cut Knife Hill, April 29th, 1885.

"To Mr. Louis Riel:

"I want to hear news of the progress of God's work. If any event has occurred since your messengers came away let me know of it. Tell me the date when the Americans will reach the Canadian Pacific Railway. Tell me all the news that you have heard from all places where your work is in progress. Big Bear has finished his work; he has taken Fort Pitt. 'If you want me to come to you let me know at once,' he said, and I sent for him at once. I will be four days on the road. Those who have gone to see him will sleep twice on the road. They took twenty prisoners, including the master of Fort Pitt. They killed eleven men, including the agent, two priests and six white men. We are camped on the creek just below Cut Knife Hill, waiting for Big Bear. The Blackfeet have killed sixty police at the Elbow. A half-breed who interpreted for the police, having survived the fight, though wounded, brought this news. Here we have killed six white men. We have not taken the barracks yet, but that is the only entire building in Battleford. All the cattle and horses in the vicinity we have taken. We have lost one man, a Nez Percé, killed, he being alone, and one wounded. Some soldiers have come from Swift Current, but I don't know their number. We have here guns and rifles of all sorts, but ammunition for them is short. If it be possible, send us ammunition of various kinds. We are weak only for the want of that. You sent word that you would come to Battleford when you had finished your work at Duck Lake. We wait still for you, as we are unable to take the fort without help. If you send us news, send only one messenger. We are impatient to reach you. It would encourage us much to see you, and make us work more heartily. Up to the present everything has gone well with us, but we are constantly expecting the soldiers to visit us here. We trust that God will be as kind to us in the future as He has in the past. We, the undersigned, send greeting to you all.

(Signed),

"POUNDMAKER,
"OOPINOW-WAY-WIN,
"MUSSINAS,
"MEE-TAY-WAY-IS,
"PEE-YAY-OHEW."

This letter is, to my mind, of very great importance, because it shows what really were the dangers which we were exposed to at the hands of that man. Now, I will address myself to another part of this case. I want to ask any hon.

Sir ADOLPHE CARON.

member who has followed this matter up, whether the Government have gone out of their way, whether they have gone out of any ordinary course of law to punish Riel? Have we not followed the laws which have been passed by this very Parliament? Have we not during the whole of the trial, as far as it was possible for the Government to do, met in every way the requests which were made to us by the counsel for the defence? The hon. member for Bellechasse (Mr. Amyot), the other day, in addressing this House, stated that the trial had been an unfair one. I do not know how the hon. gentleman can say that this was an unfair trial, in any case he and his friends certainly do not agree on that subject. I read in a speech delivered by the hon. leader of the Opposition in London his appreciation of the manner in which the trial was conducted, and I see that he states there:

"I think it right to say that, in my opinion, Government acted in a proper spirit in providing for the attendance of the prisoner's witnesses; and that, from what I know of their leading counsel, I should think it impossible that in their management of the case there was anything unfair to the prisoner or derogatory to the high character they deservedly enjoy, or the responsible duties they undertook to perform. I am not implying, then, any present doubt as to the justice of the trial. For all my enquiries, it may have been perfectly just. Besides justice, in fact, the creation of a feeling of public confidence, of a general impression that all was fair and that every security was taken for fairness is important, and, in that view of the duties of the authorities, I think these questions should be examined."

But there is more than this, however high an authority this may be. There is also the testimony of one of the counsel for the defence—the testimony of Mr. Fitzpatrick, who in Montreal was interviewed, I believe, by a reporter of the *Star*. In the course of that interview he stated that the trial had been a fair trial, that it had been conducted as fairly as it was possible to be under the circumstances. As I stated yesterday, the responsibility which we had to take was a very considerable one, and I think that every hon. member here and every man outside of this House who really takes to heart the interest of Canada will consider that, in a matter of that importance, it became the bounden duty of the Government to consider what would be in the future the result of the course which we were following. Looking to the future of Canada and in the interests of that future, it seems to me that the head, the one who had got up two rebellions within such a comparatively short period, two rebellions which had cost so much treasure to Canada and so many valuable lives, should suffer the penalty of the crime which he had committed. It was important to teach, with a view to the future, those who had some supposed grievance, or who, believing that they had a grievance, imaginary or real, could simply follow the example given them by Riel in trying to do justice to themselves by taking up arms against the Government and the constitution. Such an example as has been given by this unfortunate man, who has paid the penalty of his high crime, certainly will teach others in the future that if they follow such an example they will become liable to the same fate, and that at any cost the constitution and the institutions of this country must be maintained and protected at all hazards. Nobody will doubt, I am sure, how deeply we felt the nature of the frightful penalty of death which it was our duty to sanction; but, Sir, the example of not only this country, but almost every other country, teaches us that that frightful penalty is, after all, the only means which society has of protecting itself against those who would attack it, and who refuse to respect the law and the constitutions which are established for the protection of society. Twice, Mr. Speaker, had Riel raised the standard of revolt—in 1870 and 1885. Now, I ask any reasonable man, inside or outside of the House, whether we would not have been recreant to our duty if we had allowed him to go on unpunished after a repetition of the rebellion which he had organised in 1869-70? Would we not almost have been inviting him to organise a third rebellion? Would we not have set an example

likely to prove disastrous to this country in future? And if we had interfered with the sentence which was passed by the proper tribunal, would we not in effect have said to the world that the Government of Canada winked at such crimes as that rebellion, with all its frightful murders and other sad consequences? I think we would have failed in our duty, we would have lacked that courage which, as public men and as responsible Ministers of the Crown, we ought to possess, if we had not, having regard solely to our duty, allowed the law to take its course and the sentence to be executed. Sir, I stated in another place and at another time, that I hated rebellion, and that I had no sympathy for rebels, and I have been fiercely attacked for that statement. Well, Sir, I beg to-day to repeat that statement; I beg to repeat it from my place in Parliament, and to express the hope that all those who are dear to me, and all those who will bear my name, will always be true to the sentiment I expressed on that occasion. I go further, and I say I believe that the Province of Quebec, that Province of which I am so proud, and which is my native Province—I believe that that Province hates rebellion and has no sympathy for rebels. True it is, that in a moment of surprise public opinion, but a portion only of public opinion, may have been carried away by agitators who, for some object or other, desired to turn that public opinion against the Government of the day. True it is that for the moment a portion of that public opinion seemed to disapprove of the action of the Government in this now historical Riel matter. But, Sir, that surprise lasted only for a moment, and the reaction has already set in; the reaction is growing stronger and stronger every day, and I fear not, when the time comes, to appeal again to that public opinion upon the course which has been followed by the Government upon that matter, and I know my Province sufficiently well to be perfectly sure that the verdict will be that the Government did its duty under most painful and distressing circumstances—did its duty to the country, and that is what we were put here to do. Sir, I was pained to see in some of the papers published in this country, an accusation of disloyalty levelled against the Province of Quebec. Mr. Speaker, those who have read the history of our country, those who know the history of the Province of Quebec, know very well, that in 1812, after that Province, or French Canada as it was called, had changed its allegiance and had passed from one flag to another—that Province, French Canada, stood by the Crown and resisted all the tempting offers which were made to them by the American Republic, to join in the fight against England, in which they were told they would have an opportunity of revenge. Sir, I claim for that Province—and I believe I express the opinion of all those who are in a position to speak for their fellow-countrymen—that in all this vast Dominion of Canada, among all the races which people it, among all the nationalities which make up our population and form the Canadian people, there is not one nationality, there is not one people more loyal and more true to the Crown of England than the people of the Province of Quebec. Sir, we want nothing but what is due to us. We care little if we are traduced in the columns of certain papers; we want nothing more than our rights, we want no privileges which are not accorded to others, but we want to be treated on an equal footing with everybody else. In any case, I can say that in the ranks of the Conservative party, at least, there are no disloyal men. Whether it be on the shores of the St. Lawrence, or whether it be on the banks of the Saskatchewan, when we shoulder our rifles it is for the purpose of maintaining the authority of the law and defending the Government of the country, not to aid and abet rebellion and rebels. I must say, Sir, that I was surprised when I read, if properly reported, a statement made by the hon. member for Quebec East (Mr. Laurier). I read in the papers published in Montreal the following statement:—

“If I had been on the banks of the Saskatchewan when the rebellion broke out I would have taken up arms against the Government.”

Well, Mr. Speaker, I happened, shortly after reading this statement, to read over the oath of office which the hon. gentleman had taken on the 8th October, 1877, when he became a member of the Privy Council of Canada, and I read in that oath:

“I, Wilfred Laurier, do solemnly and sincerely swear that I will faithfully bear true allegiance to Her Majesty, Queen Victoria, as Sovereign of the United Kingdom of Great Britain and Ireland and this Dominion of Canada, dependent on and belonging to the same Kingdom, and that I will defend her to the utmost of my power against all traitorous conspiracies, and all attempts whatever which may be made against her person, Crown and dignity; and that I will use my utmost endeavors to disclose and make known to Her Majesty, her heirs or successors, all treason or traitorous conspiracies, and attempts which I shall know to be against her or any of them; and all this I do swear without any qualification, mental reservation or secret reservation.”

I believe the hon. gentleman who represents Megantic (Mr. Langelier) stated that that outbreak was not against the Crown but against the Government. That hon. gentleman is a lawyer, and I have no manner of doubt that he knows perfectly well that the British North America Act, section 9, declares:—

“The Executive Government and authority of and over Canada is hereby declared to continue and be vested in the Queen.”

Taking it whichever way the hon. gentleman pleases, he will see that the statement—which, of course, I suppose is properly reported (I know not whether such is the case, and I was not present at that great meeting when the hon. member for Quebec East delivered himself of that opinion)—is an extraordinary statement. I am very glad to say that within the ranks of the Conservative party at least we do not possess any gentleman who would, I believe, make such a statement. I stated that we simply did our duty towards Canada and towards the Province of Quebec. We claim for our people, for those who are the descendants of the very men who opened up to Christianity and civilisation this vast North American continent, equal rights with the people of other nationalities who inhabit the country. Upon that point we will never give in; I know, for one, I would not consent to give in upon any question of equality of rights with any other Province in the Dominion. In any case it is our interest to have a criminal law in this country which applies equally to French and English, to Scotch and Irish. There must be no law different for one man from that which is applicable to another; there must be no criminal law which applies to one nationality and does not apply to another nationality. We wish to be one Canadian people, united, happy and law abiding, and it is only on that condition we can carry out, or attempt to carry out, what I believe is reserved for us to do upon this continent. I, for one at least, can never agree to pressing upon the people of the Province of Quebec a feeling of jingoism which would be fatal to us. This feeling, if carried out, would mean isolation and the separation of the Province of Quebec from the other Provinces, and it would arouse against the Province of Quebec a hostile feeling from the other component parts of the Dominion. In reading up this Riel case I also observed that some people supposed that the people of the Province of Quebec were not in sympathy with the aspirations of the people of the other Provinces. I can assure this House that they are completely mistaken, if they suppose for one moment that sound public opinion in our Province is not in sympathy with sound public opinion in other Provinces; and they are also mistaken if they suppose for one moment that the people of the Province of Quebec are in sympathy with this Riel movement. The other night the hon. member for Quebec East (Mr. Laurier) denied, as I understood him, that it had been attempted to organise a French National Party upon the Riel question. Allow me to quote from the speech which the hon. gentleman delivered at the meeting on the Champ de Mars, and from that speech and the speech of Mr. Mercier and other evidence I possess, I

want to know whether it is possible for the hon. member for Quebec East to ignore the fact that an attempt was made to organise a French National party in the Province of Quebec, that all party lines should disappear and a French National party be organised. Here is an extract of the speech which the hon. member for Quebec East delivered at the meeting on the Champ de Mars, as reported in *La Patrie* of 26th November, 1885 (translation):

"Henceforth there will be neither Liberals nor Conservatives; only the great national party composed of the old liberals and the old conservatives. If he was called upon to make an historical sketch of the grievances of the half-breeds, he might say that they had been the victims of all kinds of extortions, and he believes that in such a case none of his hearers would have hesitated in shouldering a musket to fight against shameless speculators."

Mr. Mercier, who was also present on the same occasion, stated (translation):

"In the face of these crimes, of these failings, what is our duty? We believe we have three things to do in order to punish the offenders: To break the alliance which our members have made with the Orangemen, and to seek, in a more congenial and less dangerous alliance, the protection of our national interests. To unite! How glad I feel when I pronounce this word! For twenty years past I have sought to unite the vital forces of the nation."

I believe, moreover, that shortly after that great meeting and several other meetings which were held, the object of which was to organize this National party, communications were made to my hon. colleague and friend the Secretary of State, wherein he was offered the leadership of that new French National party; that the Liberals and the Conservatives which would compose this new Liberal party, he was assured, would accept him as their leader. I notice that in making that assertion the hon. gentleman quoted some speeches, but, Sir, the only one which he did quote was a speech of the hon. member for Hochelaga (Mr. Desjardins), a Conservative at that time, and in making his statement about the organisation of the French National party he certainly did not quote any of Mr. Mercier's speeches, or the speeches delivered by any Liberals on that occasion. I cannot but ask myself the question, how it can be possible that our people in the Province of Quebec should have any admiration for Riel. As is well known, our people are sincere Catholics; they are led to a very great extent by their clergy, owing to the great attachment existing between the people and the clergy, and how could it be possible that the people of the Province of Quebec would have such an admiration for that man. For his own purposes he gave up his religion; for his own purposes he was ready to give up his own people; and I ask again, how is it possible that this man could be a hero? The letter which I read of Monseigneur Grandin shows what frightful destruction, what misery he had caused to the people in that district. Anyone reading the letters which my hon. friend, the member from Montreal Centre (Mr. Curran), quoted the other day, from the papers published in the *Propagation of the Faith*—I say, for one who has read such papers, and knows anything of the position of those parishes on the Saskatchewan previous to the rebellion, how is it possible to recognise in the man who has laid waste almost every hamlet on the Saskatchewan; how is it possible to have any admiration for such a man, but rather a feeling of hatred than anything else. I never did consider, and I cannot consider now, that his cause has ever been our cause. I cannot for one consent to recognise in him the representative of our race. He is not the representative of our race, and has never been so. I was told a short time ago by an hon. gentleman who knows whereof he was speaking on that subject, that the brother of Louis Riel stated that he would sooner vote for almost any man than a French Canadian. I want to know why we, the people of the Province of Quebec, without having been consulted by him when he first undertook the agitation which resulted in the rebellion—I want to know whether we should look upon his cause as ours, and whether we should look upon him as the repre-

Sir ADOLPHE CARON.

sentative of our people? He is not the representative of our race, and I for one will not consent to recognise him as such. Now, Sir, I am quite certain that if we had interfered with the law, if we had interfered with the sentence which was passed, I believe there would have been a universal clamor all over the Province of Quebec if we had not done what we did, and if, after the sentence had been carried out, we had given up our seats as representatives of the Dominion Cabinet. Now, I must ask the indulgence of the House while I refer to a matter which has been very much made use of against me personally, and which has been intentionally misinterpreted by my opponents for the purpose of injuring me in my own Province. I refer to that often spoken of banquet which I attended in the city of Winnipeg. I was accused of having accepted a banquet on the day upon which Riel was to pay the penalty for his crime. The hon. member for Bellechasse (Mr. Amyot) who to-day thinks very differently of myself from what he used to, has deemed it his duty, in delivering his speech the other night, to refer to that banquet, and to say that I had gone up for the purpose of drinking champagne under the gallows of Riel. Well, Sir, the matter as I understand it is very simple and easily explained. I was going up to Winnipeg, as is well known, for the purpose of settling the claims arising out of the rebellion. People had travelled hundreds and hundreds of miles to come to Winnipeg so as to be able to procure evidence which it was necessary to procure and to have their claims adjusted. It was at the very beginning of winter, and some of these people were absolutely dependent on the money which they were entitled to get, whatever that might be, from the Government, to be able to stand the rigor of a north-western winter. On my way up I received a telegram communicating to me the information that my friend, the Minister of the Interior, who had been travelling in the North-West on matters connected with his Department, and who had created, as he generally does wherever he goes, a most favorable impression, had been tendered a banquet by his friends in Winnipeg. I was invited to join that banquet. Now, Sir, I left Ottawa on the 31st of October. I knew when I left, as a member of the Government, that Riel was not to be executed on the 10th. I knew that the medical men were going up—in fact, they left on the very same day. I shall read a letter which has been addressed to me by the Right Hon. Sir John Macdonald, which the hon. member for Quebec East read, but did not read in full. This letter is addressed to me, and is dated 20th November, 1885:

"OTTAWA, 20th November, 1885.

"MY DEAR CARON,—You say you are charged with having left Ottawa before the decision of the Governor in Council was arrived at with respect to Louis Riel and as if for the purpose of avoiding being party to the decision.

"This is not the case. The Council had come to the conclusion that it was necessary, in the interest of justice, that the sentence should be allowed to be carried into effect, in your presence as a member of the Council, before you left for Winnipeg.

"But in consequence of Mr. Lemieux's affidavit that Riel's state of mind had altered for the worse after conviction, it was settled in your presence that an enquiry should be made as to whether since his trial he had ceased to know right from wrong. And in that case only would the carrying out of the sentence be interfered with. Your presence at Winnipeg was absolutely necessary to settle the accounts for the military expedition caused by the outbreak.

"Yours faithfully,

"J. A. MACDONALD."

That shows, Sir, that when I left it was decided in Council that unless the medical reports were such as to establish that the mental state of Louis Riel had changed for the worse since his conviction and sentence, the sentence should be allowed to be carried out. The Order in Council of the 12th is not at all in contradiction to this letter. The letter shows that it was decided to send out medical men, and it was understood in Council that in consequence of that the execution could not take place on the 10th.

The report of the medical men is dated Regina, the 8th, and it was impossible for it to reach here and the order for the execution to be sent up on the 10th. That was physically impossible. Riel was respited by the magistrate until the 16th, and the Order in Council of the 12th was that the law should take its course. Therefore I cannot see where there is any contradiction, as some hon. gentlemen have tried to show, between the letter of Sir John Macdonald to me and the Order in Council I refer to. I was also very severely handled for having uttered the words I did at that banquet. Well, Sir, I must repeat what I have already said, that the few remarks I made there have been published, and I am perfectly ready to be judged by my utterances on that occasion; and I ask, Sir, is it not quite evident that it was for the purpose of injuring me that this great cry was raised about this banquet at Winnipeg? If it were within my knowledge that the execution was not to take place on the 10th, what reason had I to refuse an invitation that was conveyed to me by the Liberal-Conservative Association at Winnipeg, the organisation of our own political party, composed of gentlemen in the confidence of the leaders of that party, and who were tendering a banquet to the Hon. Mr. White, and were kind enough to invite me? It really made no difference when I knew that the execution was not then to take place; and the statement I made there was simply what every loyal man in this country would make, that I had no sympathy with rebels and that I hated rebellion. Is it an utterance that I, as a French-Canadian, coming from the Province of Quebec, should not have made? Is it an utterance that my people would refuse to allow me to make in the city of Winnipeg, or in any other place in this Dominion, or outside of this Dominion? But, Sir, I was attacked. Men attempted to make my case different from the case of my colleagues, who, I must say, and I am proud to say, have been so loyal to me during the whole trouble. The men who attacked me said that we had given up the rights of our Province, that we had been traitors to our own people, and had sacrificed them to the interests of Orangeism and Protestantism. Well, Sir, the return my hon. friend placed on the Table of this House to-day shows how much we were influenced by any consideration of that kind; and, Sir, many other statements equally rash will disappear when it is possible to lay on the Table the papers which will show how unjustly we have been treated during the whole of the agitation. The hon. member for Bellechasse (Mr. Amyot), in speaking of myself, stated that I had sacrificed my Province and my people to Orangeism. Well, Sir, that hon. gentleman when he came to us—and I admire him for doing so—and offered his services and the services of the battalion he commanded, to go and help to quell that rebellion, was he doing any more than his duty? Was he not doing just as I have done during the whole of this trouble? He, a soldier, was fighting the battles of his country at the front; and I, invested with authority as Minister of Militia, was trying my very best to make those who went up as comfortable as it was possible to make them; and, Sir, I do not want to be judged by any other standard than the standard by which that hon. gentleman himself judged me. I shall refer to some of his letters and telegrams in which he expressed his great admiration for the services I had rendered. In fact, Sir, in his great kindness during that period, he exaggerated my merit as he to-day exaggerates what he supposes to be my misdeeds. But before I pass away from the subject of the banquet, I would like to place before the House some statutory declarations which were sent to me, and to explain the object of those declarations. I am not known as a rule to run after dinners or to put myself to any great trouble to get dinners. Having a number of friends, I can generally manage to get a dinner and to enjoy a dinner without having to beg for one. But it was stated in the papers, and an hon. gentleman used the state-

ment, that that banquet would have fallen through if I had not given a pledge to those who organised it that Louis Riel was going to be hanged. Well, Sir, I ask whether it is not as unjust towards the gentlemen who organised that banquet as it is to myself to say that those men, who sent an invitation by telegram to two Ministers of the Crown, and who are gentlemen, would have consented to break their engagement with us unless we gave them a pledge? If any hon. gentleman had come to me and asked me to make any pledge, however insignificant, in order to get a dinner from him or others, I would have said, Keep your dinner, I can pay for one, and do not wish to sit down at the dinner table of any gentleman who would force from me a pledge to do however small a thing in exchange for his hospitality. I have here communications which were sent to me by the organisers of this banquet. I shall read one of them, as I do not want to take up the time of the House by reading them all, but, if allowed to do so, shall hand them to *Hansard*, so that they may appear in the report of the debate, as it is of some importance to me that they should appear. The paper I am about to read is a declaration from Mr. Searth, who is well known here and better known still in Toronto, and whose honor is above any suspicion. His declaration runs as follows:—

"I, William Bain Searth, of the city of Winnipeg, in the county of Selkirk and Province of Manitoba, Esq., do solemnly declare—

"1. That it has come to my knowledge that a report has been circulated that the banquet which was given to Sir A. P. Caron and his colleague on the 10th day of November, under the auspices of the Conservative Association, would not have taken place had it not been for an assurance from the said Sir A. P. Caron that Riel would hang."

Mr. MILLS. Hear, hear.

Sir ADOLPHE CARON:

"2. That such report is untrue."

The hon. gentleman might say "hear, hear" now. Although an opponent of mine, he must be glad to hear that the character of one of his colleagues in the House of Commons has been vindicated in a matter of this kind—

"3. That I am the President of the Winnipeg Association, and was Chairman of the Banqueting Committee, and presided at the said banquet, and have a knowledge of the facts connected with the same. 4. That on the 30th day of September last, I mentioned to the Hon. Thomas White, who was then in Winnipeg, that the Conservative Association would like to entertain him at a banquet on his return from his trip to Manitoba and the North-West Territories, and asked him to let me know when he was likely to return so that the Association might be properly advised. 5. That on or about the 29th of October last past, the said Hon. Thomas White telegraphed me that he would be in Winnipeg on Tuesday, the 3rd day of November last past. 6. That on the receipt of said telegraph, I called the Association together, and it was then decided to tender a banquet to the Hon. Mr. White on the 10th day of November, and as it was reported that Sir A. P. Caron was coming to Winnipeg, it was decided at such meeting to make it a banquet to the two Ministers, Sir A. P. Caron and the Hon. Thomas White, to take place on the aforesaid date. 7. That the following telegrams were sent:—

"WINNIPEG, November 3rd, 1885.

"Hon. THOMAS WHITE, Manitou, Man.

"Conservative Association tender you and Sir A. P. Caron banquet Tuesday evening, 10th inst. Please wire acceptance.

(Signed) "W. B. SCARTH."

"WINNIPEG, November 3, 1885.

"Sir A. P. CARON, Ottawa, Ontario.

"Conservative Association of Winnipeg tender you and Mr. White banquet Tuesday evening 10th inst. Wire whether you will be here.

(Signed) "W. B. SCARTH."

To which replies were received as follows:—

"CHICAGO, ILL., November 5, 1885.

"To CONSERVATIVE ASSOCIATION, Winnipeg.

"Shall be in Winnipeg Saturday. Many thanks to the Conservative Association of Winnipeg for the kindness in tendering banquet to myself and colleague.

(Signed) "A. P. CARON."

"MORDELI, November 3, 1885.

"To W. B. SCARTH

"Please convey to Conservative Association my grateful acceptance to proposed banquet on 10th inst.

(Signed) "THOMAS WHITE."

"8. That preparations were at once commenced on the strength of said replies, and without any other assurance or communications to said Ministers, and without any interruption continued up to the time of the said banquet, notwithstanding the fact that it was known before said banquet that Riel was respited. 9. That I did not, nor, so far as I know, did any member of the banquet committee or any person having any control of the arrangements of the banquet, speak to Sir A. P. Caron before said banquet about whether Riel would be hanged or not, or seek to obtain any assurance from Sir A. P. Caron that Riel would be hanged. 10. That I did not, nor, I believe, did any of the banquet committee or other person in charge of said banquet, hear or have any assurance from Sir A. P. Caron, before said banquet took place, that Riel would be hanged. 11. That the question of the Government dealing with Riel was mentioned by some members of the said committee at a meeting held on the evening or the afternoon of the day previous to the banquet, and the only statement I then made was that we might rely on the law being properly administered, and could safely leave the matter in the hands of the leader of the Government who had for so long a time properly and well administered the affairs of State. 12. No deputation, delegation or body was ever appointed on behalf of the Conservative Association to discuss the question of Riel with Sir A. P. Caron, and, of course, no such discussion took place. And I make this declaration conscientiously believing the same to be true, and by virtue of an Act passed in the 37th year of Her Majesty's reign, entitled "An Act for the suppression of Voluntary and extra-Judicial Oaths."

(Signed) "W. B. SCARTH.

"Declared before me at the city of Winnipeg,
in the county of Selkirk, the 30th day of
November, 1885.

(Signed) "A. D. McCLENNAGHAN,
"Commissioner for taking Affidavits."

The following is Mr. Gilmour's declaration:—

"I, Thomas Henry Gilmour, of the county of Selkirk, in the Province of Manitoba, barrister-in-law, do solemnly declare as follows:—

"I now am and since before the 1st November instant I have been the secretary of the Winnipeg Liberal-Conservative Association. 2. I acted as secretary of the committee appointed by the said association to tender a banquet to Sir A. P. Caron and the Hon. Thomas White at Winnipeg, on the 10th day of November, inst., and as one of said committee I was *ex officio* secretary of all the sub-committees appointed in connection with said banquet. 3. In the said capacity of secretary I was at all the meetings of the banquet committee, and while arrangements were being made for said banquet, and for about twelve days prior to said banquet, I came in daily contact with the various members of the banquet committee in connection with the arrangements for the banquet. 4. I met and conversed with Sir A. P. Caron prior to the banquet, and at no time did I ever hear any one speak to him that the banquet would not be held if Riel was not executed, and I never heard Sir A. P. Caron state or intimate, to myself or to anyone else, that Riel would be executed, and I never heard him give any assurance to that effect. On Monday afternoon, the 9th November—the day prior to the banquet—a meeting of the banquet committee was held to make final arrangements for the banquet, and I was present at this meeting and acted as secretary to the committee, and at this time I did not know, and to the best of my knowledge none of the members of the committee knew, what action would be taken regarding the execution of Riel; and an enquiry having been made by one of the members of the committee as to whether it was known whether Riel would be executed or not, Mr. W. B. Scarth, the President of the said Association, who occupied the chair, then stated that all Conservatives should be satisfied that the Government would adopt a right course, whatever might be done, and that he thought this question should not in any way affect our action concerning the banquet, and up to the hour of the banquet, and until after it was over, I had no intimation from any source whatever regarding Riel, further than that he was respited until the 16th November, and I do not believe any member of the banquet committee or of the association received any intimation whatever at any time from Sir A. P. Caron as to the course that the Government would adopt in regard to Riel.

"That the statement or report which I understand are in circulation in some quarters to the effect that the banquet would not have taken place had not the assurance been given that Riel would be executed is without foundation and is wholly untrue, to the best of my knowledge, the sole motive on the part of the Conservatives being the desire to honor two of their trusted leaders; and I make this declaration conscientiously believing the same to be true, and by virtue of an Act passed in the 37th year of Her Majesty's reign, intitled: "An Act for the suppression of Voluntary and extra-Judicial Oaths."

(Signed) "T. H. GILMOUR.

"Declared before me at the city of Winnipeg,
in the county of Selkirk, this 30th day of
November, 1885.

"J. W. E. DABBY, Commissioner for taking Affidavits."

These declarations, which are also corroborated by letters I have received from my valued friend the hon. member for Provencher (Mr. Royal) at the time, and several other letters from gentlemen who saw me while I was in Winnipeg, and who distinctly state that the report, which was circulated with the intention of injuring me, was altogether untrue. The letter to which I referred from Mr. Royal is in French, and reads as follows:—

Sir ADOLPHE CARON.

[Translation.]

"ST. BONIFACE, MANITOBA,

"November 30th, 1885.

"MY DEAR SIR ADOLPHE,—I received your letter of the 24th and I hasten to state that it is untrue that the Conservative banquet given at Winnipeg, only took place after an interview which you and the Minister of Interior had with a deputation, and during which interview you promised that Riel would be hung. If my memory serves me right, you received your invitation to attend that banquet organised in honor of Mr. White, at St. Paul, on your way to Winnipeg.

(Signed) "J. ROYAL."

It was also stated at some meeting that my own compatriots, the French Canadians in Manitoba, had refused to entertain me or to have any communication with me after the banquet had taken place. Here is another letter which I received from Mr. Royal on this point:

[Translation.]

"ST. BONIFACE, 27th Decembar, 1885.

"DEAR SIR,—When you paid a visit to Mgr. Taché, in November last, I am happy to state that not only His Lordship received you, but made you visit the institutions of St. Boniface in his own carriage. His Lordship accompanied you, and after you had left St. Boniface, he took you to Winnipeg to visit the convent of the Rev. Sisters of Jesus-Marie.

"I saw you on that occasion; the Superintendent of Education, Mr. Bernier, and Mr. Larivière, a member of the Provincial Ministry also accompanied you.

(Signed) "J. ROYAL."

Now, these gentlemen who so kindly tendered me the hospitality of Winnipeg, and who were so good as to accompany me to the various institutions which make that city very interesting, showed me all these attentions after the celebrated banquet had taken place; and I would like to know whether these men who take as great an interest in North-Western matters as any of the agitators who unsuccessfully tried to get up a cry in Quebec against the Government—I ask, is it possible to suppose, if my conduct had been so reprehensible as represented, that all these gentlemen in Winnipeg would have shown 'me the kindness they did? But the hon. gentleman, a few evenings ago, stated also that some telegrams had been sent by me to the right hon. the leader of the Government. I take a telegram, I do not know whether the hon. gentleman referred to this or not, but it is the telegram which appeared in his organ, and which was communicated through that journal to the press of the country,—I take these telegrams as republished in the *Mail*. The hon. gentleman stated that, on November 8th, Sir A. P. Caron despatched the following telegram to Sir John Macdonald:—

"People very much excited. I fear if the law is not allowed to take its course there will be more trouble than anticipated. I can produce no evidence of this, but know it to be a fact."

I can tell the hon. gentleman that I never sent such a telegram. That telegram was never sent by me to Sir John Macdonald or to anybody else. The hon. gentleman, seeing a contradiction of this having been sent by me, turned around and said: No, it is not Sir A. P. Caron who sent it to Sir John A. Macdonald, but it is Sir John A. Macdonald who sent it to Sir A. P. Caron. In any case I did not attach more importance to this statement than it deserved, but I hope the denial which I give is emphatic enough to serve the purpose of preventing the circulation of such a rumor in the country. Now I come to reading the interesting letters which I stated I would read, from the member for Bellechasse (Mr. Amyot). I think he should not have stated, even being a bitter opponent of mine, what he did publish, that I had attacked the 9th Battalion of Quebec. I will leave it to every hon. member of this House if during the troubles, the unfortunate troubles in the North-West, I did not take every possible opportunity of expressing my honest conviction that the two French battalions which went to the front were equal to any battalions that were sent to the North-West. I ask the hon. gentleman whether I did not on every occasion—little time as I had from the pressing occupations which required my continual attention at the Department—whether I did not, when any telegram or anything came to me which could be of any use to our volunteers, whom I admired so much during those trying times, take the first opportunity

of mentioning it to the House and praising those volunteers as they deserved to be praised? How is it possible that I could have injured that battalion which the hon. gentleman is so anxious to defend, when it is not attacked? How is it possible, in view of the letters which I hold from him, in which he says:

"Thanks, many thanks, for what you have said of the 9th Battalion." Does that look like a letter addressed to a man who was hostile to that battalion? Does it look—jealous as the member from Bellechasse is of his battalion, and properly so—like a letter which he would have addressed to me if I had been unjust to the 9th Battalion; but to-day to return him thanks for having done so. These letters were very interesting at the time, and they turn out very useful now. Here is one, dated the 15th April, 1885:

[Translation.]

"Everywhere was discovered the friendly hand of the Minister and of the Department, who seemed to me to have done wonders in the fulfilment of their duty."

He goes on again:

"Thank you for what you have said in the House about the 9th Battalion. I have a fine battalion. They are manly soldiers and I appeal to their heart.

(Signed) "G. AMYOT."

Mr. BERGERON. They are men of heart.

Sir ADOLPHE CARON. They are brave men, and all brave men are full of heart. In another letter of the 9th May, the hon. member says:

[Translation.]

"I must tell you, and you may repeat it on my behalf, that the Militia Department has always done the utmost for the army.

(Signed) "G. AMYOT."

Mr. AMYOT. I change nothing of that.

Sir ADOLPHE CARON. Further:

[Translation.]

"On the northern shore of Lake Superior, there again, at each step may be seen the efforts of the Department to allay the misery, &c. Besides, when we consented to make this journey we knew we were not going to a wedding. The spirit, the health and the moral of the troops are excellent. If I go back to the country, I will endeavor to see that justice shall be dealt to those who, like yourself, do their utmost to ensure the comfort of the volunteers."

The hon. gentleman also differed from what he used to say in his newspaper, and out of it, in attacking General Middleton who was in command of the troops. Well, in the same letter which the hon. gentleman addressed to me he says:

[Translation.]

"Middleton, who has never been out west, cannot know anything about it. He does his best where he is and is worthy of the highest praise. He is a galant General, and I have full confidence in him, but he cannot do all by himself in such a vast country as this."

He goes on further to state:

"Ouinmet and Strange also ask for reinforcements. I understand how much all this will cost, but we must vanquish by all means, and vanquish once for all."

Now, I fail to see how it is possible that the hon. gentleman, who went up in command of his battalion wishing to conquer, to-day should be so anxious to defend those very people who put us to all this trouble and expense, and endangered the lives of our troops. But, Sir, long after the troubles were all over, it pleased Her Gracious Majesty to confer upon me a title, and, long after the troops had returned here, the hon. gentleman was one of the very first to send me a telegram of congratulation—for which I was very much obliged to him—in which he says: "Most hearty congratulations upon so well deserved a knightship."

Mr. AMYOT. Would the hon. gentleman kindly give the date of that telegram?

Sir ADOLPHE CARON. August 19th, 1885. I said it was long after the troubles were over.

Mr. AMYOT. They are not over yet.

Sir ADOLPHE CARON. The most serious troubles are over, but the trouble which the hon. gentleman is trying to get up, and which is not very serious, is not over, I know.

Mr. AMYOT. Why does it trouble you so much, then?

Sir ADOLPHE CARON. The hon. gentleman reminds me, by asking for the date of this telegram, that he knew very well that Riel was then under sentence of death, and yet he sent this complimentary telegram, for which I felt very much obliged to him.

Mr. AMYOT. Because the *Monde* was saying that Riel would not be hanged.

Sir ADOLPHE CARON. The hon. gentleman knows that the first duty of a soldier under fire is to be calm and not to get excited. Well, Mr. Speaker, my friends in Quebec, the leading men there, joined in presenting me with an address of congratulation when this title was conferred on me, and one of the very first to sign this address was the hon. gentleman again, and, of course, he must have read it, because I know him too well to believe that he would sign an address of that kind without taking the trouble to read it. In that address occurred this paragraph:—

[Translation.]

"What an amount of gratitude the country owes you for the activity and zeal with which you have fulfilled your important duties during these days of trouble. Our soldiers, whose heroic courage during the recent campaign is now known far and wide, know how to appreciate, to their just value, the promptness with which you have acted, your vigilance and your anxiety for their welfare."

That was signed by the hon. gentleman. Sir, the hon. gentleman also said that I had attacked the troops. Now, I feel that more, if possible, than anything which the hon. gentleman may have said, and I felt it at the time, because I can not, even to-day, express to you the great anxiety which, night and day, lay upon me when I felt the responsibility entrusted to me of the welfare of the battalions in the field; and I can say, in justice to myself, that I believe that I did, whether successfully or not, the best I could, and if there was any fault, it was in my ability and not in my intentions. I did everything I could, as the hon. gentleman had to admit, to make our troops as comfortable as possible, and to spare them every possible trouble that was in my power. But the hon. gentleman went up to the front, and he expressed his opinion about the troops that were there. He has placed upon the paper a notice of motion to produce his telegrams and his letters, and really, I am very glad indeed to be able to do so. But in order to give him an *avant goût* of some of his telegrams, I wish to read one or two of them. Here is one dated Swift Current, 25th April, 1885:

"CARON.—Arrived here all right. Found Gen. Laurie perfect soldier. Advance of Middleton's troops too hurried; consequence being immense useless expense. Volunteers should be used for garrison and protection of place and ammunition. American scouts and Indians and half-breeds doing the same kind of fighting as rebels, should do the fighting and attacking. Part of Middleton's force exposed to be slaughtered. Troops hearty. Rely upon 9th."

So I did. Now here is another telegram dated at Calgary, 14th May, 1885:

"I add, and I persist in saying, that this war should be made by men fighting in the same way as rebels. Volunteers are specially adapted for protection of forts and provisions."

It had not come to my knowledge that the provisions were in danger, and, so far as I can judge, they were well looked after by the volunteers. But it goes on to say:

"Our volunteers are being slaughtered. 500 scouts are worth 2,000 volunteers for actual fighting of that kind. Men cheerful.

(Signed) "G. AMYOT."

The hon. gentleman when he deemed it his duty to attack me, as he has a perfect right to do if he pleased, should not have forgotten that he himself had expressed an opinion as to what I had done for the troops, and he should not have taunted me with having attacked the 9th Battalion when within his own telegrams appears a judgment about our force that I cannot understand. The hon. member also attacked the Major-General who commanded the forces. I will read to the House a letter (with the General's permis-

sion) which the hon. member addressed to the Major-General on the occasion of his being knighted. It reads:

[Translation.]

QUEBEC, August 26th, 1885.

"Sir FREDERICK D. MIDDLETON, K.C.M.G.,
Ottawa.

"DEAR SIR,—I should have written you sooner to join in the unanimous concert of congratulations which you receive from all parts, but a prolonged absence from the city prevented me. Your elevation to the Knighthood is only the just recognition of the services which you have rendered to the Dominion of Canada, and the honors which are bestowed upon you is reflected on all those whom you have encouraged by your personal bravery surely guided by your experience, and who have all largely benefited from the science which you have acquired during an honorable military career.

"I deeply regret the attacks of a mean and malicious press against 'our general,' but your reputation stands so high that these foolish slanders cannot reach it.

"Allow me to present, through you, my respects to lady Middleton and believe me,

"Your very devoted,
G. AMYOT."

Mr. RYKERT. By whom is that letter signed?

Sir ADOLPHE CARON. By the hon. member for Bellechasse (Mr. Amyot). So far as the General is concerned it is no use my expressing an opinion which everyone who knows anything about military matters has already expressed, in regard to the services he rendered. In England and Canada his services have been justly appreciated, and in any case it comes with very bad grace from the hon. member to have attacked the Major-General after having expressed in writing the opinion I have read respecting his services. Before concluding I desire to clear up one point which has been referred to by several hon. members who have spoken during this debate. It has been stated here that in consequence of Riel having surrendered, the Government should have pardoned him. I state, and I am prepared to show, that Riel never surrendered at all. I read first a declaration made by the Major-General himself. It is an important point for history, and it has an important bearing on the question in debate, and it will be interesting to hon. members to see the interpretation which the Major-General places upon a certain letter. The Major-General says:

"I only wrote one letter to Riel, on the last day of Batoche fighting, telling him (in answer to a letter from him brought by Mr. Astley) that 'if he would place his women and children in safety, and let me know where the place was, I would take care no shots were fired in that direction.' When Astley brought me that letter he told me Riel was in a 'funk' and he thought he would surrender, and he asked me what terms he could carry back to him. My answer was, 'unconditional surrender.' The second note from Riel, thanking me for my letter, was handed to me just as we were forcing, under a heavy fire, our way on to the clear ground about Batoche. Astley again told me that he thought Riel would surrender, but I answered, 'too late now; we are almost there, and I must push on to save the prisoners.' I did not send the letter to Riel offering to protect him and his council until the 13th May (the day after the last day at Batoche), and I did so because a priest and a half-breed told me they knew, or thought they knew, where Riel was, and that he would give himself up, but that he was afraid of being killed in my camp by some of my men. I then wrote the letter and gave it to the priest to take. He, however, could not find Riel, but the half-breed did, and gave it to him. Early on the morning of the 15th, at Guardupuis Crossing, I received information that Riel and Dumont were not many miles off, near the Birch Hills, and I sent off Major Boulton with his mounted infantry, with orders to scour the country towards Batoche, which he did, and Riel, finding troops between himself and Batoche, gave himself up to the three (3) scouts, Hourie, Armstrong and Diehl, who had started with Boulton, but left his detachment, and, spreading out, had come across Riel, with my letter in his pocket. Dumont, who was well mounted and knew the country, escaped.

"FRED. MIDDLETON, Major-General."

Copy of letter sent to Riel alluded to above:

"BATOCHÉ, May 13, 1885.

"MR. RIEL,—I am ready to receive you and your council, and to protect you until your case has been decided upon by the Dominion Government.

"FRED. MIDDLETON, Major-General,
"Commanding North-West Field Force."

I have also the declaration of the two scouts who captured Riel. It is as follows:—

Sir ADOLPHE CARON.

"Canada,
North-West Territories,
To Wit:

"We, William Diehl and Robert Armstrong, of Prince Albert, in the North-West Territories, do each of us solemnly declare:

"1. That during the rebellion of half-breeds and Indians which took place on the Saskatchewan in the spring of 1885, we were duly enrolled in the Prince Albert volunteers, and served as scouts for and in connection with said volunteer force for about two months.

"2. We have seen it asserted in certain portions of the press in eastern Canada that Louis Riel, the rebel leader, did, after the battle of Batoche, voluntarily surrender and give himself up to the authorities, and that said Louis Riel might have easily escaped from the country had he so desired.

"3. We, together with one Thomas Hourie, were three of the Prince Albert volunteers who took part in the search for Louis Riel and other rebels who took flight after their defeat at the battle of Batoche.

"4. We further distinctly state that we, together with the aforesaid Thomas Hourie, were the three scouts who captured said Louis Riel and handed him over to General Middleton. At the time we made the capture we believed and we now affirm that said Louis Riel had no intention of surrendering himself, but was preparing for a hasty flight. He was then looking for a horse and had in his possession a saddle and bridle, and was well armed. The two half-breeds in whose company we found him (Riel) were also well armed. The statements before referred to that Louis Riel voluntarily gave himself up to us are entirely untrue."

"And we severally make this solemn declaration conscientiously believing the same to be true, and by virtue of the Act passed in the 37th year of Her Majesty's reign intitled 'An Act for the suppression of Voluntary and extra-Judicial Oaths.'

"WM. DIEHL.

"ROBT. ARMSTRONG.

"Severally declared before me at the town of
Prince Albert, in the North-West Territory,
this 28th day of December, A.D. 1885.

"W. R. GUNN,

"A Notary Public for the North-West Territories."

The other scout who was also present when he was arrested, was away from Prince Albert and his declaration could not be obtained, but he stated to several gentlemen whom I have seen since that he viewed it in exactly the same light as those did who made the declaration. I shall also read a portion of a very interesting letter which appeared in the papers from Major Boulton, than whom there is no better authority so far as the history of the campaign is concerned:

"In discussing the question with Astley about the surrender, Riel said: There are three things that will save me. One is politics, another is that I have assumed the office of priests and another is that the papers which are all here will implicate the council more than me.

"On this occasion he wished to surrender and was most anxious to get safely into the General's hands. However, it was too late, and in consequence he had to make his escape as best he could. Astley, however, kept track of him after the day was won, and got a letter signed by the General guaranteeing his protection until handed over to the civil authorities. Upon receiving this he was most anxious to get safely into the General's hands and surrendered to Hourie."

Now, Sir, I think that upon that question the evidence is so far satisfactory that I do not see how it is possible to consider, under this evidence, that Riel surrendered and was in consequence entitled to any consideration from the Government. It was my pleasure, in beginning the few remarks which I considered it my duty to address to the House, to congratulate the hon. member for Quebec East upon the speech which he delivered, and I expressed upon that point my honest opinion with reference to that gentleman. But, Sir, I must regret that his eloquence, which I recognise, should have been used in the defence of a rebellion against Canada. The hon. gentleman charged the Government with having, by its negligence, caused the rebellion. Well, Sir, this charge I deny completely and testotally, and I think any impartial man who takes the trouble to read the record will come to the conclusion that the Government are not liable to that charge. In Père André's evidence there occurs the following:—

"Q. Will you state if, since the arrival of the prisoner in the country up to the time of the rebellion, the Government have made any favorable answer to the demands and claims of the half-breeds?—A. Yes, I know they have acceded to certain demands in regard to those who did not have any scrip in Manitoba. A telegram was sent on the 4th of March last, granting the scrip.

"Q. Before that time?—A. Yes, regarding the alteration of survey of lots along the river, there was an answer from the Government saying they would grant it, and that was an important question.

"Q. What question then remained to be settled?—A. The question of patents; that has also been settled in a certain way, because Mr. Duck was sent and I went with him as interpreter.

"Q. What other question remained?—A. Only the question of wood, timber."

This shows that a telegram was communicated to him as it was also communicated to Riel and to others, stating that these questions had been settled. Besides the evidence which I have just read from Father André, the following occurs in Charles Nolin's examination:—

"Q. Were those conditions accepted by the prisoner?—A. Yes. The next day I received an answer to a telegram from Macdonald; the telegram said that the Government was going to grant the rights of the half-breeds, but there was nothing said about Riel's claim.

"Q. Did you show the answer to Riel?—A. I showed the reply I received next Sunday.

"Q. That was in the month of?—A. February.

"Q. In the beginning of the month?—A. Yes.

"Q. What did the prisoner say?—A. He answered that it was 400 years that the English had been robbing and that it was time to put a stop to it, that it had been going on long enough."

Immediately on ascertaining that the Metis grievances were all settled, but that he was not receiving the money that he wanted to get from Government, on the 5th March he determined to take up arms. Let us see again what Charles Nolin says on this point:

"A. The prisoner came with Gabriel Dumont to see me. He proposed a plan to me that he had written upon a piece of paper. He said that he had decided to take up arms and to induce the people to take up arms, and the first thing was to fight for the glory of God, for the honor of religion and the salvation of our souls. The prisoner said that he had already nine names upon the paper, and he asked for my name. I told him that his plan was not perfect but since he wanted to fight for the love of God, I would propose a more perfect plan. My plan was to have public prayers in the Catholic chapel during nine days, and to go to confession and communion and then to do as our consciences told us."

This is the man who is held up as a hero and patriot. All he wanted, as is quite apparent, was to get money from the Government. If he could succeed in getting that money, we see what he intended to do with it. On page 94 we find:

"He said also if he got the money he would go to the United States and start a paper and raise the other nationalities in the States."

He had already organised two rebellions, and after sacrificing the Metis he wanted to get money, which, he said, he was going to use in the United States to raise up all the nationalities and get up another revolution. Is it necessary to give a stronger proof of the wisdom of the Government in not interfering with the sentence of the law upon him?

"He said: Before the grass is that high in the country you will see foreign armies in this country. He said: I will commence by destroying Manitoba, and then I will come and destroy the North-West and take possession of the North-West."

And, forsooth, we are told that we should have shown mercy to this man. I ask any hon. gentleman who has read this evidence whether he showed much mercy to the prisoners and the people who happened to be under him? On page 44 we find:

"He came to the door of the cellar, and the first words I heard him say was: 'Astley! Astley! Come here and go tell Middleton if they—I think massacre was the word used—if they massacre our children and women and children, we will massacre you prisoners.'"

Here was this man, who had arrested these few prisoners on account of their loyalty to their country; on account of their refusing to join in his rebellion, saying that if any harm happened to any of his people (which harm could never have happened if it had not been for his doings) he would massacre all the prisoners in the cellar. Did he show much mercy when he said to McKay what is reported on pages 18 and 19, "Report of Evidence in Riel's Trial?"

"He became very excited and got up and said: 'You don't know what we are after—it is blood! blood! We want blood! It is a war of extermination! Everybody that is against us is to be driven out of the

country. There were two curses in the country, the Government and the Hudson Bay Company.'"

"Q. Yes?—A. He turned to me and said I was a traitor to his Government. That I was a speculator and a scoundrel and robber and thief, and I don't know what all.

"Q. He used very violent language to you?—A. Yes. He finally said it was blood, and the first blood they wanted was mine. There were some little dishes on the table, and he got hold of a spoon and said: 'You have no blood, you are a traitor to your people; your blood is frozen, and all the little blood you have will be there in five minutes,' putting the spoon up to my face and pointing to it."

Did he show much mercy when he condemned to death Nolin and Boyer when they refused to take up arms? On page 60 we read:

"Q. What was the chief event of that day as far as you can remember?—A. He was giving orders to go and take William Boyer and Charles Nolin prisoners.

"Q. Did you hear him say why they were to be taken prisoner?—A. Because they would not take up arms.

"Q. Did he say anything about because they had been movers up to that time?—A. Because they had been movers, and had left it at the time of taking up arms.

"Q. Was Nolin tried?—A. About his trial I cannot say exactly, I heard Riel saying he ought to be shot or that they should shoot him.

"Q. You understood Nolin and Boyer were to be shot?—A. Yes, both of them.

"Q. And because they would not join the movement in taking up arms?—A. In not taking up arms."

I was very much pleased the other evening, and think the country is to be congratulated upon the fact, that the hon. leader of the Opposition in the Province of Quebec expressed himself so very loyally as he did on that occasion. That hon. gentleman said that Tory loyalty was very much interested indeed, and stated that when Lord Elgin sanctioned the Indemnity Bill, the Tories became disloyal and signed an appeal for annexation to the United States. The hon. gentleman, no doubt, forgot to mention the fact that that very manifesto—which was signed by some Conservatives, I admit—was also signed by such men as the Hon. A. A. Dorion, the late Mr. Doutre, Mr. Papineau, Mr. Laflamme, Mr. Holton, and other leaders of the Liberal party in the Province of Quebec. No doubt, those who did not know the facts of the case would have been led to believe from the hon. gentleman's statement that this manifesto was signed only by Conservatives, and that not a single Liberal leader would have consented to put his name to it. But the hon. gentleman knows that that manifesto was not signed by Sir George Cartier, the leader of the Liberal-Conservative party in the Province of Quebec. In speaking of Sir George Cartier, the hon. gentleman was most eloquent, and expressed great admiration for the late lamented Sir George Etienne Cartier; but, Sir, when, unfortunately for the country, Sir George Cartier was removed from our midst, and from that career of usefulness which we Conservatives can never forget, and which we every day still recall with pleasure, the hon. gentleman must have forgotten that even then the Liberal press attacked the hon. gentleman fiercely, although now they claim him almost as one of their leaders. He must have forgotten the manner in which Liberals in this House and outside of this House outraged him during his life, although they now attempt to eulogise him, as the hon. gentleman did the other evening. If Sir George Cartier were still among us, I mean to say, and I believe it, that he would have acted exactly as we have acted in reference to the Riel matter. During his lifetime was he not treated exactly as we are treated to day? Did they not say that he was sold to the Orangemen? Did they not say that he sold the Province of Quebec to John A. and the Protestants of Ontario? Did they not say that he had sold his Province to English influence? Well, Sir, he loved his country sufficiently well to attach no more importance than he should have attached to such insults, which were levelled against him as they are levelled against us to day. Sir George Cartier did his duty, and he left behind him a memory which, even after his death, has not been respected by the Liberals.

In the history of the late Mr. Letellier, written by a member of the Opposition, the hon. member for L'Islet (Mr. Casgrain), the memory of Sir George Cartier is outraged; and when the hon. member from Quebec East (Mr. Laurier) was speaking of Sir George Cartier in such eloquent terms, I could not help thinking of the sad page which I read in the book I have referred to. As far as I personally am concerned, and I believe I can say the same for my colleagues, we did, under the greatest difficulties and most painful circumstances, what we considered to be our duty, and I believe that what we did, Sir George Cartier, whose motto was what the motto of the Conservative party is, "*Franc et sans dol*," would have done under the same circumstances. I must apologise to you, Sir, and the House for having been so lengthy and imperfect in my remarks; but the matters which I treated I deemed it advisable to bring under the notice of the House, and I tried to do so in as concise a manner as possible.

Mr. DESJARDINS. In rising at this stage of the discussion, I do not expect to throw much new light, or to attract much interest on the question which has been before the House since a few days. But in the position in which I am, I think it is my duty to explain why I intend to vote in favor of the motion brought by my hon. friend from Montmagny (Mr. Landry). At the opening of the debate, the hon. Minister of Public Works said he was glad the time had come to vindicate his position on the floor of the House, that here was the proper place for him to declare what had been the motives that decided him to consent to the deed against which we have protested. It is true that it was easier for him to come here on the floor of Parliament than to go to his own Province. Some of the other Ministers tried that experiment, and I can only congratulate them on the great courage they displayed in meeting their electors, but of course the positions in the two cases are not the same. They are in the Cabinet, but they are not leaders, and it is very likely that the Minister of Public Works, on account of his superior position as leader of the great party, thought he should not expose himself to the eventualities that the other Ministers had to face; and in hearing him say that it was not becoming on his part to go and meet his electors, I could not help remembering those lines from Boileau on the passage Du Rhin, speaking of Louis XIV :

"Louis les animant du feu de son courage,
Se plaint de sa grandeur qui l'attache au rivage."

But the other Ministers tried the experiment. They went to their electors, and I was rather surprised to hear the Minister of Militia tell us a moment ago that the great indignation which had burst forth on the day of the 16th November had quite fallen through, and that he was already quite sure public opinion in his Province was turning in his favor. Well, I would ask the Ministers of Justice and Inland Revenue what they think of that kind of popularity which the Minister of Militia and the Secretary of State met when they came before their electors. They must have thought, after reading the reports in the papers of what took place on these occasions, that in the Province of Quebec Ministers had a curious kind of popularity. The Minister of Militia has complained very bitterly about what was said as to his having attended a banquet at Winnipeg on 10th November. If he has any complaint to make against anyone, he must look to his own friends and see how they formed public opinion in the Province as to the decency on his part of attending such a banquet, when he ought to have known the anxiety and sorrow then existing in his own Province. He ought to have known that very near the spot where he was banquetted, the echo of his own words was reaching a poor family who were sharing in the agony in which an unfortunate man had been allowed to linger for six days or more. To see what opinion was expressed

Sir ADOLPHE CARON.

then by some ministerial papers, which to-day find fault with us because we cannot share their newly acquired opinions as to the tragedy of the 16th November, I shall quote from *L'Événement*, a paper which enjoys great authority now among the friends of the Government and the Ministers themselves. In *L'Événement* of 14th November last, there is a small article headed :

[Translation.] "EXPLAIN.

"All shades of opinion agree to brand the infamous banquet of Winnipeg, where two members of the Government—Sir A. P. Caron and Mr. White, went to inform the Orangemen,—under Riel's scaffold, so to speak—that the man for whose head they are clamoring, will die on the gallows on Monday next. The *Étendard* is terribly severe but still it is only echoing public opinion. *La Minerve*, *La Presse*, the *Herald*, &c., mercilessly denounce this disgraceful feasting.

"In the name of the Province we will fearlessly declare that the man from among us who has been guilty of the enormous fault of attending to it, only represented himself and no one else.

"With *L'Étendard* we will say to Sir A. P. Caron: Defend yourself, explain; act in such a manner that the name of a French Canadian may not remain coupled, without protest, with this bloody love-feast where insult was thrown at the supreme anguish of a doomed man."

That is the first article announcing to the Province of Quebec the presence at that Winnipeg banquet of one of our French Ministers. Here is another editorial :

[Translation.] "SIR A. P. CARON.

"We have not insisted, except in the shape of a protest, on the presence of Sir A. P. Caron at the Winnipeg banquet. If that painful fact could have been concealed from the country, we would have done our share towards ensuring silence on the subject. But the multiple voice of the telegraph had spoken, proclaiming to Canada that on the very day which had been previously determined upon for the execution of Riel, a French Minister had attended a banquet given by fanatics who, before entering the dining room, had exacted the promise that the death of their victim would be announced. The fault of Sir A. P. Caron ought to devolve on himself alone; it was impossible that we should for one moment let the foreign races believe that Lower Canada would accept the responsibility of the incredible conduct of one of its sons."

And he goes on in the same strain. Well, I know that *L'Événement* had based its editorials on papers which had come from Winnipeg, papers friendly to the Government, which had said, on having heard of the last respite, that, unless the Ministers were ready to declare at the banquet that the hanging would take place, that banquet would certainly be a failure. So, he has not to complain of his foes if he has been so hardly dealt with, but of his own friends.

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

After Recess.

Mr. DESJARDINS. When you left the Chair I had referred to the boast of the Minister of Militia that the Province of Quebec had already returned to the Government, that what was called the fire of straw had subsided, and that the gas explosion, as others called it, was already a thing of the past. I instanced, as an illustration of the accuracy of that statement, the experiment that the hon. Minister of Militia himself and the Secretary of State had made as to the great popularity of the Government and themselves in our Province since the 16th November. Now, I have to come to the main motion. There has been much said about that motion. Some say that it was a motion which the Government itself had chosen. I do not believe it. And they say that the hon. member for Montmagny (Mr. Landry) was not in good faith. Well, I know my hon. friend enough to believe that, when he put that motion on the Orders of the Day he was in earnest. For my own part, as I said on a previous occasion, I was ready to give those who wanted further information all the necessary time to get it; but I was satisfied with that motion; I was from the beginning ready to vote upon it. The Government accept it as a vote of censure. That meets precisely what I want, that the motion may be understood. It covers fully the ground I took in accord with my political friends on the 13th November, 1885, when I signed, along with them, that telegram :

"Under the circumstances, the execution of Louis Riel would be an act of cruelty, the responsibility of which we refuse to accept or to share."

That telegram as has been mentioned, was signed by seventeen members, according to *Le Monde*, in which it was published on the 14th November, whose names are as follows: C. J. Coursol, Alphonse Desjardins, D. Girouard, F. Vanasse, L. H. Massue, F. Dupont, A. L. Desaulniers, J. B. Daoust, J. G. H. Bergeron, J. W. Bain, P. B. Benoit, E. Guilbault, G. A. Gigault, S. Labrosse, L. L. L. Desaulniers, F. Dugas, H. Hurteau. The same paper further mentioned the fact that, in addition to these names and to that telegram, other telegrams had been signed and forwarded to the leader of the Government. Those telegrams had been signed by Mr. Ouimet, deputy for Laval; Mr. Fortin, deputy for Gaspé; Mr. Macmillan, of Vaudreuil; Mr. Jas. Taschereau, of Beauce; Mr. Landry, of Montmagny; and Mr. Lesage, of Dorchester. This *Le Monde* accepted, and said it was the true interpretation of the views, not only of those who had signed those telegrams, but of the whole public opinion in our Province. Those who happened to be present on that day, the 13th November, in Montreal and since that, knew perfectly well what the meaning of that telegram was. It was explained, after the execution took place, that the meaning of the telegram was that the political ties which had bound us to the Ministers would be broken, and that we would have no more confidence in them. That telegram was explained in meetings where some of the Ministers were present, and there was no concealment as to the intention of those who had signed it. So, Sir, they must admit that they were not taken by surprise, and, in point of fact, that accusation could be made more justly by ourselves. Public opinion soon finds ways to manifest itself in the press and public meetings. Here it is time for me to register my protest against the misinterpretation and calumnious signification which have been given to our action in this matter. I refer to the *Mail* newspaper, a paper which ought to have known better what were the feelings of the Province of Quebec. Gratitude, at least, ought to have taught it that it was no time to reproach a population when it had just suffered a great humiliation, a population which had so long been faithful in its allegiance to the Conservative party, and yet it chose that occasion to launch against us insults and calumny. Of course we knew the objects of the editorials in that paper. They were afraid that the Government would lose influence on account of the execution of the 16th November, and, in order to compensate for that loss in the Province of Quebec, they endeavored to raise prejudices in the Province of Ontario against the Province of Quebec, and especially against the French population. They went so far as to say that the French wished to set themselves above the other people in the Dominion; that they insisted, when one of their race was guilty of rebellion or murder, that the laws must be set aside in his favor and that he must escape punishment; that they wished to establish race supremacy and French domination. French domination, Sir! They have been a long time without fearing that domination; they had been very glad, in their hour of trial and weakness in the other Provinces, to find a large majority in the Province of Quebec—not to follow them, as the hon. Minister of Interior said, but to carry them. It was the first proof of gratitude that we received from the organ of that party. Well, Sir, that interpretation of the movement and of the feeling of the French population, was followed by a series of amenities, which I am about to read from the *Mail*. On the 23rd November, the *Mail* said:

"But let us solemnly assure them again that, rather than submit to such a yoke, Ontario would smash Confederation into its original fragments, preferring that the dream of a united Canada should be shattered forever than that unity should be purchased at the expense of equality."

And on the 25th:

"Then as Britons we believe that the conquest will have to be fought over again, and Lower Canada may depend upon it there will be no treaty of 1763. But the French Canadian people would lose everything. The wreck of their fortune and happiness would be swift, complete and irremediable."

Then again on the 28th:

"We say that the result of the conflict which the French are invoking is bound to be disastrous to them in every aspect of life, for it could not fail to create a slumbering war between the races, which, detrimental to the whole Dominion, would redound to their lasting and particular injury."

And then, seeing that all these threats would not avail amongst the English population, it altered its tone somewhat as follows:—

"If the French Canadians ever return to their senses, they will be the first to see their folly. When that day comes, our old friends, the *Bleus*, will throw themselves once more into the arms of the Conservative party; but at that time they may be sure that no fat calf will be killed."

Then again, on the 11th December, it says:

"If they choose to return to their allegiance, well and good; but they shall receive no honeyed words from us, nor never again be trusted by this journal as men of honor or stable resolve."

The hon. member for Lincoln (Mr. Rykert) the other day spoke of toleration, and of the kind feeling of the Orange section of the community. I have here an extract of the *Orange Sentinel*, which I suppose is the organ of that sect. What does that paper say:

"Must it be said that the rights and liberties of the English people in this English colony depend upon a foreign race? But English Canadians will not long submit to these ignoble ties, and the day is near when an appeal to arms will be heard in all parts of Canada. Then certainly our soldiers, benefiting by the lessons of the past, will have to complete in this country the work they began in the North-West."

Such, Sir, were the feelings with which we were met when we came to the Government and asked—what? Did we ask a justification of the rebellion; did we ask even a complete amnesty? No. The people of the Province of Quebec thought that, equally with other portions of the community, they had done their duty in those sad events that had taken place in the North-West, thought they had as much right to petition for clemency as others had to petition for blood, or for the stern execution of a verdict obtained under such circumstances as those which surrounded the verdict at Regina. But it seems we were mistaken. True, Sir, our men in the Province of Quebec, like those in the other Provinces, had as readily and as devotedly answered to the call. They had been obliged to pass through all the hardships of the campaign. Not one voice in our population had opposed that movement; not one voice in this Parliament coming from the Province of Quebec had objected to give the Government ample power to act in such a manner as to subdue the insurrection and obtain respect for our laws and our institutions in the North-West Territories. They had come back; and, on returning, what did they ask as a reward for the services they had rendered? They had not forced, I must say, the Government to go and implore from the Imperial Government medals that have been reluctantly granted. They thought that, instead of obtaining something to commemorate events that could not redound to the credit of the country, everything ought to be done to cast oblivion on those events. But they joined with the whole population to claim from the Government the exercise of the royal prerogative of mercy. They were not moved by mere sentimental ideas. They had good grounds for asking the Government to show clemency and benevolence to those who were the victims of the insurrection, and this is a proper and fitting occasion to answer the taunts of the Conservative papers, or rather the papers that have kept friendly to the Government, when they say: "But how can you speak of the grievances of the Metis after your vote on Mr. Blake's motion last Session?" I must say this: That

our opinion then was that as full prestige and authority as possible ought to be given to the Government, that nothing that might appear to give a semblance of encouragement to the Metis in their unfortunate outbreak should come from this Parliament, that so long as the insurrection was not entirely quelled it was wiser on our part to wait and let the Administration do its utmost to bring back peace in those parts of our country. But in the meantime, while we were ready to wait we were decided that after the insurrection had been quelled we would cast on the shoulders where it should lie the responsibility of that insurrection. I might justify that course by some quotations which would show that Parliament then acted on declarations made by some of the Ministers who were not at that time ready to give a sound opinion on the question. On 26th March, some days after the insurrection had broken out, the leader of the Government, in the opening sentences of a speech delivered on the North-West troubles, declared :

"Before Riel came in those settlers had never sent in a bill of rights to us, never sent any complaints to the Government."

The Secretary of State, in a letter addressed to some French Canadians at Fall River, who had sent him a petition on behalf of Louis Riel, repeated that assertion. He said :

"If the half-breeds had serious complaints against the Government the ordinary method of petition was open to them as to every free citizen. They did not avail themselves of it."

The Secretary of State very likely does not entertain the same opinion as to the value of petitions as the Minister of the Interior appears to hold. But he did not know of the existence of any of those petitions, as he said the half-breeds had not availed themselves of that privilege :

"If their petitions were not listened to by the Government, they had a right to enter upon a constitutional agitation and induce their friends in Parliament to make known their grievances."

And further on :

"Nothing on their part has been presented to the Cabinet, which would have required special action from their friends."

I must say this : We can more easily explain the ignorance of the Secretary of State respecting matters regarding the Department of the Interior, than we can explain the ignorance of the Prime Minister on those matters. We know very well that the previous year the Secretary of State was absent ; that last year he had been charged with a very important duty, that of enquiring into the morals and habits of the Chinese, and that great question must have taken so much of his time and attention that he had not an opportunity to study the whole question of the North-West and the half-breeds. I have here an answer to those allegations, a list of seventy six documents, petitions, complaints, notes of interviews with the Government, letters published in the newspapers, all going to show that the grievances of which the Metis were complaining were not redressed. Outside of this, I might refer to a petition which, I think, on account of those who have signed it, will show the whole story from the beginning of the insurrection. It was quoted last year by the hon. leader of the Opposition, but I think it my duty to repeat it to-night as being the best answer to those who would shield their responsibility behind the unfortunate man whom they had decided to hang on the 16th of November. That petition was addressed to the Right Hon. Sir John A. Macdonald, and was dated on the 4th September, 1882. I will read the last part of the petition only :

"In our anxiety, we appeal to your spirit of justice, as Minister of the Interior and leader of the Government, and we implore you to at once reassure us by giving orders so that we shall not be troubled on our lands, and that the Government will grant us the privilege of considering us as occupants of even sections, since we occupy those lands in good faith ; and having occupied this country since such a long time as masters and having so often defended it against the Indians at the price of our blood, we think that it is not asking too much that the Government give us the right of occupying peacefully our lands, and that it should make some exceptions to its regulations, by granting gratuitously lands to the North-West half-breeds. We further desire that Government should

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give orders to have the lands surveyed along the river ten chains wide by two miles long ; it is the old custom of the country to distribute land in this manner, and thus it would enable us to recognise the limits of our respective lands.

"Monsieur the Minister, we hope that you will favorably receive this petition which we send you, and that we shall know your decision as soon as possible. This is our anxious wish, while praying the Almighty to protect you and to keep you at the head of this great country of Canada, which you govern with so much wisdom."

And here follow the names of those who signed that petition, and it is a very sad list :

"Gabriel Dumont (wounded and in exile) ; Baptiste Rochlot (prisoner) ; Patrice Touron (prisoner) ; Calixte Touron (killed) ; François Touron (prisoner) ; Joseph Vandale (killed) ; Joseph Delorme (killed) ; Baptiste Vandale (prisoner) ; Adolphe Nolin (prisoner) ; Ignace Poitras (prisoner) ; Maxime Poitras (prisoner) ; Emmanuel Champagne (prisoner), and others."

After all, Sir, Mr. Lawrence Clark, when he said to the Metis : "You asked the Government for your rights and you will have them in the shape of bullets and lead and chains for your leader," was not very far wrong. The hon. Minister said he had received nothing to inform him what was going on on the Saskatchewan. My hon. friend from Bellechasse (Mr. Amyot) quoted the other day one or two letters from Bishop Grandin, and what do those letters say ? I will quote only one which was addressed to the hon. the leader of the Government :

"PRINCE ALBERT, 13th June, 1884.

"SIR,—Your honor must have heard of the discontent felt by the half-breeds of the district of Lorne, of the message sent by them to Mr. L. Riel, and of the inhospitable reception made by them to Honorable E. Dewdney, Lieutenant-Governor of the North-West. I arrived in the district after all these events had taken place, and could not help regretting them."

"I have seen the principal half-breeds of the place, those who may be called the leaders, and I have become quite convinced of their state of discontent with everything. They are altogether embittered, and this may lead them to any extremities. I was deeply grieved to find that it is not they who are the guiltiest. They are excited and urged on, not only by the English half-breeds, but also by residents of Prince Albert—people of consideration, it is said—who are opposed to the Government and who doubtless hope to profit by the regrettable steps taken by the poor half-breeds. They must have been much worked upon for them to have acted thus, unknown to their priests, who have been represented to them as sold to the Canadian Government. Surely it would be easy for your Government to bring to naught this species of revolt, which may, however, have certain painful results, for the half-breeds can do what they like with the Indians. These things are already to be regretted, and should the consequence of them be but one gun fired at the humblest of Her Majesty's subjects, you can but acknowledge that even that would be too much.

"I blame the half-breeds and have not spared them reproaches, but I must be allowed respectfully to inform your Honor that the Canadian Government is not blameless either, and had I the same influence over its members as I have over the half-breeds, I would tell them so perhaps more respectfully, but certainly as frankly. How many petitions and complaints have not these half-breeds addressed to the Government without having been vouchsafed a reply. How many times, both by word and writing have I myself addressed your Honor, without obtaining anything but kind words in reply. I beseech you not to take amiss what I am so frankly saying. I have only the good of the country and of our citizens in view. From their dictation I have written down the grievances of the malcontents and the steps they had taken. I enclose them to you. I entreat your Honor not to remain indifferent, and to take such action as will prevent the evil from becoming aggravated.

"I remain, very respectfully, &c., &c."

And this will be an answer to those who want to throw all the responsibility for the disasters which have occurred during that rebellion on the shoulders of Louis Riel. He says, further :

"They must have been much worked upon for them to have acted thus, unknown to their priests, who have been represented to them as sold to the Canadian Government."

Riel was not in the country then, but the Bishop says that since the agitation he had been sent for, and asked to take the lead of that movement. Some of those who approve of the conduct of the Government, with regard to this question, say : "You should not go against the Government and vote censure on them, since the Grits, when they were in power, had done worse." Sir, this is not a question as between the Conservatives and the Grits, but it is a question of ascertaining how far the grievances suffered by the

Metis were sufficient to justify the commutation of the sentence. Indeed, I am willing to go further, and to say that since the beginning the Metis have had to suffer from the Canadian Government; since the beginning they have been provoked; and if they have shown so much distrust and lack of confidence in the Canadian Government we can trace that state of things to the fact that Archbishop Taché was called from Rome to come and help the Government out of the unfortunate troubles they had created, on account of their policy in the North-West, when he had left here with a perfect understanding as he thought with the leader of the Government that a complete amnesty would be granted to all those connected with the troubles. But there is this besides. The Minister of Militia said that Riel was the cause of the second, as he had been of the first, insurrection. That is not in harmony with the facts, because if we consult the public documents of that time, what do we find? We find that at least one year before those territories were ceded to Canada such men as Colonel Dennis, Dr. Schultz and others acting in the name of the Canadian Government, had been inciting trouble, persecuting the Metis, organising the Indians against them, when they had not the least particle of authority to represent the Canadian Government there. Here, Sir, I may quote what the Governor General himself says as declared at that time as to the conduct of those representing the Canadian Government before the cession of the North-West Territories to this country. On the 26th of January, 1870, the Governor General showed his appreciation of the usual proclamation and actions of the Canadian delegate by saying:

(Translation.)

"I regret still more seriously the proclamation issued by Mr. McDougall and the commission sent by him to Colonel Dennis.

"The proclamation stated that Her Majesty had transferred the Rupert Land to Canada, which had not been done. He has assumed the authority of Lieutenant Governor which did not legally belong to him and tended to annihilate the powers belonging to Mr. McTavish who is in fact the only legal Governor of the territory.

"A subsequent proclamation authorized Colonel Dennis to arm his followers, to attack, arrest, disarm and disperse armed men disturbing the public peace, and to assail, fire, break into any house wherein armed men might be found. If Colonel Dennis had acted accordingly the most disastrous results might have followed. Under the present circumstances the McTavish Government must suppose that his authority has ceased, no other Government having been substituted to them, and the discovery that the statement of facts contained in the proclamation are untrue must diminish the weight of any subsequent proclamation."

One of the strongest reasons urged by the hon. Minister of Militia against any mitigation of the sentence rendered by the Regina tribunal against Riel was that he had been guilty of raising the Indians. Well, here we have the proof that that criminal act had been taught to the Metis by the Canadian officials themselves—that in 1869-70 Colonel Dennis had engaged a Metis of the name of Joseph Monkman, at the rate of 10 shillings a day, to try and raise the Indians against the Metis. So, if Riel was so guilty in doing that, how is it that Colonel Dennis, after being guilty of such a crime, was called here to be for many years the most intimate confidant of the Prime Minister—that he was put at the head of such an important Department as the Department of the Interior? How is it that Dr. Schultz, who was proved to be guilty of the same crime, was indemnified for all the losses he was alleged to have suffered during the first troubles, and was elevated to the high position of a Senator of the Dominion? That is the answer I give to the accusation made against Riel that he incited the Indians. Sir, the grievances of the Metis during that time were many. Venerable Archbishop Taché, relying upon what he declared to be the positive promises of the Government, had gone to his people and had told them that if they consented to return to their homes they would never be called to account for those troubles—that anything illegal they might have committed would be condoned. We have his testimony, and I do not suppose the hon. member for Montreal Centre (Mr. Curran) will object to this, as he objected to another declaration made by that venerable

Archbishop. This he has sworn to. What does this document say? That on the return of Archbishop Taché to Ottawa from Europe Sir John A. Macdonald and the Hon. Mr. Howe met him, and in several conversations expressed the desire that he would return immediately to Red River; and, when he remarked that some who had been connected with the troubles might have committed something against the law, they said that nobody would be troubled by reason of the past. Then he said:

(Translation.)

"The question of the recent acts of violence was one of the daily topics between the Ministers and myself, and fears were expressed that the country would be laid waste with fire and sword. More than that—the members of the Privy Council expressed their surprise that such things had not already taken place, and they attributed that fact to the great moderation shown by the half-breeds. I had some conversation with the Ministers with regard to the policy of Mr. McDougall and Colonel Dennis, and their conduct was severely criticised by the Ministers.

And he adds:

"All the other conversations which I had were with Sir John A. Macdonald, who again insisted on the necessity of informing the people of the good dispositions of the Government towards them."

In a letter addressed to the venerable Archbishop by Sir John A. Macdonald, the latter said:

(Translation.)

"If the question relative to the consumption of goods or articles belonging to the Hudson Bay Company by the insurgents was raised, you are authorised to inform the leaders that if the Government of the country is re-established, not only will a general amnesty be granted, but in case that the country should claim to be reimbursed for such property the Canadian Government will see that protection will be given to the insurgents."

Well, Sir, he left with the impression that a complete amnesty would be given. He went to his people and declared that such was the case. Upon the faith of that declaration, of which the Canadian Government had the whole benefit, the Metis went back to their homes. They did more than that; some of them who had been connected with the troubles went to meet the troops under the command of Wolseley so as to assist them to reach Fort Garry with as little hardship as possible. What was the reward of their conduct in that instance? Colonel Wolseley had scarcely entered Fort Garry when he issued a proclamation declaring all those people to be banditti and cowards. The people had disbanded on the faith of promises conveyed to them by Archbishop Taché; they had laid down their arms so that they could not answer. But they did not forget; and one of the grievances which the Metis had against Canada was this insult that had been given to them as the first token of the intentions of the Canadian authorities towards them. Besides, their leaders were prosecuted; criminal charges were brought against them, and now amongst so many sad events let me mention a fact that is very much to the credit of one of our most brilliant lawyers in Lower Canada. When we saw that the prosecutions were going against Lépine Neault, &c., we went to the Secretary of State, who was then a young lawyer, and asked him to defend those unfortunate people; and I must give him the credit of saying that without asking us if we could do anything towards helping him in the expenses of such a trip, he went to Winnipeg and defended those unfortunate people. Sir, I think when as Secretary of State he had to turn that leaf of his life and accept the responsibility of saying, as one of the reasons why the sentence of death was to be carried out against one of the leaders of the Metis, that he was to be condemned because he was a *récidiviste*. I think he must have been put under the weight of an influence which he must have felt very hard to submit to. But, Sir, coming to this last insurrection, we saw it stated that not only had the Metis grievances but actual provocations to incite them to take up arms to protect themselves. Here is what a correspondent writing to one of the newspapers said after the beginning of the rising. He mentioned the fact that they had sent for Louis Riel:

"He was their last hope, and for eight months afterward they followed him in a strictly constitutional agitation, in which the best white settlers of the district took part. That path was unfortunately departed from under stress of the report—attributed to Lawrence Clarke, who was naturally regarded by the Metis as a good authority—that five hundred more police were on their way, and that Riel was to be arrested. He and his followers could not but feel that no hope then remained but in an appeal to arms, the last refuge of the oppressed; for what could they expect if they were to be denied the right of constitutional agitation as well as the privilege of representation? They immediately proceeded to put themselves in a position to oppose the expected force. Omelettes can't be made without breaking eggs, and the half-breeds seized munitions wherever they could be found. In doing so they were met by the police at Duck Lake, and as one force was bent on securing justice, and the other on maintaining law, there was no retreat for either without a conflict."

This is corroborated by the manifesto published by Archbishop Taché himself; and, Sir, when it is said after all these facts that Louis Riel was the first cause of the second, as he had been the first cause of the first insurrection, those are statements which are not borne out by the facts. I contend, Sir, that all those events ought to have had some weight with the Ministers when they had to decide as to the propriety of ordering that the sentence of death should be carried out against Louis Riel. Another reason, Sir, why public opinion in our Province had asked for the mitigation of the sentence, is the letter of Gen. Middleton, which has already been quoted, asking Riel to surrender, and promising his own protection until he was put into the hands of the Government. I have quoted this afternoon the opinion of a distinguished journalist, who seems to be very far in the confidence of the Ministers at the present time. I will quote from one of his articles as to the right we had to take the same ground with reference to that letter from Gen. Middleton. He said:

"The amnesty granted after the revolt of the Sepoys, by which all who had not personally been guilty of the murder of British subjects were pardoned. Nana Sahib was the leader of that rebellion. He committed unheard-of outrages; yet the English Government did not send him to the scaffold."

The *Mail* of the 14th April, which was not so wild and bitter as it has been since, and foreseeing that that letter of General Middleton might be sent to the Metis, seemed to have entertained the same opinion. What did it say?

"The news from the west this morning is not sensational at all. In our last issue was given the substance of the case as set forth by Riel. This morning it is further set forth with some degree of vehemence. Of course it must be obvious that men do not take up arms and fight and kill and risk being hanged and shot, like Riel and his followers, without at least a conviction that they have grievances. These grievances will have to be heard some day, and the sooner the public understands the better."

"An unreasoning cry for blood and revenge would be a misfortune. The expedition is probably costing \$40,000 per day, and already in all probability some \$300,000 has been spent or incurred. That is a very serious matter, and one that will make the average tax paying citizen by no means anxious to continue the contest, if any reasonable way out of the confusion offers itself. Fighting for the mere sake of fighting, or for revenge is a poor business, and our people will be best pleased with a bloodless, if successful campaign."

"The idea that Riel will run away as on a former occasion, is one that is useful to keep the Indians quiet; but it is not one on which a military policy can be framed. If he is forced to fight he will do so. If he offers to submit no doubt wisdom will guide the deliberations of those who will have charge of the negotiations. General Middleton, no doubt, has large powers, and is continually in communication with the authorities at Ottawa."

Well, Sir, is it possible to believe that General Middleton in sending in that letter, asking Riel to surrender, meant that, if that man answered by surrendering, he had no other alternative but to expect death on the scaffold? Sir, it is not understood that way amongst civilised nations, and the international code to-day acknowledges plainly that, when such things as letters have been exchanged between belligerents, between a party in insurrection and the General commanding the regular army, that is considered as acknowledging to the rebels all the rights of ordinary belligerents, and that they are not to be supposed, if they surrender under such circumstances, to be submitted to the extreme penalties of the law. There was another ground upon which public opinion in our Province expected that the

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Government would be induced to grant an amnesty. That, I admit, came at the very last moment. For what consideration the third respite was granted we cannot yet understand. According to the ministerial journals, although that respite was granted, it meant nothing but that the execution was changed from one day to the other. The *Gazette* of Montreal declared plainly that, upon as sound authority as they could gather from Ottawa, the last respite did not mean in any way anything favorable to the doomed man, but that the execution would surely take place on the 16th. Well, we thought then that, giving no sound reason for that unnecessary respite it was adding more cruelty to the already cruel execution, and now we have this declaration of the Minister of Justice that, on the 12th November, a final decision was arrived at, while we have the declaration from the Minister of Militia, in a letter addressed to him by the Premier, that everything had been decided before his departure. If we see that fact, if we read the declaration made by the ministerial organs, it is impossible to find out that any acceptable reasons can be given by the Government for having added six days of agony to the agonies already suffered by that man. It seems to me that the choice of the day, the 12th, to come to a decision like that, was a very bad choice. In fact, it is true that a banquet had been organising in Winnipeg for the 10th, and that two Ministers were to be present. Now we find that the interpretation given to these two facts is explained in another way. At the last moment, a medical commission was appointed, very likely in order to make good the promises made by the Minister of Public Works to the Province of Quebec and to political friends, in order that they might be fulfilled, if not seriously, at least that they might have an appearance of fulfilment. We had been promised a medical commission composed of specialists, a serious medical commission, not a sham one, not a commission composed of men who were to go there like detectives rather than physicians, concealing not only their titles but even their names; but we thought that, in that case as in all the others, all the necessary precautions would be taken, and that a serious commission would be granted. But what did we see? What kind of a commission have we had, and what kind of a report did the Government accept to base their final decision upon? Now, Sir, I will not argue very much longer on these facts. I could have said something of the promises of the Minister of Public Works as to the guarantee that would be given that the jurors in Regina would be chosen in the same manner and with the same rights to the prisoner as obtained in the other Provinces. That was not done, but yet, packed as it seemed to have been, the members of the jury seem to have had more consideration, more humane feeling than the Government, and, after having heard the trial, after having heard the testimony, they came to the conclusion that, although Riel was guilty, they ought to recommend him to the mercy of the court. I want to register two or three editorials published in newspapers in our Province, to show what opinion has been entertained about the conduct of the Government, and by this it will be easy to form an idea of what was the opinion outside. There is one editorial dated the 13th November in *La Minerve*. It was the same day that the French Conservative members met in Montreal. I am not in a position to translate it, but I think it is good that these articles should be quoted to show the consistency of those who would take a different ground now. The *Minerve* says:

(Translation)

"No news from Ottawa. Silent as the tomb. Still a decision must have been taken, for only two days remain before the execution, just the time required for a messenger who should have left on Wednesday night, to arrive in time at Regina, with the warrant stating that 'it is the pleasure of His Excellency that the law should follow its course.' What a sinister irony is contained in the words of that official form! We are convinced that the Governor General would willingly return to Her

Majesty, for a few days, the high prerogative of mercy which she has delegated to him. His Excellency celebrated yesterday the Thanksgiving holiday proclaimed by him the other day. It was a day of prayer and propitiation. The strangest of comparisons are made on the subject of that dismal date, chosen by justice as the piece of news of the execution. Despatches from Winnipeg bring us another day. Wednesday was the date of a great banquet given to the Hon. Messrs. White and Caron. What had taste, not to say what impropriety, was shown by inviting to a public mercy-making on such a day two politicians who have such strong ties in our province! Rumors coming from Regina are such as to make us think that the Government has commissioned medical experts to enquire into the mental state of the prisoner. If true, this solicitude on the part of the Government is worthy of praise. To refuse this last demand of the prisoner seemed cruel. What will be the result of this enquiry? We have great doubt that serious medical men will pretend that Riel is not suffering from monomania, at least as regards the North-West question.

"Now, if he is a monomaniac, even if only partially so, His Excellency must think twice before intimating his 'good pleasure' that the execution should take place. If the Government keep in store for us the painful sight of the execution of a vanquished and broken down man, let them, at least, save us from the horror of thinking that an unfortunate man, deprived of his reasoning powers, was sent to the gallows. We have prayed for mercy and pity on a condemned man, we will cry out shame on the executioners of an insane man. We may tolerate that people should remain deaf to our supplications; we would not allow any one to insult with impunity the elementary principles of humanity."

Well, Sir, after having read that report, that improved report, of the physicians appointed to investigate the sanity of the doomed man, to what conclusion must we come, if we are to accept the authority of that ministerial paper against the report? It says that even though he were but partially insane, it would be a crime against humanity to bring him to the scaffold. The report was sent by telegram, we are informed. We have not seen those telegrams, but we have a report. Here is what the *Minerve*, of the 16th November, the day of the execution, says about that:

(Translation.)

"In all probabilities the sun will set to-night on the corpse of Riel. From several points of views it is a fatal day. But, although to-day, all the mourning may be on our side, we are fully convinced that the pangs of sorrow will be longer felt, and more painful with those who make this day their day of triumph. They have put cruelty in the place of justice; they wanted revenge, and they have it. From this day the conditions of politics are changed. For a quarter of a century past, the Conservative party of Lower Canada has tumbled after itself shattered and dissimilar fragments of hypocritical factions, who had managed to sneak into the Conservative party of Upper Canada. In the heat of a contest very little attention is paid to these arrière-bans of combatants whom one does not always know, and whom one does not mistrust. An honest, straightforward and generous man, will naturally suppose honesty, frankness and generosity in others. This is the way things have been going on for years, in a cordial understanding which we took for public spirit, and which on the part of an Upper Canada section was only plotting and intrigue. It is somewhat like the fable of the wild sow and her young ones. Because we have not carefully chosen our company, we have admitted in our midst a brood which has organised itself and which is now expelling us from our homes. This is the long and short of that cruel drama which is about to wind up by an execution."

The editor of the *Minerve* was quite right when he said that. Read the *Mail*, read the other papers. After we have followed the Conservative party so many years, so humbly and with so much docility, we must acknowledge that the writer was perfectly correct when he expressed such an opinion of those with whom we have been allied so long:

(Translation.)

"For what reason did he (Sir John) after all, give way to a handful of agitators, who are neither the nucleus nor the majority of his party? We shall know it later on; for we are not giving a piece of news when we state that accounts will be settled during the next Session. And we will try him like all the rest. If it is, as we believe, the Orange party who has presided to the impolitic act of to-day, there will be a definite settlement of accounts between that party and ours, unless the settlement of accounts should date from to-day, which we would be far from regretting. If the Government have been compelled to act by this sullen set, whose only dream is hatred, they must take the consequences. We are tolerance itself; our peaceful character sometimes seems to go as far as weakness; but defiance and struggles are far from frightening us. We have even chosen as our patron saint, a saint whose head served on the table of a courtesan, was the price of a hateful revenge. We are able to resist and we shall resist."

And I hope that resolution will be carried out:

"And such is the gravity of the situation that the proceedings of a party which, as a rule are kept secret, must to-day take place in broad day-light, in the columns of the newspaper as in the street conversations. We will have to hold council openly, in presence of everybody like brave men, who need not fear the consequences of their determination."

Well, Sir, I must say to the credit of that paper, that it exactly expressed the feelings of the whole population of Quebec at that time, and I can say, moreover, that they are still the feelings of the Province of Quebec. As another authority I can give a writer whom I have had the pleasure of quoting already, a writer in the *Canadien* of Quebec. Here is what that paper says:

(Translation.)

"Is the man who employs a fool as his secretary sounder in mind than the secretary himself?"

"Why, we are ready to admit once more that Riel was responsible for his actions when he came from Montana to join the half-breed people, who acted in harmony with the British settlers of the neighboring districts."

"Our opponents, those who exacted and obtained his death from the Dominion Government, dare not take the ground of the last rebellion to justify their conduct."

"They go back to the events of 1869 and say that Riel, twice guilty of rebellion, had no right to mercy."

The Minister of Militia wants to justify the execution of Riel, not on account of the verdict rendered by the jury at Regina, but on account of the troubles in 1869, those troubles which he himself, in public meetings, and in this House, had defended in the years 1874-75.—

(Translation.)

"The *Mail* soon forgets the history, or else it thinks that the people of this country is groping about in blind ignorance. Was the part taken by Riel in the events of 1869-70, as criminal as the *Mail* represents it to-day? If so, why did the Government of that day, which was presided over by Sir John A. Macdonald, treat with him? Why did they promise a general amnesty through Mgr. Taché? Even more! Why did Sir John, a member of the Privy Council of Her Majesty, give him money to enable him to escape from the hatred and fanaticism let loose by blood-thirsty Orangism?"

"Whatever the faults of Riel may be, he represented on Monday, on the scaffold, a principle of civilisation and humanity which had been ignored; political offences are not punished by death, in our times, and Riel was a political offender, a political convict. In taking his life, the Government have disobeyed the verdict of the jury, which, by recommending him to mercy, could not recommend anything else but a commutation."

"They have, without any necessity for the maintenance of order, shed the blood of a man whose unbalanced mind has perhaps not for years formed a correct idea of the important events with which he has been connected."

"And the Government understood all that, since they tried to save Riel, since they granted him respites and delays in the hope of appeasing the ferocity of the Orange beast. And the Government, with a knowledge of all that, did not have the courage to resist the demands of the Orange lodges which were clamoring for blood."

"History will tell what should have been the desire of the Government, and also what the sound opinion of the country desired."

There is another quotation I desire to make from the reports of those meetings, which the Minister of the Interior yesterday qualified as being a disgrace to our Province. Here is what *Le Canadien* says of a meeting held at Bienville:

(Translation.)

"The meeting held last night at Bienville terminated by three cheers in honor of Her Majesty Queen Victoria. This means that there has been calm dignity and public spirit. We place the great movement which agitates the Province in all its remotest parts, under the ægis of the British constitution which affords sure means of obtaining redress for all grievances, of securing the triumph of all just causes. The other provinces will not be long in joining us; they are as interested as we are to see the Government of this country carried on according to principles recognised in civilised countries. At this moment Canada is under the ban of Europe and America. The leading organs of public sentiment in the United States and in France tax the Executive of the Dominion of Canada with cruelty and barbarity. Let us show by our protestations that we are not, that we do not wish to be, responsible for the terrible crime which draws such universal reprobation on the heads of the culprits. The Government of which they form part has lost all the confidence of Lower Canada; they do not represent our opinions in the Council Chamber, and they know it. We will say more: they do not even represent their own sentiments, for it is impossible they should have wished to hang Riel. This is our candid opinion. We speak frankly also when we say that they are completely isolated in their Province. The union is formed against the fatal policy for which they are responsible from a constitutional point of view. They did not deem proper to resign; the future and history will judge them."

Such was the opinion of an important paper published in the district of Quebec, which was a true echo of the feelings of the people of that district; and I have quoted from *La Minerve*, another Conservative paper, which we know has great influence in our own district. As to myself, I worked earnestly for the commutation of Riel's sentence.

In this I acted all along in concert with my own political friends. I kept as much as possible in communication with the Government through the Minister of Public Works. When I was called to meet the electors of my county at Côte St. Louis, I had seen that Minister, and I must say this: That from what he declared to me then I thought I could tell my electors that if they were to maintain a constitutional agitation so as to obtain the respite that it was necessary to give the prisoner's lawyers an opportunity to go to all the legal tribunals, and, moreover, if we asked a medical commission, composed of specialists, to enquire into the sanity of the prisoner, that policy would likely succeed. We know very well what such words from the mouth of a Minister must mean. Upon the faith and recommendation of my chief, I went to Hochelaga, as the hon. member for Jacques Cartier (Mr. Girouard) went to his electors at Lachine, on the same day, and there we took the ground I have indicated. And as it has been stated that the agitation was disloyal, that it was brought about so as to raise a feeling among French Canadians that they should be treated otherwise than as the other races, I beg leave to quote a portion of the remarks I made on that day. At that meeting, presided over by one of the mayors of the county, and which was attended by at least six hundred people, I was the first speaker. Here is a quotation from the report as published in the paper of the following day:

"He (Mr. Desjardins) advised his hearers not to indulge in vain recriminations and violent words, but to do their best to maintain order and harmony, which was so essential in a mixed community like this. There was in this Dominion, he said, one million five hundred thousand French Canadians determined to preserve intact their laws, institutions, rights and privileges. But, on the other hand, there were over two millions five hundred thousand persons of English origin. Those were not strong enough to drive the French Canadians out. There are only a few fever-brained that entertain such an idea."

I did not know then that it might apply to a paper which I had been accustomed to accept as a great authority, the *Mail*.—

"But anyone will admit that they are numerous enough, and strong enough, and determined enough, to maintain their hold on the country and defend their just rights. Thus, we are two populations called upon to live side by side, under the same institutions and protected by the same flag. Ought we then, he continued, make war upon them; should we not rather do all in our power to maintain harmony between the two races, only rivaling them in our work, our industry and our zeal for the good and prosperity of all. There are times when the national feeling runs high, but it is at these very times that it is most necessary to appeal to the higher sentiments, the most purely patriotic, so that we may not place in peril the interests which have cost us so much to secure. The present is a time of excitement, but, so far, we have kept ourselves within the limits of reason. When the insurrection broke out, at the first call, our brothers, our sons, our soldiers, turned out with no other desire than to accomplish a faithful duty at all costs, namely, to reduce to subjection their brothers who had been led astray by malicious counsels."

You cheered those braves on their departure and wished them success, and welcomed them on their return, for they had accomplished their mission and brought back with them more than their share of prestige and glory. He referred to the meeting in the Champ de Mars and said that some of the speakers gave out that the tribunal was a machine made expressly for the purpose of persecuting the Metis. I say it was not the fact. Then I asked that the resolution based on the two grounds I have given already should be accepted by the meetings and then it was adopted unanimously. The same arguments that I used in my own county were repeated in Lachine in Jacques Cartier. In not one instance was there any disloyal cry, any appeal against the constitution or the law at any of those meetings. We acted within the constitution and on the rights which we preserved to agitate, and petition, and protest against anything we thought to be unjust on the part of the Government. Sir, I have said more. I had pledged myself that if those resolutions were passed I would go myself and present them to the hon. leader of the Government, and I did so. As I did not then mention that the interview was to be a

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public one, although I had a witness with me, I will not say what kind of a conversation took place between us, but I can say this, that I came back with the firm impression that such measures would be adopted as would meet our demands, that the promises that had been made, not only in conversation, but through his organs, by the Minister of Public Works, would be fulfilled. These promises were even made at public meetings as we see by *L'Événement* on the 18th of August. There was an address presented to Sir Hector Langevin at Rimouski, and the following telegram was sent and has never been denied:—

(Translation.)

"RIMOUSKI, 19th.—Yesterday, the citizens of Rimouski presented an address to Sir Hector Langevin, who answered in terms which were very flattering to the representatives of the county. Alluding to the trial of Louis Riel, he expressed the idea that the Government would take into serious consideration the demand to form a jury of medical men whose duty it will be to ascertain the mental state of Riel. Sir Hector added that that would be done in proper time."

That, added Sir Hector, would be made in the proper time. I ask if it was fulfilling such a promise to wait to the last day of the life of Riel and to send, not specialists as was promised, but officers employed by the Government—physicians who had no more experience on insanity than any ordinary physician that might have been sent, and sending them to make the report which we have received, and which after all turned against the expectation of those who wanted to be justified by it to the condemnation of the Government. I say that if you take these reports and read them, you must be convinced that the man who was sent to the scaffold was not a man with a sane or a well-balanced mind. Well, Sir, I have given all the reasons—and I think they are fair reasons—why we have agitated in the Province of Quebec, why we have so strongly demanded a commutation of the sentence. Now, Sir, since we were clamoring for clemency, it is impossible to accuse us of having been moved by feelings of hatred or revenge. In fact if we had been moved by such feelings what would we say? What accusations would we be entitled to bring against the Government since, despite the declaration made last year by the hon. the leader of the Government himself, that behind the Metis there were men much more guilty than they were themselves—that the whites of Prince Albert were the true organisers of the insurrection? Of that declaration we have seen nothing except the paragraph in the letter we have just received containing the instructions given by the Minister of Justice to the lawyers representing the Government at Regina. Have we seen anything to show that the Government was in earnest in taking action with regard to the men who have been accused on the floor of Parliament of having been the first cause of the insurrection. It is likely, Sir, that not only are those men quiet in their homes, but that they have already received at the hands of the Government sums of money to compensate them for any loss they may have incurred. Well, Sir, we have been asking for mercy, and we do not want to see those men troubled. What we want is oblivion and forgiveness for all those connected with the troubles in the North-West, and we want nothing else. We do not desire that the victims of the insurrection, if they happen to be English, shall be worse treated than were the Metis in that same insurrection, just because they are Metis or of French origin. We want equal treatment to all; and I think that the Government should have been able to forget that measure which we were expecting would have come from them, instead of distributing medals to perpetuate the memory of a fight which will never be to the credit of the country, though so brave and so well behaved has been the conduct of our volunteers, upon whom does not lie the responsibility for those troubles—I think it would have been better, instead of trying to shield the responsibility of whatever neglect of duty or whatever injustice they may have been responsible for behind the scaffold of Regina, that they should have

shown an amount of clemency which would have prepared public opinion to judge more leniently of the conduct of the Canadian Government towards that unfortunate population. Sir, we Conservatives who have sustained the Government are obliged, and we know we are obliged, to share in the responsibility for the troubles that have occurred in those territories by reason of the loyal, undisputed support that we have given them; and we wanted them, by showing at least moderation in their victory, and a spirit of toleration and forgiveness that they would put us in a position to tell our people: "Well, there have been faults in the past, but we must hope, now, that such terrible lessons have been given, that they will be averted for the future." We are in this position, that we must vote to censure the Government on that question; but those who pretend to say that we shall for that reason betray our principles and the measures for which we have fought for so many years are much mistaken. It has been charged against us that out of hatred and bad feelings, and for the sake of overthrowing the Government, we intend to turn our backs on all the principles and measures we have sustained in the past. Well, if any have entertained this hope, they have been mistaken. We attach too much importance to our principles over the men in power to sacrifice them for the mere pleasure of having revenge against them. What we have defended in the past we shall defend in the future. We have approved of the construction of the Pacific Railway, and we shall continue to approve of it; and I think it would have been common good grace on the part of the Government who have been so faithfully sustained, if on the completion of a work which reflects such credit on the country, instead of forcing the first train of the Pacific Railway that left Montreal for the Pacific Ocean, to pass under the sinister shadow of a political scaffold, they had chosen that event to show to the different sections of the Dominion of Canada that the Pacific Railway, instead of being a means for conveying troops more easily to the new territories was rather a link of harmony and peace and good will between the different portions of the population of this country. Sir, we have been called foreigners in this country. I do not know whether I ought to answer that. I think it is perhaps better to leave it to the fairness and the good sense of our friends who speak another language, to decide whether we, the sons of those who settled first on the shores of the St. Lawrence, who were the first to civilise that country, and the first to penetrate into every part of the territory of Canada, to discover it, and to enlighten it with Christian civilisation—whether we are to be told now that we are foreigners to this country, that we are only tolerated here, that our language is a nuisance and an impediment to the progress and harmony of the people of Canada. Sir, if we hope to build up a strong nation in this great country, it is not to be done by such denunciations. It is not to be done by telling a million and a quarter of people that they are foreigners, when we invite all foreigners to come here and participate in our freedom and in all the benefits of our institutions. For my own part, whatever accusations or provocations may be raised, I shall make it a duty to myself and those whom I love, to try always to work for peace and harmony amongst all the different groups of our population; I shall strive to see that those principles of justice which are the only conditions of peace and happiness in Canada shall always be respected; and if here we are obliged to perform so painful a duty as that which we are called upon to perform to-day, it is because we place those principles above friendship, above old ties, above every other consideration, and act upon those grounds of equity and fairness which we are entitled to expect, and which we are bound to concede to everybody else.

Mr. LANDRY (Kent, N. B.) Mr. Speaker, I would hardly presume to address myself to this subject now, if it

were not that I think it is necessary that a voice should be heard from every Province of the Dominion on this important question. I feel at the outset that this question has been quite thoroughly discussed, that almost all the strong points either on one side or the other have been dwelt upon and brought out according to the views the different speakers have taken of the events that have taken place during the last year or so. Feeling thus, I cannot expect to add anything particularly new to this discussion. Yet, Sir, as the subject has proved to be of such interest to this House and to the country, I hope the House will not think me too tedious if I attempt to make some observations, even at the risk of having to repeat something that may have been much better said by speakers who have preceded me. It is with pleasure that I follow the hon. gentleman who has just preceded me. When the news came to New Brunswick that, because of the hanging of the unfortunate Metis chief, a great excitement had arisen in the Province of Quebec, it came to us, as I thought at the time, in a very exaggerated form. Yet, having read for myself in the newspapers the editorials, the correspondence, and the reports of the speeches delivered at the different meetings in the Province of Quebec, I am not now prepared to say that the reports, which reached New Brunswick, were in a very exaggerated form; but such as they were, they had a tendency to excite the people in our Province who were not, perhaps, thoroughly cognisant of the facts connected with the North-West rebellion and the hanging of the unfortunate rebel chief. I felt it my duty on one occasion, when called on to speak in the city of St. John—although I had not thought of mentioning the subject until those who preceded me referred to it—to say something of what I thought of the agitation going on in the Province of Quebec, and the reason I say I am glad to have the opportunity of following my hon. friend who spoke last is this. That on reading afterwards in the public press, reports of what had taken place in the Province, I saw in one of the papers that my hon. friend had unmasked me before a large meeting in the manner in which I deserved to be unmasked. I had known my hon. friend for several sessions; I knew his generous character; I knew his universal courtesy; and I knew that spirit of toleration which characterised all his actions and speeches in this House. Although I did not know what it was that he had said which had so completely unmasked me, yet it made me think for a moment that, as he had used this expression, the hon. gentleman must have thought there was great occasion for its use, and that it was necessary I should be unmasked before the people of his Province. I felt anxious, therefore, to see whether he would undertake to unmask me here. But I am glad to say he has not. I do not even know what he said on the occasion I refer to, and therefore I was anxious to hear from the hon. gentleman in this House what it was I had said in the city of St. John which was so offensive to the hon. gentleman and the people of Quebec. His not having alluded to this in any way relieves me, since it affords evidence that no weight need be attached to this reported expression of the hon. gentleman. In what I said I did not intend to be offensive to any section of this Dominion, and I cannot conceive how it could have been so construed. I spoke then my convictions, and I now affirm, before this House and the country, that these convictions have not been in the least weakened since, but, on the contrary, have grown stronger from the events which have since taken place. I am not responsible for what I may have been reported to have said in the newspapers, but I am confident that I did not say a single word that could be considered offensive to my French Canadian friends in this House. What I did say was that the reports which had reached the city of St. John as to the agitation in Quebec were either exaggerated, or, if not, I felt that the occasion did not justify such an agitation. I

said that my honorable friends, whose names I had seen as taking part in the agitation, would themselves be sorry for their action before many months had passed over their heads; and to-day I am more and more confirmed in the opinion I then expressed, for I believe these honorable gentlemen are now sorry for having lost their heads at the time.

Mr. DESJARDINS. Hear, hear.

Mr. LANDRY (Kent). The hon gentleman says, "hear, hear" as a sort of denial. It may be that he now says he is not sorry, but I must say that if we can judge by the speeches delivered by hon. gentlemen from Quebec and by the reports of what they said at the outbreak of the agitation, they must feel sorry for the part they took, because not one of them has taken here the same line of argument he took then. If they are not sorry, how is it that we do not hear the same appeal to what I may call—it may not be the correct word, but it is the one that comes most handy—prejudices or passions, which they made in the Province of Quebec. I do not say that these hon. gentlemen were not then sincere, but I say that they were led into the agitation without sufficient reflection; and I believe they now regret it, as they do not now take the same line of argument that they did then. It would be useless for me to refer to reports of newspapers, because they have been copiously referred to here already, but we know that the agitation, whether general or not in Quebec, was great, and when the news of it came to the Province of New Brunswick, I, feeling myself closely allied to the people of Quebec by sympathy, by the ties of blood and religion, deemed it my duty to take a position which I could justify before the country and the House. I felt it behoved me, as a representative of a population in the Maritime Provinces, speaking the same language as the population agitating in the Province of Quebec, to see whether it was right, advantageous to us, to join in the agitation, and I could not but come to the conclusion that it was my duty to try and prevent the agitation reaching New Brunswick, or at least those whom I have the honor more immediately to represent. On thinking the situation over, although I felt sympathy with the French Canadians of Quebec, so far as our mutual aspirations are concerned, I believed that instead of helping along this excitement, I should try to diminish it, that I should try to persuade the people, as far as I could, whom I represent, that by no agitation, by no action on their part, should they uphold what I considered to be a violation of the laws and constituted authority of our country. The lesson I considered should be taught was moderation and submission to the laws, and not the mischievous theory that the proper way to redress grievances and wrongs was to rise in rebellion, as the unfortunate people in the North-West, though small in numbers and ignorant in education, had, instigated by the unfortunate Riel. Our people in the Maritime Provinces had been in the past somewhat similarly situated; they had suffered from grievances and wrongs, and even to-day, although there may not be anything very tangible in the way of grievances or wrongs to point to, yet we labor under grievances arising from the fact that we are in a minority and are not represented according to number in those places that give a power and influence, and have not a fair share of public patronage. Would it, therefore, have been proper for me to teach those people, by actions and words, by calling public meetings, that wherever they felt they had a grievance and the authorities would not give sufficient attention to their complaints, the proper way to obtain redress was to rise up in arms? No; I thought the best lesson to teach them was to agitate, in a proper constitutional manner, and not in a manner which might end in a resort to firearms. Feeling as I did, I thought it was my duty to

Mr. LANDRY (Kent).

take the line of conduct I did, and I do not now regret it, for the people have been since able to look on this matter with more calmness and justice than when the agitation was first started. My hon. friend who just preceded me (Mr. Desjardins), endeavored to use arguments for the purpose of creating political effect, not only in the Province of Quebec, but in the whole Dominion; and I will take the liberty of seeing whether his arguments can bear the construction he has put upon them, whether he can fairly deduce from them those deductions which he wishes the electorate to make. In the first place, he told us it was much more easy for the Minister of Public Works to defend his action here in Parliament than in his own constituency. Well, is not this the proper place for the Government to defend its actions? If it has been rendered difficult for the hon. Minister to go to his constituency and there defend his actions, what is the reason? Simply because of the agitation of which I disapproved, because, in my mind, the people whom we have been told here are so docile, who are always obedient to the laws of their country, had that very docility taken advantage of by representations being made to them that a great wrong had been done to their nationality. They therefore became somewhat excited, and it was very difficult for a time for gentlemen who took opposite views, and wished to justify the action of the Government, to appear before any audience in the Province of Quebec. But I do not think that state of affairs exists to-day. I believe that, to-day, almost before any audience in the Province of Quebec, the other side of the question will be heard, and that, that side being heard dispassionately and calmly, the decision of that Province would be the same decision that would be given in the other Provinces. My hon. friend has protested against the calumny, as he called it, that was sent broadcast against the French people of the Dominion of Canada by the *Mail* newspaper. If there be anything in what he has said in which I heartily join with him, it is in condemning the articles which were published in the *Mail* newspaper for a time during last fall; but, at the same time, I am prepared to condescend in the same breath the articles which appeared in the French press in the Province of Quebec. If, on the one hand, the *Mail* newspaper was violent, so, on the other, was the French press in the Province of Quebec, and it was that press which commenced the agitation in that violent manner; but, because I think the French press should be condemned for conducting that agitation in the violent way in which they did, I say at the same time that that was no reason why the press on the other side, and in the Province of Ontario, should have taken up the question in the same manner and should have become even more violent than the French press in the Province of Quebec. If we want to teach the people of this country respect for one another, respect for one another's nationality and creed, it is not to be done by the press of either the Province of Quebec or the Province of Ontario taking up a position in that violent manner. We are told that there was no attempt made at any time to build up a party that was to be called the national party, that the only attempt was—as I understood my hon. friend from Quebec East (Mr. Laurier)—not an attempt to build up a new party at all, but simply to fight on the line of the old parties as they existed. I understood him to say that the only attempt made was to fight on the same lines as before, but simply to add the new element of the hanging of Louis Riel. If that be so, I do not read aright the articles which appeared in the press in the Province of Quebec. I will not make any long quotations, because I know they are tedious to this House, but I will read one quotation from a paper called *L'Electeur* of the 17th November, the day following that on which the unfortunate man was hanged. On that day we find this article:

(Translation)

"Retaliation! yes, retaliation! Let this be for this day, for to-morrow, and forever the watchword engraved in bloody letters within the hearts of all French Canadians."

Now, what does that mean? Is that not as reprehensible as anything can well be? Here is a population in the minority, jealous of their rights, and rightly so, a population who have been taught, unfairly perhaps, to look upon the majority with some suspicion, because of the fear that some time or other their rights might be infringed upon because they were the minority, and, being so alive to their rights and jealous of their privileges, they are told on the day after the execution, the idea is sown broadcast among them that the word for the situation is revenge—"yes, revenge; this should be the word for to-day, for to-morrow, and forever; the word engraven with letters of blood in the heart of all French Canadians. "Now, do you pretend to tell me that this is not reprehensible? I have not followed that journal sufficiently to know on what side of politics it is, I do not know to-day, I speak simply of the fact in order to condemn it, the fact that after the hanging of a man such as Louis Riel on the 16th, the very next day should see sent broadcast over the Province of Quebec and wherever that newspaper might reach, the statement that row it was—for whom? not for the whole people of the Dominion, but for the French Canadians—to engrave the word revenge on their heart in letters of blood. Is it any wonder that the situation became difficult for the Ministers of the Crown? Is it any wonder that one hon. gentleman can find it a justification to say that those Ministers did not dare to go into their counties to justify their course, because such a cry had been sent broadcast over the Province, that the watchword was revenge and that the people were to engrave that word in letters of blood on their hearts for to-day, to-morrow, and forever hereafter. I find no fault with the French Canadians for possessing the generous and noble traits of character that always lean towards feelings of sympathy and of mercy or regret for anyone in a critical situation such as that of Louis Riel. But I regret these laudable feelings were taken advantage of and sent in a wrong direction by throwing broadcast over this country such inflammatory statements. I desire to do this paper justice, and it is true that it added:

"Not a revenge of communards or radicals, but a revenge of people proud and jealous of their rights and privileges."

This paper was sending this out to the people whom I have described here, a people proud of their rights and jealous of their privileges and they were told that their privileges had been violated and their rights trampled upon; they were told that the watchword was revenge. I ask this House and I ask the country: Revenge upon whom? Can we interpret that in any other way than revenge upon those who constitute that portion of the people who are not French Canadians? Can it be interpreted in any other way? I think not, and I know that is the interpretation I put upon it when I read it; and I say that such language is reprehensible in the highest degree; but not less reprehensible was the language of the *Mail* newspaper which has been cited here, when it said that, if it should be necessary, arms would be taken up again by the English-speaking people of this Dominion, and the people of the Province of Quebec might have to be reconquered, and the rights of treaty, which they had at one time, might not be conceded to them again. That language is quite as reprehensible as the language used in *L'Electeur* and other papers in the Province of Quebec. I condemn both. If anything conduces to raise ill-feeling, to cause jealousy, to make people suspicious of one another, it is these newspaper articles that we find coming out so frequently, at one time one part of the population pitching into the other part of the population, at one time the English pitching into the French; and at another the French

pitching into the English; at one time the Protestants pitching into the Roman Catholics, and at another time the Roman Catholics pitching into the Protestants. I say there is nothing more injurious in a country like this, and it is the duty of every patriot to put it down. For that reason I condemn the press on both sides for using such language as this which has been referred to. It is not only this newspaper, and I simply quote this in answer to my hon. friend from Quebec East (Mr. Laurier), who spoke so well and so eloquently the other night. Though, as I have said, he did not convince me by his arguments, he charmed me by the eloquence of his speech and the purity of his diction. I quote this to show that the position which he takes here is not the same position that he took before his friends in the Province of Quebec. The position taken here is a legitimate position. It is one with which I cannot find any fault. The speech delivered by my hon. friend from Rouville (Mr. Gigault), and by my hon. friend who proposed this motion (Mr. Landry, Montmagny) and by everyone from the Province of Quebec who has spoken on that side of the House, is a position with which I find no fault, a position which, as they have explained it, they have a perfect right to take, and a position which is not calculated to do any harm, because they have argued it fairly and honestly, according to the convictions of their heart, and because Louis Riel was a co-citizen with us they had a perfect right to say he was innocent if they believed it. They had a right to say that clemency should have been exercised towards him; they had a perfect right to say that for political offences he should not have been hanged, if they believed that also. They had a right to say, if they believed it, that notwithstanding every thing he did in the North-West, it was right for the Executive to exercise clemency towards him. I find no fault with that. I am finding fault with their conclusions, but not with their arguments, not with the arguments they used, because they were legitimate and proper. But I say they are not the same as those they used in Quebec at the time this agitation was begun, and they are not the same as they used in their journals in Toronto against the people of Quebec, which arguments were quite as wrong and quite as unfair as those which were used in Quebec. Now, Sir, in order to prove that the position taken by my hon. friend is not the same position that was taken in Quebec, I will read a little further from the *Presse* newspaper of the 16th November, 1885, which I will translate into English:

"From this day we can consider all the old political division of party as having ceased to exist in Lower Canada. When nationality is outraged and menaced, there can no longer be Liberals or Conservatives, there can be but the party of patriots. Henceforth, there can be but two parties, the national party and the hanging party."

Well, now, Sir, I ask you again, what is a fair interpretation to be put upon that? It does not speak of the Dominion at large at all, but it speaks only of the Province of Quebec. Can we draw any other conclusion from that but the conclusion that the writer called for the formation of a French party? I can draw no other conclusion myself. The appeal is not made to all the people of the Dominion, to those who could have seen the situation in the same light that we did, who may have condemned the hanging of Riel for the reasons I have mentioned, appealing to all the people of the Dominion, among whom there could, henceforth, be but two parties on that question, all other political distinctions to be obliterated and dividing into two parties upon this question, and inviting everybody to take one side or the other. Then I could have understood an appeal to everybody. But instead of that, the appeal is simply made to the French people in Quebec. I cannot understand that it means anything else than the meaning which the *Electeur* has given to it. Then we go on further, and we find in the same paper, the *Presse* of the 16th November, a report of some speeches that were delivered on that day at a meeting held in the city of

Montreal by some students, I think. There was a procession of the students, followed by a large meeting where speeches were delivered; and what were the speeches in the presence of this population already excited by the reports it had received the day before, headed by the word "Revenge?" These people met in this way, and what do we find that they were told on that occasion? They were told this:

"This execution is a stain on the English flag, and an insult to our nationality. If Riel has been executed it is essentially because he was a Catholic, and because he had French blood in his veins."

Now, Sir, where can you find anything more inflammatory than a speech of that kind, delivered on an occasion of that kind, and delivered, as we are told by the same paper, by a man who was standing upon a cannon and holding the national flag in his hand, exciting them all the more? And this in a large city like Montreal, where we all know how easy it is to raise a dangerous excitement amongst the people. The orator spoke holding a flag in his hand, and thus making the occasion as tragical as possible, standing on a cannon, and proclaiming to the people that Riel was hanged because he was a Roman Catholic and because he had French blood in his veins. Now, Sir, I say that is extremely reprehensible. Going on, we find that the young man who spoke is reported to have said:

"Riel will be placed side by side with the political martyrs of 1837-38, and his name will remain engraved in our hearts, and when the hour of vengeance shall strike we will bite those who have bitten us."

Using the word "vengeance" on this occasion—is not that very reprehensible again? Was I not right in New Brunswick, when these reports reached us, in refusing to join the movement? And I may say, that these reports reached us more quickly than other reports usually do, whether there was an object in it, I do not know. My constituents received some of these papers that contained some of the inflammatory addresses, that contained these inflammatory headings. They received these papers in which I myself was attacked, because I had ventured to say a word on the other side. But why did these papers come so numerous to my constituents as they did on that occasion? It was for the purpose of spreading the excitement that had started so unjustly, in my opinion, from the Province of Quebec into New Brunswick. I say again, Sir, what other meaning could my constituents, what other meaning could the people of New Brunswick, put upon these reports but that the French Canadian people for whom we have very strong sympathy indeed, a people whom we love, a people to whom we look for sympathy and support in every question in which we may be concerned, and a people whom we have to thank for their sympathy and support in the past when we were in distressing circumstances, politically speaking—I say, what other conclusion could we come to than the one which I have indicated? "Sir, these inflammatory appeals have been sown broadcast among my constituents, and are they not right in saying: Why, the French people of Lower Canada are up in arms against all the rest of the Dominion? The leaders of the agitation were endeavoring to excite the people down in New Brunswick, and was it right for me to join in an agitation of that kind? I say, no, Sir, and I thought it my duty to say to those men who had written to me, that I believed my duty lay in another direction, and, moreover, I was not convinced that it was wrong to hang Riel, and not being convinced even of that, it was so much the more wrong in me to join in an agitation of that kind. We go a little further, and we find on the 17th of November, something else of the same kind. I find the following despatch from the city of Quebec:—

"The *Electeur* has appeared in mourning, and its articles are very violent. All its columns are devoted to Riel, and it invites French Canadians not to forget the martyr who was assassinated for the French cause."

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Is not that the same thing again? Is there not another strong and reprehensible appeal to those same people again? "Let not the French Canadians forget the martyr who has been assassinated for the French cause!" I would like to ask you, Mr. Speaker, I would like to ask other people of this country, whether that is a proper sentiment to be given utterance to: "Do not forget the martyr Louis Riel?" Louis Riel a martyr! Who can look at his antecedents and call him a martyr? Who can look at what he had done in the North-West, and call him a martyr? You may do that if you will, but by all that is good, do not say that he died in the French cause. Louis Riel dying for the French cause; Louis Riel dying for the Catholic cause if you will! Why, Sir, what French cause did he represent? I should like to know. Was he doing so at the time when he would not heed the advice of the priests or of the missionaries in the North-West, who were trying to effect the greatest good possible among the half-breeds whom Riel pretended to guide and to lead on to what he told them was for their benefit and material advantage? Was it because he despised their counsels and turned against them, and even disavowed the religion in which he had been brought up? Was it for this that he is said to have died for representing the French cause? If ever a mistaken appellation was given to a man, it is to say that he is a martyr and that he died representing the French cause. I should be very loath to admit that he represented anything of what I have conceived to be the French cause and French characteristics in Canada, the French Canadians as well as the French Acadians. I should be very loath to say that he represented any such cause. Represented it! How? Did he represent it when he was forcing those people to take up arms against the Government? Was he representing it when, as they themselves have sworn, and as I believe they assert now, generally, if not every one of those who joined with him in that rebellion, that they did so because they were afraid of their lives and because he forced them to do so? The only cause, so far as he interpreted it, which he was representing was his own cause. He was not even representing the cause of the Metis. How many joined him in the rebellion? They were not so very numerous. We have not, perhaps, the authentic figures, but I think the calculation is that there were between 250 and 300 French half-breeds in that rebellion. How many did they represent? We are told by the late census that there are something between 4,700 and 4,800 half-breeds in the North-West, and at a fair calculation there would be between 1,000 and 1,200 capable of bearing arms. How many do we find followed Riel? Something like 250 or 300 as I have said followed him. Out of all those whose testimony we have been able to get, almost every one has declared that he was obliged to follow Riel because he was afraid of his life. Was he representing their cause when he was forcing them into a rebellion which they did not desire? It cannot be said that Riel represented their cause. By his own declarations he was not representing the cause of the French Canadians or the French half-breeds, or of any of the French. Why, then, should it be said he died because he represented the French cause? I cannot subscribe to any such sentiment. I might go on and read a great many more such extracts, but I will not make myself tedious to the House by doing so. What I have cited is quite sufficient to show that I was right in condemning the agitation which I then thought unjustifiable, and I declared that it was one which the people who took part in it would regret before many days or months had passed. I repeat that statement now, and I believe that since that time they have had occasion to regret it. Some may have not had occasion to do so if they have been able to make political capital out of it, but they will be the minority. I believe the larger number, even if they felt they could

make political capital out of the agitation and strengthen their position in their counties so far as regards receiving votes, when they saw the injury done to the people and to the progress and prosperity of the Dominion, would, themselves, regret their action. We find to-day that they do regret it for the reasons I have given, because they are very careful indeed to take a different position before the House to that which they took before the people. The hon. gentleman who preceded me said, a few moments ago, that last winter when an accusation was brought against the Government that there were grievances in the North-West that had not been remedied, that the reason he and other members had voted for the Government was because they did not want to give any encouragement to the half-breeds. They did not want by a vote of Parliament to endorse in any way the course they had pursued. If that be true, and no doubt the hon. gentleman spoke his sentiments, how is it that he desires to condemn the Government for the hanging of Riel? Would not such an action by this House give encouragement to those who took part in the rebellion if it were held to be right and proper to condone the offence of every man who had committed that crime? If there is anything in the argument of the hon. member that when they voted for the Government against their convictions, last Session, so far as the hon. gentleman was concerned at all events, because they did not want to give any encouragement to the half-breeds by the vote of this House, the case is five times as strong when the House is asked to say whether it was right to hang Riel under all the circumstances, and to declare that those who took part in the rebellion did not merit the punishment that the law provided. The laws of our country say that a crime of that character merits punishment by death. If Parliament declares or the Government declares such an act did not merit such punishment, would it not be to a very great extent justifying the acts of Louis Riel and those who followed him? But I look upon the matter from a different standpoint. I believe the hon. member for Hochelaga (Mr. Desjardins) when he told us a little time ago that the Government had given him, as a representative of the people, to understand that they would well consider petitions and representations presented for the exercise of clemency towards the unfortunate rebel. He found fault with the Government, as I understand him, because they had not given proper consideration or attention to the petitions. I cannot arrive at the same conclusion. I cannot help believing that the Government took into consideration all the facts, representations and circumstances of the case, and well considered the petitions asking for clemency for the unfortunate rebel. I cannot help believing that they fully considered the whole case, that they felt there was a strong sympathy in the Province of Quebec for the unfortunate man, and what they did was to arrive at their conclusion, not considering whether they were giving way to a certain portion of the population clamoring one way or to another portion clamoring on the other side, but simply on the ground as to what was best for the material prosperity of this country. If I thought the Government had been actuated by any other motive; if I thought they had calmly sat down and said to themselves: You give me an account of how the feeling is in your Province, and I will do the same in regard to my Province, and we will take accounts and find out whether we shall lose more votes by adopting one course than by adopting another; if they simply counted the number of votes they would get by their action—if I believed they were actuated by such motives, I would be the first on the floor of Parliament and in the country to condemn such action. I believe the life of a man is too dear to him and his family to be made so light of as to calculate the number of votes which will be gained or lost if that life is taken or spared.

I believe the Government felt fully the responsibilities of their position. They knew it was a question among the people who were excited on both sides, and yet they made up their minds and were not swayed by the agitation one way or the other. While they may have read the petitions, and no doubt they would look into them to see the reasons advanced for asking clemency for the condemned man, yet I believe they did not look to see whether the petitions were stronger on one side or the other, and whether the representations were stronger on one side or the other, but they simply looked to see which course would best promote the material prosperity of the country. And I for one am not prepared to say that they arrived at a wrong conclusion. Perhaps if I had been in their position, I might have arrived at a different conclusion—I do not know—I am not prepared to say whether I would or not. But when I consider that they weighed the responsibilities of their position, that they weighed all the facts and circumstances that attended the rebellion, and having done so, that they arrived at the conclusion that it was in the interests of good government, in the interests of peace, in the interests of good example, in the interests of order, to hang the man who had been guilty of such a crime as the one of which Louis Riel had been guilty; and that those considerations were the only motives which moved them to the course they took—I say, that I for one am not prepared to say that they arrived at a wrong conclusion. They knew that it would arouse excitement, but still they took the responsibility of acting, and I believe that they acted fully convinced that they were acting in the interests of the country, and in the interests more particularly, perhaps, of the people of the North-West Territories themselves. But, Sir, I ask hon. members now if they can look at this question fairly, as I believe the representatives of the people in this House can—I ask you now, was it in the interests of the peace, the prosperity, the good government, and good example to this country that Louis Riel should have gone unhanged. I do not believe that it would have been; not because, Sir, I think it was necessary that the death of Thomas Scott should have been avenged; not because I think it was necessary that Riel should be punished for the acts of 1869-70. Not at all; I am not prepared to say that those acts of his in 1869-70 were justified; but I believe that the time had gone by and that this was not the time when he should be punished for those acts. If he was guilty then he should have been punished at that time, and not allowed to go as long as he had gone without punishment. Still, I can readily understand that the Government, in passing judgment upon all the facts which were before them, would do the same as any judge of the Supreme Court or any court before whom a criminal comes for sentence. It is right to look at the antecedents of the criminal, and to see what has been his record before, and if his record has been a good one, if it has been one that can be approved of by his neighbors and by those who knew him best, and this is the only crime that has been committed by him—the only time he has been found guilty of an offence—then I say it is right for the judge in passing sentence to take these facts into consideration. So when this man came before the Government, it was right for them to look to the acts of 1869-70 in Manitoba for the purpose of coming to a conclusion, not as to whether he should be punished for them, but to see the effect of the example their judgment would be to the public. Punishment is not entirely to the individual on which we inflict the punishment, but it is also for the example that is given to others; and it was right for them to examine into these acts, and come to a conclusion with all those circumstances before them as to whether it was better to pardon him or to allow the law to take its course. And when they decided to let him suffer the penalty of his crime, I believe

it was giving a good and proper example to the people of the North-West Territories. Sir, had the opposite course been taken, what effect would it have had—what would have been the evidence of it to the people of the North West? The evidence to those people would have been this: It is true you have risen in rebellion; it is true that you have been the cause of bloodshed and murder; it is true you have been the cause of a great deal of ruin and desolation; but, notwithstanding all that, the man who was at the head of that insurrection we think was so far justified in his conduct that we have spared his life; and then, if at another time grievances, even slight grievances, had come up, would they not say: We will get them redressed in the same way again; no great harm has come even to the leader of those who were engaged in the other insurrection, and they would be much more ready to rush into rebellion again than they will be after the punishment that has been inflicted on this man. That is my opinion with respect to that matter. But, Sir, was it not the duty of the Government to look at that aspect of the case rather than to look at the political effect of their decision? Was it not the duty of the Government to see whether the example to the people of this Dominion would be a good or salutary example, or whether it would be a bad example, according to the course they would take upon the matter which was then before them? Could the Government arrive at any other conclusion upon the evidence which was before them than the one that they arrived at? We are told that the prisoner should have received the clemency of the Crown. On what ground? First, because he was a lunatic. Another ground was because the jury had recommended him to mercy; another because it was a political offence for which he should not have been hanged. As to whether Riel was insane or not, that is a matter of opinion. Some may think one way and some another, but for myself I fail to be convinced by reading, by reading these letters, by reading that last memorial of his—or his last will, if you choose to call it so—I fail to be convinced that Louis Riel was an insane man. On the contrary, I believe that he was in possession of his faculties. He may have been excited at times; he may have been a man of great ambition, and a man who, in matters in which he thought he had a right to act, would be impatient and excited if contradicted, and still I believe that he knew right from wrong, that he appreciated the responsibility of his position. I have not a doubt of it. If we look at the evidence for a moment, if we go over it all minutely, it appears to me that no man who looks into that evidence can come to any other conclusion than that Louis Riel was perfectly sane and sound from the time he set foot on Canadian soil, and up to the time that he was taken prisoner, and suffered on the scaffold the penalty of his crime. We find him coming from Montana on to Canadian soil, and for what purpose? He tells us he was coming for the purpose of getting the wrongs redressed that existed in the North-West Territories, the wrongs under which suffered the half-breeds of those Territories. Now, Sir, what were those wrongs? Have not—I ask you and I ask the country—have not those wrongs been greatly exaggerated? Is there a man on the floor of this House who will seriously and calmly lay his finger on something tangible as a wrong, and say this was a wrong perpetrated there for which these people had the right to rise up in rebellion? I have not heard it yet. I listened with great pleasure, as I always do, to the leader of the Opposition last Session, when he made a speech of five or six hours, when he read the letters, the petitions, the representations made to the Government by the half-breeds, and those professing to represent them. I have also listened to those who have endeavored to show to this country that there were some grievances existing, and some wrongs perpetrated in the North-West Territory, but I must say that I have failed to

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be able to lay my finger on one single act, Sir, that could be fairly considered such a wrong as would justify any person in even taking revenge by rebellion. I will go further and say that I can find nothing that looks like a violation of any civil rights. Have they ever been interfered with in the exercise of their religion? Have they ever been interfered with in their manner of worshipping, in their liberty of speech, in their manner of working and gaining a livelihood? Have they ever been interfered with in the possession of the soil? Have they ever been interfered with in the possession of whatever personal property they may have had? Have they been interfered with in anything which we consider the rights of the subject under the British constitution? I fail to see it. It is true, Sir, for a long number of years they represented to the Government that they had grievances; it is true they sent all those letters and petitions and delegations here, but after all what were those grievances? I believe it would have been better on the part of the Government if they could have done it, to have endeavored to have removed whatever may have been the cause of these grievances more speedily than they did. It would have been better, perhaps, because sometimes imaginary grievances are quite as sore to those who feel them as are real grievances. But that there existed any positive, tangible, actual grievances, arising out of the violation of or infringement on actual vested rights, in the North-West Territories at that time, I myself have failed to see any evidence. I have failed to see any petitions presented to this House showing any actual wrong done to them or any violation of their rights by anybody. It is true they have asked for many things, but has it been pointed out that any one of them was interfered with in the possession of that which he considered himself entitled to? There is nothing to show that they were interfered with in the possession, occupation or cultivation of the lands. I have not seen a tittle of evidence in this House or anywhere else to show that one single half-breed was turned out of his house and home, or interfered with in any way in the exercise of any of those rights that belong to us in the other parts of the Dominion. If any of them have been, I should like to see the evidences of it, and I would be the first man to admit it, but I have seen none. What was their condition? They number some 4,000 out of a population of 40,000 in the North-West Territories. If it was right for them to rise in rebellion—and only a few of them, relatively speaking, did rise—it appears to me that those who say they were justified, or even those who say they were excusable in rising, ought to be able to produce some positive evidence to show that some of their rights had been violated; and no such evidence has been given. Had they a right to the soil by virtue of the fact that they were as the first residents? I do not believe, legally speaking, that they had the right to the soil. It may be that they had a right to be considered in preference to strangers or immigrants who came in there afterwards; I will not even say it was a vested right, but I say an equitable right, that they should be so considered. And were they considered? I say they were. After this Government came into power, in 1878, the first thing they did was to pass an Act in 1879, which recognised the rights of the half-breeds. After the passing of that Act, we are told that the Government who passed it, forgot it from 1879 until 1885. It appears to me they did not forget it. But they proceeded to do what was necessary in order to ascertain what equitable rights these people had. The first thing they had to ascertain was, where those people lived, to what lands they claimed title, by occupancy or otherwise. It was necessary that a uniform and proper system of survey should be had in order the better to give titles and make certain and systematic the boundaries and descriptions of these lands. The Government surveyed, from 1879 to 1884, 56,618,500 acres, as against 1,797,120 acres surveyed by the

preceding Government from 1874 to 1879. Were this Government not turning their attention at that time to the interests of those people? And after all they were not a large people. It is not because they were a small people that they should be neglected, or that their rights should be violated; but they were a small people. And when we are told that the Government neglected them so long, we must remember the difficulties that existed. We remember the distance from here to there; we must remember the sparseness of the population and the extent of the territory; and we must also remember that in the Maritime Provinces, at any rate, there was a clamor at that time—and it exists to this day—that too much was being done for that new acquisition of ours, the Western Territories; that too much money was being spent upon it, and too much attention was being given to it, to the detriment of the older Provinces. No doubt, the Government had to consider this to some extent. They had to consider that they should not proceed too fast—that they could not devote all their money and attention to the North-West, but must give a little attention to the administration of affairs in other parts of the Dominion. And when I speak of the Government of this country, it is not to give undue praise to the present Administration; because I am not such an admirer of this Administration as to assert that they always do right, or that I have always been pleased with them; I believe they do wrong occasionally, but I believe they exercise the best judgment they have. But I say this: The people of this country believe that they were spending quite enough money in the North-West Territories, that they were devoting time, money and legislation to those Territories—I was going to say more extensively than to the other Provinces. And is it true, or is it not true? Since I have had the honor of a seat in this House—and it has only been a short time—I have heard more discussions relating to matters appertaining to Manitoba and the North-West Territories than to any other portion of this Dominion. Notwithstanding the small population there, and that the revenues received from them are not very considerable, relatively speaking, the attention of the Government has been almost exclusively given to that part of the country, and yet we are told that the Government neglected them and forgot them for five or six long years. I am not one of those who share in the opinion that too much attention was given to the construction of the Canadian Pacific Railway. I believe that was a great and important work, which it was necessary to complete as soon as possible; but I say that the Government thought too much, not of the Metis, but of that portion of the Dominion, to the exclusion of the other portions of the Dominion. They gave to the Metis the Act to which I have referred; and after that Act was passed, surveyors were sent out for the purpose of surveying those Territories, in order to ascertain where those half-breeds were located, and what they laid claim to. And was there a better plan by which these things could be ascertained, than to send properly authorised surveyors to survey the country? They were told that when the surveying was going on, the people's rights were infringed on, because the surveyors surveyed over the lands they were occupying. I have not seen that statement verified, and I am not prepared to say, from the evidence adduced, whether it is or is not correct; but taking for granted that it is correct, I am not here to say whether the surveyors were wrong in doing that. The Government, acting for the future of that great country, because we expect it to have a great future, and, in taking its first steps to survey that country and give titles to lands within it, were bound to see that their surveys were accurate, systematic and uniform, and if, in carrying out that policy, it became necessary to survey over lands already occupied, I do not see any great wrong in it, if it was not done for the purpose of taking them from the

occupants and selling them to private corporations or individuals, but I say the Government should have surveyed them as well as all the other lands, in order to have a regular system of survey all over the North-West Territories. The half-breeds could have no cause of complaint at this, if they had the assurance that the survey did not mean their dispossession. As to this dispossession, I have failed to see any evidence in this House, or anywhere else, pointing out that the half-breeds had any reason to believe that these surveys were made for the purpose of dispossessing them. It may be that these people imagined a great many things, and that they did imagine, when they saw the surveyors going on their lands, that their lands were to be taken from them and sold to somebody else; but can a Government be held responsible for all the fanciful wrongs and grievances a people may conceive they suffer under? The Government gave them the assurance that they would not be disturbed in their possessions, but that these surveys were necessary in order to have a regular system of survey all over the North-West Territories. The Act secured lands and scrip to the half-breeds; the Government, it is true, had not to any great extent given to them what the law secured to them. I believe the Government afterwards yielded, and they yielded wrongly too, in giving them the scrip they gave the half-breeds since the rebellion broke out. I am not prepared to condemn the Government for this; and I am not prepared positively to say that, perhaps, under the pressure of circumstances and of the rebellion, they did not exercise their best judgment in giving the scrip; but I believe it was not in the interests of half-breeds that the Government should have so yielded. When we are told in this House that the fact that Government settled some 2,000 claims since the rebellion, is an indication of their mal-administration of affairs in the North-West up to that time, I give it as my opinion that the Government may have yielded judiciously to the pressure of circumstances, but certainly in so doing they did not act in the interests of the half-breeds. I may be wrong, but I would prefer hearing the Government declare that they had not yielded to the demands, that they had not given the scrip, but that they had not withdrawn from the assurance they gave that the half-breeds should not be disturbed in their possession of the lands; that the Government did not intend to take away the rights the half-breeds might have, not to the scrip but to the value of the scrip, but would not consent to the demand to give the scrip, because it was not in the interests of the half-breeds that they should do so. I am told that when the Government gave this scrip to the value of \$240 to each individual, it was sold by the large majority of those who received it, and perhaps mortgaged by some before they received it, for \$90, and in some cases for \$70. Fancy scrip to the value of \$240 being given to these people and then being sold by them for \$90 each. To-day I believe the majority of the people who got the scrip for \$240 and sold it for \$90 are as badly, if not worse off, than when the rebellion broke out, yet we are told that this is great evidence that these people had great grievances and are satisfied with the remedying of those grievances in that way. I am not satisfied with it. I do not believe it was the proper thing to remedy the grievances in that way. After all, that is not a very heavy grievance, indeed; if that was the extent of them? Indeed if these people had been entitled to this scrip before and were refused it—it is not a very heavy grievance, if you measure it by the value, \$90 to each individual. But while they had not yet received the scrip it was secured to them, and no Act of Parliament, Order in Council, no action taken by any one was such as to make them believe they were to be deprived of it? It is time enough for a people to rise in rebellion when they see that some action has been taken to deprive them of what they believe they have a right to get. But, in this case, no

action was taken, either by Order in Council, or by Acts of Parliament, or by Government agents, to deprive the people of that which they thought they were entitled to. Therefore it is, when we look at the difficulties of the situation, while we admit these people supposed they were laboring under certain grievances, I believe the Government acted with considerable promptitude after all, and gave considerable attention to these people. Though it might have been better to have settled them sooner, now that we see the consequence, not of those grievances directly, but of a designing man who knew the people and wished to avail himself of their ignorance for his own aggrandisement—I do not wish to do the man any injustice, but I believe from the time that he left the United States for the purpose of going on Canadian territory in 1884, until the time when he was taken prisoner, his sole object was to make use of whatever grievances these people thought they labored under, by exaggerating them for his own purposes, and to-day we have the evidence of this. When Riel went to the North-West Territories, what was the first thing he did? He went to the parish priest and asked him for his blessing, and he did this in an ostentatious manner, so as to impose on the people who are religious and thus get their confidence. He said he left Montana with the blessing of the priest and wanted the blessing of the priest here in order that he might be better able to work for the half-breeds. We were told, Sir, by the hon. gentleman who preceded me (Mr. Desjardins), that previous to Riel's coming some of the people had said that the priests were sold to the Government, and the hon. gentleman gave this as an evidence to show that there was dissatisfaction among the people against the Catholic clergy before the arrival of Riel. I cannot interpret that evidence in that way. I interpret it to mean that when Riel came there, he came, knowing his people, in a hypocritical manner to show himself to be that which he thought the people would approve of; but when he found his plans were not seconded by the clergy, and that some people had commenced to agitate against the clergy, he thought he would succeed better by denouncing them and did not hesitate to induce the people not to listen to the voice of the clergy but to denounce them. From that time until he was made a prisoner, every step he took was with an object of getting greater control over these people for his own purposes. Does not the evidence show this clearly? What does he ask when in a position to ask something for his people? At the time when he was negotiating or authorising others to negotiate with the Government for him, was any attempt made to negotiate for the settlement of the half-breed claims? Does he tell them: "Yes, I will give up this agitation, I will go back to the United States of America and abandon this territory, and will not show myself here again if the Government will yield that which has been demanded for so long, and will redress the grievances of the half-breeds?" Is that the language which he holds out? It is not; but the language he holds is that, if they will pay him \$100,000 or, as he afterwards comes down, \$35,000, then he will forget the half-breeds; he will forget the race he comes there to represent; he will forget everything but that which was uppermost in his mind, that for which, in my opinion, he came there in the first place, to obtain for himself power and position, and to use these people for that purpose. He is willing to go back again if he is paid so much money, and, when he is told afterwards that the Government have telegraphed and made arrangements by which the claims of the half-breeds will be looked into by a commission and settled, what do we find him doing? That does not suit his purpose. He says: "It is too late, we want a war of extermination; we want to teach them a lesson; we want to take up arms." Perhaps those exact words are not in evidence, but that is the

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substance of what he said. He does not want the claims of the half-breeds, for which he professed to have so much sympathy before, settled now, because he is afraid that if they are settled his own claims will not be recognised, his own claims for money or position will not be recognised. Is that evidence of insanity? One of the witnesses who went there to swear his belief that Riel was insane, gave as one of the symptoms of insanity, that he had no control over his actions in certain particulars. Had he not full control of his actions, as the witness was asked? But it was desired to leave the impression that he could not control his actions when he got into matters of politics or religion, and yet he was quite willing to control his actions and to return to the United States for \$35,000; willing to give up everything in the North-West which was so dear to him, as he said and as he wished the people to believe. I think that showed that he had perfect control over his actions, when he could have controlled them to such an extent as to return to the United States if he had obtained what he desired to get. With all these reasons, I can only come to the conclusion that Louis Riel came into that country for the purpose of gain to himself, and, to some extent, for the purpose of revenge, and that he tried to make use of these people for the purpose of succeeding better in his aims, and not in order to get their grievances remedied. What do we find? Was he actually at the head of these people who claimed that they had grievances? Would it not be natural, if he came there to redress the grievances of the half-breeds, and they weighed so deeply upon his people, if they were such great wrongs, is it not reasonable to suppose that the people who carried this weight would join him in the rebellion? Were they the people who joined him? I am told, and I believe it will be found to be correct, that, when the commission went out to examine into those grievances and sat there, there were only sixteen of those who followed Mr. Riel in his rebellion, who made claims before that commission, and yet we are told that some 2,000—though I believe the correct figures are 1,600 and odd, and not 1,700—claims have been settled. If he intended to get these grievances remedied, it is natural that those people should have followed him, and no other; and yet of those who followed him, and took up arms, only sixteen appeared before the commission, when they had abundant time and opportunity to present their grievances. Then I say he was not at the head of those who had grievances, those who had the grievances did not join him at all, the large majority, some 1,600 of them, did not join him at all, and had no sympathy with him, so far as they showed it during the rebellion. Further, out of those 16, 15 under oath or solemn declaration, stated to the commission that they had been forced by coercion on the part of Riel to join in the rebellion—not because they felt the weight of those great grievances, not that they thought that the Government had wronged them so grievously that they had risen in rebellion, but because they were afraid of the man who was leading them on. What do we find in the case of those who attempted to contradict him? Where were the priests who attempted to give him counsel? Did he not disown them? Did he not try to raise their congregations against them? There were one or two—I do not remember their names—whom he took prisoners and brought before his council for trial, because they did not want to join in the rebellion. We are told that he came there to use constitutional means, to agitate in a constitutional way, to get petitions prepared and sent to the Government, to act as a constitutional man would do to get the grievances remedied, and that it was the half-breeds, feeling so strongly on the matter, who led him, and not he who led them on. That is the inference to be drawn from some of the speeches which have been made, and yet we find, when the time for action comes, that he is the man who leads them on at the point almost

of the bayonet, to take up their guns and fight against Canadian authority, and those who will not yield to his authority he denounces and ridicules and takes prisoners, and he holds them and brings them before his council, and even gets them condemned to suffer death at his hands because they will not follow him. If there is any truth in the statement that he came here for the purpose simply of leading these people on in a constitutional manner, would he have resorted to these things? I say: No. It is simply an evidence of what he came there for first. He told it himself. He said the war, or rather the rebellion, or the bloodshed which took place in 1869-70 was nothing to what he intended to do in 1885; he would show where the blood was going to flow. And yet we are told he went there to conduct an agitation in a constitutional way. I cannot come to any other conclusion than that he came there with no purpose of conducting these people to get their grievances redressed in a legitimate and constitutional manner; and it is their own proof we have for it. What has been done since that? Only a few days ago, I was reading in the press that a large meeting took place near the very spot where the rebellion broke out. This was a large meeting of French half-breeds, and it was most harmonious and complimentary to the Government in its expressions, and the name of Riel was never mentioned. If they had any sympathy with him, is it not to be supposed that they would have given him credit, and would have said, "After all, he has obtained for us what we have got?" But no; we find that at that large meeting they passed resolutions praising the Government for what they had done for them, and had not a word of sympathy for Riel. My opinion is that these people, instead of being favorably impressed with him were unfavorably impressed with him, and would have much preferred that he had not come into their midst. My opinion is that he forced them to this rebellion, to take up arms in the way that has been described against their better judgment and against their wishes. But, Sir, he did more than to incite these people against the constituted authority and against the Crown. Some people think that they would have been justifiable if there had been sufficient grievances to be remedied. But it is to be remembered that the first action of Louis Riel was not to take up arms against the Government of the North-West Territory. He first goes to some of the largest stores in that region and commits open robbery; he goes into their stores and forces the owners through fear and intimidation to give up—what? Give up anything for which they were suffering? Give up provisions to feed them because they were starving, or to give up clothing to cover them because they were suffering from the cold? Nothing of that kind. It might be excusable for destitute men who are unable to get enough to eat or enough to wear, and who have been suffering for a long time—I say it might be excusable for them, when they found a store full of those things they so much needed, forcibly to appropriate them for their own use. But these people required no such things. Louis Riel at their head, they go to a store of a Mr. Kerr, if I remember his name rightly, and what is it they demand from him? Remember Mr. Kerr is not an agent of the Government who has charge of provisions which he is authorised by the Government to deal out to the Indians or half-breeds, but he is a private individual living in their midst, engaged in legitimate trade like every other merchant, and living amicably amongst them. They go to him and they do not ask him for anything of this kind, but Riel says to him: "Give me all the guns that you have here, all the bullets you have here, all the ammunition you have here." What for? We want these things to prepare ourselves to fight the authorities of the Dominion, to resist the constituted authorities of the Dominion Government, or anybody else that may interfere with us. I say is that not high-

handed robbery on the part of Louis Riel? Where was the justification? There was none. At that time, I believe, nothing had been done by the Dominion Government that showed that it meditated force against these people, nothing had been done at that time to give any evidence that the Dominion Government was going to send armed troops against them. But they themselves, headed by this man, though not of their own will and accord, were the first to commit acts of violence and depredation. And this is the individual for whom we are asked to show sympathy? Oh, it is a pretty thing to talk of sympathy! I admired the other night, as much as any man in the House, the eloquent language of the hon. member for Quebec East (Mr. Laurier). I admired the language he used when he appealed to the members of this House for sympathy for Louis Riel and those who had joined in that rebellion, but, Sir, I thought that the sympathy was ill-placed. Certainly his language was beautiful, and if it had only been applied to a good cause, for people who were suffering, for those who had been made to suffer in spite of themselves, if it had only been applied to those poor priests murdered at the hands of those Indians incited by Louis Riel, if it had only been applied to those soldiers who went up there with their lives in their hands—to their families, to their wives and mothers, sisters and brothers—if he had only appealed for sympathy to them, in the beautiful language which he used in appealing for sympathy to a criminal, how much more effectual, it seems to me, it would have been with the people of this country. If he had only used those burning words, which we all admired so much, on behalf of those people I have mentioned, instead of Louis Riel, then, Sir, I would not only have been charmed with his discourse, but I would have been convinced that he was speaking the true sentiments of the people of this country, when they had calmly looked upon the situation as it existed. But, Sir, he forgot also some other victims when he was expounding this large amount of sympathy upon Louis Riel, and complaining that clemency had not been exercised towards him. Why did he not expend a little of his breath and of this eloquence so beautiful, over those other men who were executed as well as Louis Riel—those seven or eight Indians who were also executed in the North-West? What were they fighting for, pray? Had they not joined the rebels? Had they not been led into the fight by the advice of Louis Riel? Were they not fighting for the same cause as Louis Riel? Surely they were fighting the Dominion Government, they were killing the white people, and they murdered upon the fields there some seven or eight in one day; among whom were two priests who had gone among the half-breeds trying to do good. Yet, not a word of sympathy did the hon. gentleman bestow upon these people. He told us that one life was sacred, that one life was enough to draw from the human heart that sympathy which he called for, and also from the treasury of the country, money for the purpose of sending men to save even one life, if no more than one could be saved. Sir, the lives of these other people who were sacrificed were to me just as precious as was the life of Louis Riel. And why not? They were people of our country just the same, people for whom we should have just as much regard as for Louis Riel. And yet, not a word of sympathy did he extend to these people who were hanged on the scaffold just the same as Louis Riel. Sir, it is not to them alone that we should be asked to extend our sympathy, but to those who have sacrificed their lives for their country. And I ask the people of this country, I ask particularly those people in my own constituency, and in the Province of Quebec, where I have no doubt the people will be flooded with the eloquent speech of my hon. friend, flooded with the speeches which have been delivered here on the other side of the House, and those representations made for the purpose of forming public opinion, and though I am not able

to make as eloquent an address as my friend, and appeal to the sympathies with as much force as himself, still, I would ask them to put aside for the moment that misplaced sympathy, and to look at the facts in a sober, calm and dignified manner. Let them read his speech if they will, and they cannot read it with greater pleasure than I have listened to it, and will read it over again in my leisure moments; but, Sir, when they have read it, let them ask themselves this question: On whom is bestowed all this beautiful language? On whom is bestowed all this sympathy? What were the great grievances that led this man to take up arms against Queen and country? Had anybody been imprisoned? Had anybody been murdered? Had anybody been deprived of his kith and kin? Had anybody's freedom been taken away from him? Had anybody's mode of worship been interfered with? Had anybody's mode of gaining his livelihood been interfered with? Had anybody's property been taken away from him? Had anybody been robbed in any way or dealt with contrary to the laws of our country, that these men should have taken up arms? If they ask themselves these questions, they will have to answer every one of them in the negative. Well, what was it then that required this man to be sent for from the United States after his record of 1869-70? What was it that required the use of arms to remedy? I ask them to put to themselves that question before they are led away by the eloquence of my hon. friend. Let them calmly come down to the facts of the case, and see if they can find any tangible reason, any grievances sufficient to justify those people in taking up arms against the Dominion Government. Were they fighting for their freedom, fighting for their mode of worship which had been interfered with, fighting for rights of which they had been dispossessed, feeling that death was preferable to any kind of slavery from which they were suffering? Will history say that they were fighting for a good cause, and in order to maintain their freedom and prevent themselves from being made slaves? But I say such language should not be applied to the grievances in the North-West. The half-breeds were not slaves, and were not interfered with in any way. The words of sympathy, the burning words of sympathy expressed by the member for Québec East, were misapplied to Louis Riel, who did not fight for a good cause, or for a cause requiring a leader, or for a people oppressed, because they had forwarded petitions to the proper quarter. The attention of the Government, moreover, had been turned to the position of the half-breeds, not only by words but by Act of Parliament and surveys had been made; and all these things having been done, there was no ground for sending for a leader to come to the North-West to represent a cause which did not exist. Again I ask the people of my native Province, those who are most dear to me—although as a public man all classes are dear to me—but I ask those who are dear to me on account of the ties of blood and religion and nationality, the French Acadians of New Brunswick, I will go further and say the French Acadians of the Maritime Provinces, those who have in the past honored me by calling me, most unworthy though I am of the title, their leader in politics, not to be led away by the burning eloquence of any man who appeals to them for a cause not worthy of support. I ask them to look at the facts as they exist. And if they find that the people of the North-West had grievances even then the rebellion would not be justified. But if they find they had such grievances, let them consider whether the Government brought to the alleviation of those grievances that amount of energy, attention and perseverance which they should have brought. But I do not think they will find the Government was negligent in that respect. I appeal to them because I believe their past history places them in a fair position to judge of these matters. They have suffered, they have suffered very much

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more I was going to say than the half-breeds of the North-West ever did. I repeat that the French Acadians in New Brunswick and Nova Scotia have suffered more than the half-breeds of the North-West; and would it have been good advice to have advised them to take up arms? If they had had a Louis Riel would it have bettered their cause? I say, no; but, on the contrary, it would have inflamed opinion and made matters worse for having such a man in their midst. History tells us that when the French Acadians in the parish where I was born, some fifty, sixty or seventy years before the time to which I am referring, settled on lands in the county of Westmoreland on the banks of the Memramcook and the Petitcodiac, squatters you may call them for they had no title to that property, though they had cultivated their lands and brought up their families and had made their living out of their lands, those people after being there for a length of time, small in number and no one in the midst of them with influence in the councils of the country, and no representation in any matters connected with governing public affairs, were visited by a stranger in their midst. What was the object of his visit? It was to say to those people: I have a grant of all these lands on which you have settled; and he exhibited some old piece of parchment showing them that he had a grant of all those lands, eleven miles long extending from the mouth of the river almost to its head, including a prosperous settlement and a considerable number of people living happily, peacefully, harmoniously, docile and obedient to the laws of the country and as loyal to the Government and constitution under which they lived as any men surrounding them, although they had not the same voice in the Government of the country. But that stranger came along and said: These are my lands and I will dispossess you. What was done? He did dispossess them; he brought actions at law and dispossessed them. And those poor people were only able to retain such land as they had actually had in undisputed possession for twenty years, and all the rest they were obliged to surrender although they had been cultivating it for years and had considered it their own. I do not say it was wrong legally for this stranger to claim his rights. He possessed the land by virtue of his title; he put the people out, or they were obliged to buy from him at a stipulated price. Would it have been good advice to have told those people that their forefathers had been driven away from other lands and come and settled here, and you have grievances, and you had better take up arms against the Government. It would have been poor advice, and had I been there, knowing what I do to-day, I would have been very loath to have given it them. And I am glad no Louis Riel gave them that advice, and led them in revolt against the Government of the country. Down to the present time I venture to say that many of those people, both in Nova Scotia, New Brunswick and Prince Edward Island, have had as great grievances as the North-West half-breeds have endured, because they have felt, as the North-West people feel, that they were not exercising that amount of influence, receiving that amount of patronage and attention to their rights as they deserved. Would it have been wise for those people, because they are a minority, to have joined in this agitation started in the Province of Québec, and declared to those people: "You see your brethren in Québec, and that there is a war being made on the French people; join them; we know all about grievances, and knowing all these matters we will join in arms; not in arms, but in this movement for revenge." It would not have been good advice to have given them. I ask them to continue living peacefully and in order, and abiding by the laws and constitution. I believe that is the best advice to give them. I do not believe in inflammatory speeches, and if we condemn inflammatory articles and speeches, let us condemn them when they are made by the minority as well as

the majority. Let me say to any with whom I have influence among the people who know me best, and indeed to any of the people of the Dominion, that my endeavor will be in the future, as I hope it has been in the past, to condemn at all times anything inflammatory, anything calculated to set one portion of the people against the other, and anything that will have the effect of making the people rise in rebellion for grievances that do not always exist. It must be only in extreme cases that rebellion must be had recourse to. I willingly join the hon. member who preceded me in stating that I hope representatives from all quarters of the Dominion will learn the lesson. When they find the press, whether representing their sentiments or opposing them, saying to the other portion of the community to come and rise in rebellion, and the answer is made: "If you rise in rebellion, you will fare worse than you did in the past"—I say, these are threats which should not be made by either one side or the other; and it is the duty of every public man, as I feel it to be my duty to condemn such language, to say that it is not right to rise in rebellion, to say that those who do rise in rebellion should not be raised to the dignity of patriots, to say that their names should not be engraved on the hearts of any people in Canada; but that it is those that went to fight for the maintenance of law and order, and to secure the peace and prosperity of their country, who should live in the hearts and memories of the people.

Mr. GUAY. (Translation). Mr. Speaker, in rising to express my opinion on the important question which is now before the House, I do not at all pretend to answer to the brilliant speeches of the distinguished orators who have preceded me, nor to that of the hon. member for Kent (Mr. Landry) who has just taken his seat; but I owe it to my country, and I owe it to my Province, to state here, before the country, what I think of this question, any why I shall vote in favor of the motion of the hon. member for Montmagny (Mr. Landry). The motion which is now before the House, and which involves a simple motion of censure against the Government for having allowed the sentence of death pronounced against Louis Riel to be carried out, does not express all the disapprobation with which the execution of the unfortunate leader of the half-breeds has been received in the country. However, I shall vote for that motion, and this House will allow me to say, with a journalist of Quebec, that Louis Riel should not have been executed, because on the 16th of November last this unfortunate man represented on the scaffold of Regina a principle of justice, a principle of civilisation which the Government has wantonly ignored. I shall not weary the attention of the House at this late hour of the night by recalling the well-founded grievances of the half-breeds nor their numerous demands, nor the provocations of the Government employees in the North-West, nor the part taken by Louis Riel in the rebellion, provoked by the refusal of the Government to give justice to his countrymen. These facts have already been discussed lengthily and in a brilliant manner by the hon. gentlemen who have preceded me. Therefore I shall limit my remarks to the event which the arbitrary action of the Government has provoked in the country, and especially in the Province of Quebec. I shall also examine the reasons given by the Government to justify their conduct, and I shall state why the Government are not justifiable in having ignored the verdict given by the jury at the trial of Louis Riel. The Province of Quebec, from which I come, has protested more than any other Province of this Dominion against the execution of Louis Riel. But this House would be laboring under a great delusion if it should believe that the drama of Regina has been the only cause of this constitutional and almost universal agitation which has taken place in the Province of Quebec during the last few months—agitation which, in high circles, has been called a sudden blaze, but

which, I believe, is just as bright now as it ever was, and is certainly very far from going out. The provoking tone of a certain press which is friendly to the Government, the unprovoked insults thrown at the people of the Province of Quebec, have been a cause and a very important second cause of this agitation. A third cause, which I will only mention by the way, is the disapprobation of the general policy of the Government in the Province of Quebec. Therefore, Mr. Speaker, I may say that the execution has only been the extra drop of water which has caused the overflow of popular indignation. As regards the first cause of the agitation, I must say that if the execution of Louis Riel has produced a deep feeling of disapprobation in the Province to which I belong, it is because the press of the country, the Ministerial press especially, had brought about the prevalence of the certainty that Riel would not be executed. And do you know why, Mr. Speaker? It was because, according to the Ministerial papers, if the half-breeds of the North-West, having Louis Riel as a leader, had thought fit to take up arms to defend their cause, that was owing to the fact that the Government had ignored their just claims, and that behind them were people who were more to blame than themselves, and who had instigated the rebellion. And I am glad to find that the hon. member for Provencher (Mr. Royal) has admitted these important facts, and has acknowledged that if the half-breeds of the North-West have rebelled it was because the Government had been exceedingly unfair in their dealings with them, in fact that the unfairness of the Government towards the half-breeds had been still worse than that which they had shown towards the Indians. Secondly, it is because the rebellion had been brought about by the white settlers who had been the leading agitators. A third reason is that the Farmers' Union of Manitoba had made the rebellion. Fourthly, it is because for several causes, under the control of the Government, the recognition and settlement of the claims of the half-breeds was considerably delayed. Fifthly, because the white settlers, and especially a man of high authority, Lawrence Clarke, had convinced them that after fifteen years of useless supplications and vain appeals on their part, the Government was about to give to their petitions an answer in the shape of five hundred men and some leaden bullets. Well, this avowal on the part of the hon. member for Provencher is an undeniable proof that the whole responsibility of the insurrection ought not to fall exclusively upon Louis Riel. I will say more: I will say that that same press asserted that if Louis Riel received capital punishment every French Canadian must come to the conclusion that the Government was sacrificing him to the fury and hatred of the Orange lodges of Ontario, who desired to avenge the murder of their brother, Thomas Scott. This, Mr. Speaker, is the manner in which the Ministerial press prepared the agitation. Therefore we need not be surprised at the large proportions reached by this agitation, and, to prove my assertions, I may be allowed to quote a few extracts from *Le Canadien*. I chose that paper in preference to several others published in the city of Quebec, because I believe it has the largest circulation in my district and has the most to do with forming public opinion. Here is what *Le Canadien* said on the 16th of November last:

"This date will hereafter be a day of mourning and of shame for us. Gold-blooded cruelty has been shown. A respite has been granted to Riel. The people was made to go through all the anxieties of clemency, and at the moment when these lines shall be read Riel will die. From his body will go forth 'the vacillating soul which for a long time was bruising itself and maintained itself on the wings of insanity' like a bird caught in a trap.

"Our history, which had been spotless up to this time, may veil its face, may put a black mark on the page which shall contain the account of the judicial murder of the 16th of November.

"This judicial murder is furthermore a national insult. We shall speak about it in proper time.

"We find among the papers of a college mate of the Regina prisoner a rhapsody in blank verse, which the late lamented Oscar Dunn attributed to Louis Riel:

"I am thine, he said; thine oh my country is this heart, this soul of mine. What should I love if I did not love thee.

"The interior of my breast is a church; thy image is the altar. Let the altar subsist, and if necessary I shall overthrow the church.

"And from my crumbling breast the following prayer will burst forth—this last prayer—

"A blessing on my country, O God, Thy blessing on her.

"I do not tell it to anybody; I do not cry it out on the prairie, nor on the roads, that thou art what I love best in this vast universe.

"Secretly, I follow thy footsteps, ever faithful, and not like the shadow which accompanies the hunter only in fair weather,

"But as the darkness increases when night comes on, my sorrow augments when the shades of night come down upon thee, Oh my country!

"And I go where all thy devotees, raising their cups, ask, the Fates to shed a new ray of brightness on thy holy life; and I drink to the last drop the wine of the brimful glass, a very bitter wine, for alas, my tears fall into it."

"These are certainly very fine sentiments. They betoken a great spirit of patriotism; but if these words are from Riel, was not the spark of insanity then inflaming that brain which the hand of God has been pleased to touch later on, by applying to it these words of the hymn, 'humilavit superbos?'"

"The interior of my breast, he said, is a church; thy image, Oh my country, is the altar! Let the altar subsist, and, if necessary, I shall overthrow the church for its sake."

"Is there not in these few words the mysterious and terrible germ which, later on, drove Riel into religious monomania, into the folly of greatness, before handing him to the executioner?"

"We shall mourn the useless murder of Louis Riel. His cause was not ours. *Le Canadien* has said so to all who have read it; but the cause of humanity is universal; neither Riel the madman, nor Riel the politician, have a right to enter proudly into history by ascending the steps of the gallows."

"More fortunate than others who have seen themselves dying by piecemeal, in the prison cells or in the asylums destined to monomaniacs, Riel the insane died joyfully, finding glory and renown in his insanity. His soul imprisoned in his proud, brutal, unconscious body, has found her wings. It must be now purified in the hands of its maker. Disencumbered from its mean swaddling clothes which choked it and trammelled its impulses, it has entered forever into the realm of light and of history."

A few days afterwards the same paper, this time making a violent charge against the Orangemen of Upper Canada, insinuated that if Louis Riel was dead, it was only, as I stated a moment ago, in order to satisfy the fury of the Orange lodges. It said:

"A political crime has just been consummated.

"Riel has died on the scaffold.

"This judicial murder involves besides a crying insult to our race and to our religion, for in this wanton murder it is the Orange opinion which has predominated.

"Let us therefore tell our people who are those who think that the French Canadians must disappear and that we must strike them wherever they show themselves. Let us tell them what those fanatics are, what they have done, what they intend to do."

I might quote a great number of extracts from newspapers, but I do not wish to take advantage of the patience of the House, and I will be very short. A second cause of the constitutional agitation which took place in the country has been the dissatisfaction of the Province of Quebec, as regards the general policy of the present Government. Let it be well known and let this House not forget it, for the Province of Quebec has not forgotten that after pledging her to do her full share towards paying the hundreds of millions which the construction of the Pacific Railway must have cost, by holding out to her, as a compensation, the glittering hope of the North-West trade, the Government has allowed the Canadian Pacific Railway Company to deviate 250 miles away from the centre of the population and left her isolated with the obligation of paying her share. And the people, especially in the Province of Quebec, had not forgotten, that for years and years the Government had turned a deaf ear to the representations of the unfortunate half-breeds of the North-West, who had sent them prayers upon prayers, petitions upon petitions, deputations upon deputations, in order to obtain justice and to put an end to the ruffianly acts of which they were the victims on the part of the Government employees. The people of the Province of Quebec had not forgotten that, instead of granting their just

Mr. GUAY,

claims, the Government had continued to allow them to be wronged and despoiled until at last there was an outbreak, which brought with it the sad event which terminated by the drama of Regina. Consequently, when the unexpected execution of Louis Riel was known, the popular indignation was at its height and a loud cry of reprobation was heard from one end of the country to the other. Is it a wonder, Mr. Speaker, that the Province of Quebec should have protested more than any other Province in the Dominion against the injustice which had been committed in the execution of Louis Riel? Is it surprising that the French Canadians should have been aroused when they saw a certain number of their countrymen of different origin, rejoicing on Riel's tomb and throwing insults in their face? For, Mr. Speaker, if Riel went beyond the limits of a constitutional agitation, in his defence of the rights of the half-breeds, if he was found guilty by the jury, it was not as a vulgar assassin, but it was for having taken up arms against the Dominion Government who refused to give justice to his countrymen. Louis Riel never pretended to rebel against the authority of the Empire, he never ceased for a moment to hoist the British flag, for, like all British subjects, he knew that the British flag, in a well-governed country, has within its folds principles of justice and fair play, and it would be an insult to the flag which protects us to pretend that any fair play was shown to the half-breeds of the North-West. Louis Riel has been guilty of violence, I admit it, Mr. Speaker; he even went beyond the limits of constitutionality; but it is clear that he never intended to infringe upon the rights of the Crown as represented by the Government of Canada. Therefore, he was guilty of a political offence, and for a long time past, in civilised countries, political offences have not been punished by death. The half-breeds only asked one thing: They asked that justice should be given to them, and justice was not given to them. Will it be pretended, that in the countries over which floats the British flag, justice is not always the same whether people inhabit the shores of the Thames, the shores of the St. Lawrence or the banks of the Saskatchewan? Under such circumstances the great majority of the citizens of the country had reason to believe that the death sentence pronounced against Louis Riel would be commuted at the last moment. The recommendation of the jury to the clemency of the court, the solemn promises that the execution would not take place, promises which were made up to the last moment to the hon. members from Quebec, the many respites granted, the doubt on the mental state of the prisoner; I should say at once the insanity and irresponsibility of the prisoner, the supplications of a whole people, and above all the guilty neglect of the Government and their officers in the administration of the affairs of the North-West, which has provoked the rebellion of the unfortunate half-breeds of the North-West, had caused the prevalence of the certainty that the Government of the country would never dare to defy public opinion by allowing the execution of the sentence of death pronounced against Louis Riel. And allow me to say, Mr. Speaker, that the Canadian people would be most happy to-day were we not compelled to upbraid the Government for having committed this political crime, this judicial murder. Sincerely believing that the Government should not have ignored the jury's verdict recommending Louis Riel to the mercy of the court, were not the citizens of the Province of Quebec justified in protesting and in saying in their meetings that the Government had done wrong in ignoring that verdict, and in not commuting the sentence of death pronounced against Louis Riel? Consequently, what they did was a constitutional act. The agitation which has followed was not made, let it be well known, for a purely political object; its object was to protest against the injustice of the Government. There was nothing in these protestations to frighten our fellow-citizens whose origin and creed differ

from ours. We did not ask to obtain new rights; thank God, we have no more conquests to make as regards political liberties; what the Province of Quebec demanded was not even the particular rights of the French Canadian people, but the rights of civilisation and humanity. No doubt, Mr. Speaker, it is hardly possible, under these circumstances, to forget the question of race and religion, but it has never had precedence on the question of political rights. In all civilised countries mighty voices have been heard demanding the commutation of the sentence of death pronounced against Louis Riel. In all civilised countries protestations have been heard against the Government who had allowed that sentence to be carried out, and was it reasonable to suppose that we French Canadians would not be allowed to protest? Mr. Speaker, it would have been difficult to have silenced our voice at a time when unprovoked insults were thrown in our face—perhaps to soothe our sorrow as they thought—by a certain press which supports the present Administration, and who upbraided us for our admiration of the bravery of the half breeds, and the coolness and manliness of their unfortunate leader on the gallows of Regina. It will be readily admitted, however, that there is a great difference between the admiration for a people struggling for their rights and the act of encouraging them in their revolt against the constituted authorities. Now, in order to restore peace in the North-West Territories, and especially to maintain it, was it necessary for the Government to take Riel's blood? This House will admit that the Government might have easily dispensed with this useless act of cruelty, and that they are mistaken if they think that by so doing they have overawed or terrified the Indians and half-breeds. On that subject we have the opinion of Mgr. Taché himself, who is an authority on the subject, and who states that the reverse will probably take place if we are to judge by the effect produced upon them by the display of our formidable armaments. Here is what Archbishop Taché says in his work on the situation in the North-West, page 15:

"I have read within a few days certain remarks which seemed very strange to me; they were—must I say it? jokes on the hanging of the Indians at Battleford. The author of that nonsense went so far as to threaten to hang all the Indians of the North-West in order to give them an efficacious lesson. That the canon should be the last argument of kings, is a sufficient matter for regret, but what is to be said of those who pretend that the hangman's rope should be the first argument of christian civilisation towards our Indians on the occasion of the first serious difficulty we have with them?"

"Before concluding these remarks, I feel bound to state what is, with regard to the Indians, the impression made on them by the events which occurred in the North-West. I do not know what they think of the executions which have just taken place, but I know very well what they think of the movements of our troops. The people of Canada would be in error if they thought that the Indians of the North-West are terrified and have a very exalted idea of our armaments; it is the contrary which is true. This result may surprise some, but, surprising as it is, it has its dangers and it is proper that it should be known in order that mistakes may be avoided."

Therefore, Mr. Speaker, I am justified in saying that the Government would have obtained a much more satisfactory result by using clemency and by commuting the sentence of death pronounced against Louis Riel. Therefore, I will say with Archbishop Taché: The Government have allowed the execution to take place; let them bear the whole responsibility of it, and it is an indignity to shift it to other shoulders. But this House has a right to judge the reasons given by the Government to justify their conduct. I will admit, Mr. Speaker, that I was anxious, very anxious to know what were the high reasons of state which the Government would give for not accepting the verdict of the jury of Regina recommending Riel to the mercy of the court. The hon. Minister of Public Works has given one, which, in my opinion, is far from being acceptable, but let us hear what the hon. Secretary of State, speaking on behalf of the Government, has to say, and let this House take notice of the one and sole reason which he has given to

justify the Government. Here is what he says in a speech delivered to his constituents:

"Last winter, Louis Riel was not taking his first steps in his career of high treason. His rebellion of 1869, the useless murder of Scott, whose execution he ordered when it was impossible for that poor unfortunate man to do him any harm."

And elsewhere:

"To pretend seriously that a man, once guilty of high treason and murder, once pardoned and then taken carrying arms against his country might expect to escape with his life, would be to show a degree of assurance which Riel himself never had, because when he left Montana he himself declared that his head might be the price of the step he was taking."

"This doctrine of mercy in favor of political offenders could not, even if it was recognised, be applied to the man who in cold blood let loose on his countrymen the savage hordes of the Indian tribes."

Therefore, Mr. Speaker, the great reason which has induced the Government to refuse, in 1885, a commutation of the sentence of death pronounced against Louis Riel, was, that Riel was a relapser, that Riel was unworthy of sympathy, because he was the murderer of that poor Scott, that he was a wretch, and that for these reasons he deserved capital punishment. And yet, in the Legislature of the Province of Quebec, in the month of December, 1874, the hon. Secretary of State moved a resolution stating that it was impossible to assimilate the action of Louis Riel in 1870 to the felonious acts which are ordinarily punished by law. What will the Ministerial press now say about the hon. Secretary of State and his colleagues in the Government after this avowal that Louis Riel was guilty of murder in 1870? Will it devote him and his colleagues to the hatred of the French Canadians, or will it disown its writings of fifteen years against the hon. leader of the Opposition? No, Mr. Speaker, the reason alleged by the hon. Secretary of State cannot be admitted, because, whatever may have been the faults of Louis Riel in 1870, the law could not certainly reach him in 1885, for offences which must necessarily have been obliterated by five years of banishment. I will say even more, Mr. Speaker, if the Government, in 1885, were of opinion that Louis Riel was still amenable for the murder of Thomas Scott, why did they not have him arrested in the month of June, 1884, the moment he set his foot on Canadian territory? What an amount of trouble, of disappointment would have been averted from the country? What a number of precious lives would have been spared? The blood of our brave soldiers would not have stained the plains of the North-West. Well, assuming that all the reasons invoked by the Government and their friends to justify them in allowing the sentence pronounced against Louis Riel were adequate, I believe the doubt on the mental state of the prisoner was sufficient to settle the question. There is one opinion admitted by the medical profession, and it is that the moment a poor unfortunate suffers from any mental disease whatever, he cannot be considered as responsible for acts committed even outside of his mania. And what is the conclusion to be inferred from the depositions of the different medical experts who have been heard at Regina during the trial? I will not quote the long depositions of Drs. Roy, Clarke, Jukes and Wallace, others have done so before me. However, the House will allow me to say that Dr. Wallace, although he is one of the medical experts who stated under oath before the court at Regina during the trial, that they thought Riel was sound in mind and responsible for his acts, Dr. Wallace, I say, admits that he has based his judgment on a conversation he had with Riel, which conversation only lasted half an hour. Besides he is forced to admit that Riel might have been insane and irresponsible without his being able to discover in him any symptoms of madness. He said furthermore, that he had happened to treat poor unfortunates deprived of their reason who had been under his care for weeks, in the lunatic asylum at Hamilton, without his succeeding in discovering

any symptoms of madness. He also admitted that Louis Riel was suffering from megalomania. What says Dr. Jukes, Surgeon in the North-West Mounted Police? He says that he never tried to discover whether Riel was sound in mind or not. He conversed with him when he made him his ordinary visits, but he never tried to find in his conversation any trace of madness. He never specially examined whether he was insane or not, but he admits that there are cases of madness which can only be discovered by touching accidentally the subjects on which the patient raves; the subjects on which Louis Riel was wont to rave were religion and his providential mission to the North-West Territory, and he admits that he has never had any conversation with him on any of these subjects. What says Dr. Clarke, Superintendent of the lunatic asylum of Toronto? I have no need to read his evidence, it has already been quoted before the House. We know the opinion of that learned specialist. He does not hesitate to state that Louis Riel was certainly suffering from megalomania, and his opinion is shared by Dr. Roy, of the Beauport Asylum, under whose care the prisoner was for eighteen months, and who positively swears that Riel was suffering from megalomania and was certainly irresponsible for his acts. Well, Mr. Speaker, what is the conclusion to be drawn from the depositions of those different medical experts? It is this: That if Louis Riel was not certainly suffering from megalomania or theomania there were at least undeniable doubts that he suffered from these diseases, and then the benefit of the doubt should have been given to him. But, in my opinion, the doubt completely disappears when it is proved that Louis Riel has been confined during nineteen months in the Longue Pointe Asylum and in that of Beauport. The report of the medical commission itself does not reach any other conclusion unless it is that he really suffered from megalomania or theomania. But a very extraordinary fact, which will probably be one of the greatest discoveries of our days, is that the medical men, very distinguished men, no doubt, who formed part of the commission, admit that Louis Riel had not the full enjoyment of his mental faculties when he spoke about religious and political questions, and still they declare him responsible for an act which is essentially political. Fortunately, Mr. Speaker, the medical faculty is not bound to uphold that conclusion and I am glad of it. I might multiply the quotations from authors to prove the irresponsibility of Riel; other speakers have done so before me and I will simply quote the opinion of Archbishop Taché himself on this unfortunate man in his work intitled: "La situation au Nord Ouest." Here is what he says:

"For my part twenty years of observation have given me convictions which are diametrically opposed to those which are invoked. I had too many reasons to study in their minutest details the dispositions and actions of my unfortunate protégé not to be in a position to know what he was and what may have led him in the lamentable ways which he has followed. For long years I have been convinced beyond all doubts that apart from his brilliant qualities of the mind and heart he was suffering from megalomania or theomania which alone can explain all that he has done up to the last moment. My convictions are sincere, but it cannot be inferred from them that all who do not share them are lacking in sincerity. The natural consequences of my convictions on this sad subject have been put aside and the hopes I had entertained until the last moment were blighted. Notwithstanding this disappointment, I will not allow myself to insult those who have caused it. I do not despair of the future of my country to the extent of believing that our public men are capable of allowing themselves to be influenced solely by hatred and by the cold calculations which it inspires." Probably his Lordship was mistaken.

"I am not aware of what took place in the Council of those who rule us, but I cannot believe that they have not consulted their duty. At all events they have assumed the responsibility, and I do not wish to give rise to difficulties nor to develop obstacles to which it would be difficult to assign a favorable issue."

This is what Archbishop Taché himself thought of his protégé Louis Riel. He had no doubt that Louis Riel was suffering from megalomania and theomania. Now, Mr. Speaker, by uniting the concurrence of circumstances which

Mr. GUAY.

militated in favor of clemency on the part of the Government, by bearing in mind, the fact, that Louis Riel was suffering from a mania which at two different times had necessitated his confinement in lunatic asylums, and by examining on the other hand, the more or less good reasons which have induced the Government to lay aside all principles of justice and humanity, I can arrive at no other conclusion but that the Government should have acceded to the verdict of the jury recommending Riel to mercy. And as they did not do it, I can only conclude that long before the trial the Government had decided that Louis Riel should expiate on the scaffold the crime of having revealed to his country the infamies of the administration of the affairs of the North-West. By not sending Louis Riel to the gallows, the Government would, undoubtedly, have admitted the extenuating circumstances of the rebellion which they provoked; and in order to cover the greatness of their crime, the Ministers decided to allow the sentence of death pronounced against Louis Riel to be carried out; but the people who will judge the Government on the day of retribution, must not forget the immense responsibility which bears down on the present Administration, and I hope they will not fail to say, that they withdraw their confidence from a Government who has, in defiance of all principles of justice and humanity, and for mere party considerations, allowed a poor unfortunate, deprived of reason and responsibility, to be executed. For these reasons I will vote in favor of the motion of the hon. member for Montmagny.

Mr. MACKINTOSH moved the adjournment of the debate.

Motion agreed to.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to; and House adjourned at 12.30 a.m. (Friday).

HOUSE OF COMMONS.

* FRIDAY, 19th March, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

MESSAGE FROM HIS EXCELLENCY.

Mr. FOSTER presented a Message from His Excellency the Governor General.

Mr. SPEAKER read the Message as follows:—

LANSDOWNE.

The Governor General transmits to the House of Commons, copies of despatches and other papers with reference to the transfer of Cape Race Lightship and Steam Fog-Whistle from the Imperial Government to the Government of the Dominion of Canada.

GOVERNMENT HOUSE,
OTTAWA, 18th March, 1886.

FIRST READINGS.

Bill (No. 58) to incorporate the St. Lawrence and Atlantic Junction Railway Company.—(Mr. Colby.)

Bill (No. 59) to incorporate the First Synod in the Dominion of Canada of the Reformed Episcopal Church.—(Mr. Beaty.)

Bill (No 60) to incorporate the Colonial Bank of Canada.—(Mr. Macmillan, Middlesex.)

DALHOUSIE BRANCH—INTERCOLONIAL RAILWAY.

Mr. DAVIES. I moved in the Public Accounts Committee that the vouchers in connection with the expenditure on the Dalhousie Branch of the Intercolonial Railway, part of which was contained in the Public Accounts of 1884, be referred to the Committee on Public Accounts when in the House. Certain grave charges have been made in connection with the construction and maintenance of the Dalhousie Branch and the Inch Arran Hotel. It is desirable these charges should be investigated in the Public Accounts Committee, where such officials of the railway as may be required, will be examined. I move:

That the items of expenditure of 1884 on the Dalhousie Branch of the Intercolonial Railway, contained on page 259, Part II, of the Public Accounts of that year, be referred to the Committee on Public Accounts.

Mr. POPE. There is no objection to that.

Motion agreed to.

EXECUTION OF LOUIS RIEL.

House resumed the adjourned debate on the proposed motion of Mr. Landry (Montmagny): "That this House feels it its duty to express its deep regret that the sentence of death passed upon Louis Riel, convicted of high treason, was allowed to be carried into execution;" and the motion of Sir Hector Langevin: "That this question be now put."

Mr. MACKINTOSH. Mr. Speaker: I have not come to a conclusion, regarding the motion now before the House without very mature consideration, and without looking at every point *pro* and *con* regarding a question which is not only fraught with vital importance to the future of Canada, but exercises a present influence upon society in the various Provinces of the Dominion. Representing, a constituency of mixed nationalities, mixed creeds and mixed opinions, I have always felt that it was my duty, before giving a vote, to know why I was giving that vote, and upon what information such action was based. Living side by side with a large number of French Canadians, some of whom sympathise to some extent with the unfortunate man, Louis Riel, I have learned to honor them for their fealty to what may be called a lost cause, though it may be a bad cause—for their generosity, their spirit and the admirable manner in which they are prepared at all times to take part in the discussion of political questions and to hear what is to be said on both sides. Looking back, as I have done, since I became acquainted with the population of this country, I have not failed to remember, when we have had to some extent to pay respect even to the prejudices of the French Canadians, that two hundred years ago the chivalry of France offered its best sons in order to secure a great country to the French Crown. I cannot forget also that, twenty-one years ago this very week, the Canadian Parliament was discussing the question of Confederation, and I cannot forget that a great French Canadian leader, Sir George Cartier, whose statue stands without these halls, was one who raised his voice for the purpose of inducing his people, those of his nationality, to become part of one great national family, and who worked heart and soul in solving the problem of constitutional Government throughout this Dominion. Looking upon it in that light, I cannot consent to become the apologist of Louis Riel, I cannot consent to call this Government criminal for punishing a great criminal, while that statue stands without these buildings, a silent monitor to us that we should learn the lesson of forbearance, the lesson of thorough union and harmony. I cannot make a hero of Louis Riel and by so doing tacitly consent to admit that he was a representative of the French Canadian sentiment of this country. You, Mr. Speaker, know, and I know, what brought about Confederation; what induced the people

of various nationalities to become one in heart, one in soul, one in instinct, in this country. We all recognise that the Hon. George Brown, at that time leader of the Reform party, was willing to bury the hatchet and to become a statesman for the time, and to unite with the leader of the Government in laying deep and strong the foundation of a great nationality in this portion of North America. But times have changed, and a few months since we found an hon. gentleman addressing a meeting on this very question, when the public mind was excited, and telling a public audience that if he had lived on the banks of the Saskatchewan he would have shouldered his musket; and, if he had shouldered his musket, what would he have done? He would have shot down the son of the hon. the leader of the Opposition, he would have shot down the son of the hon. the leader of this Government, he would have shot down the son of the ex-Minister of Finance. We find a Privy Councillor thus discussing that matter, stirring the passions of the people and teaching them violence instead of law and order. I feel that when he comes to deliberate upon the question calmly, he will find no large majority of the French Canadians prepared to endorse the opinion that any one man or any one Province, because it cannot have its own way, shall array itself in arms against the Government of the day. I do not believe that two-thirds of the hon. gentlemen who are advocating the cause of Louis Riel, the unfortunate rebel chief, are sincere. I do not believe that in their hearts they feel one touch of sympathy for him, and I doubt very much if some of them remember that there is an unfortunate widow at home mourning his death, and children mourning the loss of their father. Have we heard of their being looked after, fostered and protected by the hon. member for West Huron (Mr. Cameron) and other gentlemen who have shed tears in this House over the death of Louis Riel, and who have charged this Government with convicting him unlawfully and unfairly, and with being responsible for all the troubles in the North-West? I remember the old verses that tell us Satan finds some mischief still for idle hands to do. Had the hon. gentlemen opposite a policy which they could propound, something on which they could appeal to the people; had this Government such a record as could be attacked before the public and in Parliament, we should not have this question here to-day; but it is the result of a leader without a policy and followers who are ready to support that leader, not for the sake of the country, not for the sake of any national spirit, not for the sake of French Canadian interests, but for the sake of gaining office. It is a matter of supreme indifference to me whether I am in public life or not, whether I remain in Parliament or not, if by so doing I am obliged to sacrifice the national welfare; but, so long as I remain in Parliament, when a great question is to be considered and discussed, I shall discuss it from a point of view above partyism, above party feeling, and shall endeavor to establish every statement that I make, and to ask hon. gentlemen opposite to question those statements if they can. Sir, I became a politician early in life, still I do not desire the House to understand that I have yet reached a very advanced age. The reason I could not sympathise with the Reform party, now called the Liberal party, was that they never were a national party, and perhaps the only body that they ever sympathised with it in this country, of late years, is the party known as the *Parti National*. I looked at their record, I considered their public actions before deciding to join a party; I studied the history of Reform principles and found them mere professions likely to mislead, although calculated to flatter, young men. When I came to look at their record, what did I discover? That whenever in Opposition they always had a sectional cry; whenever they wanted power, they tried to crush the Irish Catholics, or to raise some sectional issue. Sir, I find that from the time the

party was founded upon anything like a solid basis, they drew their strength and their inspiration from abusing the Catholics of this country, and I only mention it now because to-day the same tactics are resorted to. I remember the elections many years ago, when I was but a boy. I remember one election in which Mr. Mowat, the present Premier of Ontario, was a candidate, and what was done to stir up the Protestants against the Irish Catholics? Why, placards were circulated throughout various constituencies with this inscription:

"SOUTH ONTARIO.—Pray. Pray that every man and woman look to Heaven for help. Vote for the Queen and Mowat, and Morrison and the Pope."

Then there was another:

"ESSEX PROTESTANTS.—Stand to your colors. The command has gone forth. The Roman Catholic Bishop has advised all true Catholics to vote for O'Connor, simply because he is a Papist. Protestants of Essex, will you submit to this? Shall we be ruled by Priests?"

Here is another:

"PROTESTANTS OF AMARANTH (West Wellington).—Be not deluded into voting for the Conservative candidate whose real name is O'Gowan, and who is a bigoted Papist of the worst class."

My hon. friend from Montreal Centre (Mr. Curran) has already referred to the *Globe's* course in abusing Irish Catholics, and I shall therefore refrain from any lengthy allusions. However, Sir, when discussing questions of this kind, they call back reminiscences of 1884, reminiscences of 1885. When we were struggling to put down rebellion in the North-West, he who had a true heart beating in his bosom, should have been at the front assisting the Government; and yet what was the reality? An attempt to array Orangemen against Catholics, French Catholics and Irish Catholics arrayed against Protestants, and a pamphlet containing Mr. Blake's great speech on Orangeism distributed amongst Catholics at a time when the public mind was already excited throughout Ontario—pamphlets franked and sent to the different constituencies to stir up the people against this Government, to make a little cheap capital for the party of statesmen in this House. Mr. Speaker, this is their platform: No policy; stir up the people; find something to do for our idle hands; and the result is to-day that we are rapidly approaching the hour when race will be arrayed against race, creed against creed, and section against section, and we are going back to the time when Confederation was looked upon as the panacea for our political ills. This can only be prevented by wise counsels prevailing and patriotic citizens doing their duty. Mr. Speaker, I desire to call the attention of the House to the position of the party when in power. In 1875 their chief organ deprecated raising sectarian prejudice in any community. This is from the *Toronto Globe*, when the hon. member for East York (Mr. Mackenzie) was Premier:

"It is wicked to raise sectarian prejudices in any community. It is wicked to aggravate the Catholic minority instead of appealing calmly to their reason or their judgment."

To-day we see the change that has taken place, and they are now trying to make the Catholic minority believe that the right hon. leader of the Government, who has given his life to lay the foundation of a great nationality in this country, would betray them, to make them believe that the Conservative party, who have fought their battles for thirty years, would betray them, and for political purposes execute Louis Riel. I ask hon. gentlemen to look at the position to-day; I ask if it is statesman-like, if it is patriotic, if it is truly national for us to be forced to stand here discussing a question that should be patent to the mind of every man who desires to maintain the laws of his country, who desires to maintain strict constitutional usage? Sir, there was another cry that the idle hands of the Reform party prepared.

Mr. MACKINTOSH.

From 1855 to 1857 we had in Ontario the cry of "French domination," the cry of "no popery," the cry of "representation by population," the cry of "no separate schools;" and the right hon. leader of the Government, together with many others who supported him then, were denounced in every possible way, because Conservatives would not repeal the nineteenth clause of the Common School Act and abolish Separate Schools. We had the Grand Master of the Orange Association beaten and others defeated by the cry in various counties; and then, mark you, they formed their Government, and what took place? The Hon. George Brown, who formed his Government, lasting two days, selected Mr. Thibeau as Minister of Agriculture, and that gentleman gave three reasons for joining Mr. Brown: The first was, there more Roman Catholics in the Cabinet than there had been in any other Government since the Union; second, representation by population to be granted with certain checks; and his reason was that a majority of the Cabinet had voted against representation by population—7 to 5. Then Separate Schools were to be granted. Mr. Dorion stated that:

"Until enquiries were made into the systems prevailing in such countries as Belgium, Ireland and Prussia, the system should remain as at present."

A period of comparative quietude followed; then the old tactics were introduced. We had an Irish League formed in 1871, we had demagogues sent through the country teaching the Irish that they were unjustly treated by the Conservative party, and an agreement solemnly entered into by the leader of the Reform party of that day—the virtual leader outside of the House, the Hon. George Brown—by which certain constituencies were set aside in which Irish Catholics should be elected, and in return for that they were to hand over the Catholic vote. In 1872, according to that agreement—and you will see how the Reform party usually keeps its pledges—Mr. O'Donohoe was nominated in Toronto East, Mr. MacMahon in London and Mr. McKeown in Lincoln. These gentlemen were defeated by an aggregate majority of 1,000. We had Conservatives nominated as follows: Mr. O'Connor in Essex, Mr. O'Reilly in South Renfrew, and Mr. Dormer in South Ontario, and they were elected by an aggregate majority of 1,192. Throughout Ontario to-day they have not elected one French Canadian, whereas the Conservatives have my distinguished colleague for this city, Mr. Tassé, and Mr. Labrosse in Prescott; and we have in the Provincial Legislature a number of prominent French Canadians. I ask you, Sir, if at any time we have entered into a corrupt bargain with the Irish Catholics, or people of any nationality, for the purpose of carrying an election? Sir, there has been a great wrong done to an Irish Catholic, but happily for him he has one of the ablest politicians, and one of the most brilliant lawyers in this country as his advocate—I allude to the hon. member for West Durham (Mr. Blake). A terrible outrage was committed on the Mr. Senator John O'Donohoe—Mr. Senator John O'Donohoe, who the hon. gentleman would not speak for in Toronto a few years ago when he (Mr. Blake) was in the Government, this Mr. O'Donohoe who left the Reform party because it was false to its pledges. And to-day we find the hon. gentleman and his supporters flattering the French Canadians and endeavoring to introduce another firebrand in order, if possible, to stir the passions of Irish Catholics. We find too, looking back at the record, that the hon. gentleman, when he refused to speak for Senator O'Donohoe in East Toronto, gave as his reason that he was not a property owner or voter there. That is a sample of the hon. gentleman's action, and I make that statement subject to correction, but I also say it having read the correspondence that took place after. There was another O'Donoghue the hon. gentleman had something to do with. The hon. gentleman

seems to possess the peculiar faculty of taking one O'Donoghue under his wing and doing all he possibly can to minister to his comfort. But Professor O'Donoghue was a Fenian, one of those who have been said to love their country not wisely but too well. I find the hon. gentleman's party prepared, upon very slender grounds, to condemn the Government for not commuting the sentence passed upon Louis Riel, but I find his whole party when in power in 1875, voting to a man against an enquiry into the case of Professor O'Donoghue when he came to this House asking for that enquiry.

Mr. BLAKE. No; he did not ask.

Mr. MACKINTOSH. He asked through an hon. member of this House; he asked through the present Minister of Inland Revenue, who moved the motion; and the whole Reform party to a man voted against it, as the hon. gentleman knows. Now Sir, after Confederation was accomplished we enjoyed great prosperity throughout the country, and the people were contented and happy. But while the Conservative Government was in power from 1867 to 1872 the same issues were raised as are raised now, the old cries of section against section, people against people. In Nova Scotia there was an agitation for better terms. When we consider the question, what do we discover? Mr. Alfred J. Jones, who was afterwards Minister of Militia in the Cabinet of the hon. member for East York (Mr. Mackenzie), writing to the *Halifax Citizen* on 29th July, 1872, stated as follows:—

"What Messrs. Blake and Mackenzie wanted was that the increase to our subsidy should be made as on the basis of our debt and Public Works, and had their advice been followed we should have had \$240,000 per annum for ever instead of \$180,000 as at present, \$85,000 of that being only for ten years, four of which have already expired."

There we find that while the Reform party in this House and throughout Ontario were condemning the Government for readjusting the terms with Nova Scotia, the member for West Durham and his colleagues were preparing, through Mr. Jones, to offer a very much greater settlement to that Province. And that was called a principle of statesmanship. Then we had the British Columbia question, and that was made sectional. Ontario was told that the Province would be a millstone around the neck of the Dominion, and the hon. gentleman called it "a sea of mountains." The Manitoba Bill was discussed, and was condemned in strong terms by, I think, the hon. member for East York (Mr. Mackenzie). Then the Reform party got what they wanted—a great national race issue. The unfortunate Thomas Scott was murdered, and the Reform party was jubilant. Looking over the records of the day—and hon. members are now condemned for referring to it—it is proved that the hon. member for West Durham was prepared to attend public meetings in Toronto, and did attend enthusiastic meetings, at which he delivered magnificent orations denouncing the red-handed murderer. The hon. gentleman (Mr. Blake) shakes his head. If he was not there, and never called Louis Riel a red-handed murderer, then history does him grave injustice, and he should have taken an earlier opportunity than this to have given it a decisive denial. At the first public meetings called, the excitement was intense throughout Ontario, and the Conservatives were swept from the constituencies. Why? Simply because inflammatory speeches were made and burning articles written, and, in fact, the people were irritated and excited beyond measure by the agitation of Reform newspapers and eloquent speeches delivered by hon. gentlemen opposite. The *Globe* said, April 4th, 1870:

"The trial of the poor man by a few French-speaking henchmen of Riel, and his inability to understand a single word said either for or against his condemnation, gives a view of things so utterly frightful that one has to seek in the records of savagery exclusively for any parallel. We have no wish to harrow people's feelings with further reference to the miserable mangling of the poor man at the final scene, or

to that hour when he lay in his coffin without being a corpse. These things will be considered by a far wider jury than even the whole of Canada; but Canada will also consider them, and if such proceedings are to pass unrebuked and unpunished 'will know the reason why.'"

Then they not only proceeded to deal with that question in such a manner as to excite the people, but they proceeded to arouse the people against Archbishop Taché and the priests of the North-West. The *Globe* of April 18th, 1870, said:

"No priest dares to persist in a cause which his Bishop disapproves of. No ecclesiastic can continue within the pale of the Church to defy those who have been set over him in holy things, or to take any course either socially or politically which his superior condemns. Apply all this to Bishop Taché and the occurrence at Red River, and the necessary inference is manifest."

Strange to say, within the last two days the hon. member for West Durham has told us that, while he had not documents sufficient to judge the case, he could draw his inferences. The Reform party in 1870 dealt in inferences, as the hon. gentleman does to-day. The paper continued:

"Father Ritchot has been visited with no ecclesiastical censure for his course during the last few months, as a bustling, unscrupulous, political partisan. No whisper of episcopal disapprobation has been heard. He lodges in the Bishop's house at Ottawa as an honored guest, not only not under the ban but as one upon whom his superior bestows attention and care. Does Bishop Taché approve of all this priest has done? Does he give his conduct the benefit of episcopal endorsement? If nay, why has not the Bishop taken care to make his position unambiguous by openly declaring that he has no sympathy with the doings of Father Ritchot, and that he repudiates with horror the killing of Scott. To this hour not one word has been heard from him in the way of even the gentlest condemnation of that butchery. Is Riel to this moment in any measure under the censure of the Church for his doings in the Scott case? If he came to partake of any of the sacraments of the Church, would he be repulsed till he had expressed his sorrow for that deed of blood? We have no reason to believe that he would. Very great reason to believe quite the reverse."

Finding these efforts successful and that they were stirring the hearts of the people to their very depths, a month was allowed to elapse, and the organ, preparing the way for a speech to be delivered by the member for West Durham, made this broad assertion on May 18th, 1870:

"If the children of half-breeds up at Red River, and the half-breeds themselves, are to be acknowledged and provided for simply because they are their father's sons, we should think that men and women who have suffered severely because they have been faithful to Canada and Canadian institutions, would not have to appeal in vain to the honor and justice of a Canadian Government and a Canadian people."

Again, April 1st, 1870:

"It is said that Scott was murdered, not because he had broken his parole, though, if he had, Riel is simply unofficial, but because he was an Orangeman and obnoxious to the priests."

Because Thomas Scott was an Orangeman and obnoxious to the priests, because an election was about to take place in 1871, the leaders of hon. gentlemen opposite were preparing the public mind in Ontario to crush the Conservative party, while that party were trying to rule constitutionally, as they are trying to crush them to-day for having pursued a similar course and policy in 1885. I have said that the Reform leaders spoke at different meetings, they moved resolutions in the Provincial Legislature, and it is unnecessary for me to enlarge on that question. But it must not be forgotten that the hon. member for East York (Mr. Mackenzie), one of the ablest men that Canada ever produced, one of the closest reasoners, one of the most popular men in his party at that time, in addressing a public meeting at Lincoln, Ont., on October 13th, 1870, expressed himself as follows, according to the *Globe's* report:—

"Mr. Mackenzie (the leader of the Opposition) referred at length to the scandalous mismanagement of the North-West Territories, showing that this magnificent country had all but been handed over to the miscreant Riel, and pointing out the various miserable intrigues of the Government in first supporting the rebel, ill-using Governor Macdougall, and afterwards framing the Manitoba Bill at the dictation of the infamous men who had the audacity to appear at Ottawa as delegates from Riel and his council."

How did these delegates appear? The hon. gentleman knew, and the present leader of the Opposition knows,

they appeared at the solicitation of the Governor General of the country and not at the solicitation of the Government; that the Governor General promised to listen to their grievances, to listen to what public meetings had to say through them, and the consequence was that the Government was condemned for countenancing to the "infamous men who had the audacity to appear at Ottawa as delegates from Riel and his council." They assert now that the leaders of the Government and the Government themselves never did anything for Manitoba. The hon. gentleman, in the same speech, went on to say:

"The Bill was framed entirely in the interests of Riel and his friends, and the ruffians, Scott and Ritchot, were received by the Government as if they were upright men representing the people of the Territory—notwithstanding the remonstrances of the people conveyed to them. In the passage of that Bill, and in everything connected with that country, he felt that the Canadian people had suffered an amount of degradation never equalled. He looked to the people of Canada, and especially Ontario, to justify the action of the Opposition on this question."

I am indulging in these brief reminiscences to let hon. gentlemen from the Province of Quebec and those who sympathise with them upon the question as affecting Louis Riel, see that the Conservative party were doing at that time what the Reform party condemned, and now that they have discharged their duty and have condemned a great criminal, some of the gentlemen opposite were willing to join in the hue-and-cry and condemn hon. gentlemen representing the Province of Quebec in the Ministry, as traitors, cowards and hangmen, because, in accordance with the oath they had taken, they discharged their duty fearlessly as patriots and statesmen. In 1872 the hon. member for West Durham (Mr. Blake), as Premier, and the hon. member for East York as Provincial Treasurer, offered a reward of \$5,000 for the arrest of Riel. In 1871 the hon. member for West Durham desired a monument for Scott; in 1872 he was willing to subscribe privately to secure Riel, and in 1874 Riel was elected; in 1875 Riel was partially amnestied; and throughout the whole record hon. gentlemen will find there never was a sincere motive actuating these hon. gentlemen, so far as Ontario was concerned, in dealing with this question of Riel and the troubles of 1870. Having raised that excitement, what was the next proceeding? To agitate against the French Bleus. What do we find? Up to 1882 and prior to the general elections, these were the sentiments of the *Free Press*, the Ottawa organ of the Opposition, and this was the attack it made on my colleague:

"Everybody knows that the deadliest enemies to this Province are the Quebec Bleus, of which party Mr. Tassé is a strong supporter."

And these hon. gentlemen, after asserting that they were the deadliest enemies of Ontario, are willing to embrace them now, and for what purpose? Not to support and promote the public interest, but to get the opportunity of vaulting into the Treasury Benches. The *Free Press* went on to say:

"They refused to support Sir John unless he set aside the boundary award, and it was at their dictation that Ontario has been robbed of 96,000 square miles of territory. In view of these facts, it would be sheer madness for an Ontario constituency to elect Mr. Tassé. All our institutions, our magnificent school system, our asylums, charitable institutions, agricultural college, provisions of every kind for the care of the unfortunate and indigent, and the reformation of the vicious, now supported out of the proceeds of our provincial timber and mining lands, must cease to exist if these resources are taken from us by Sir John Macdonald at the bidding of Mr. Tassé and the Quebec Bleus."

My hon. friend and colleague (Mr. Tassé) is not a very formidable looking gentleman.—

Mr. BLAKE. Hear, hear.

Mr. MACKINTOSH. The hon. gentleman should wait. I meant to add, until he speaks:—

"Will the people of Ottawa vote for Mr. Tassé, and thereby bring Ontario down to the bankrupt condition of Quebec?"

Mr. MACKINTOSH.

Again the *Globe* of July 3rd, 1882, said:

"To win the support of the Bleus to-day Sir John as thoroughly their tool as he was in ante-Confederation days, when he fought off the Upper Canadian demand for representation by population at their bidding. It is simply the old game that he is playing—denying Ontario rights to conciliate the Bleus. To maintain his hold upon them he is willing not merely to ignore the interests of Ontario as formerly, but to dismember the Province, to rob us of our territory, to reduce the power of our Legislature, to belittle and scorn and humiliate us in every way, that the jealousy of the Bleus may be gratified. The other allies of Ontario as against a Government founded on extravagance, corruption, high taxes, and Bleu domination are the Maritime Provinces. The Reform cause, though temporarily under a cloud, is based on sound principles and having the moral forces of the community behind it, its triumph is not far distant."

And yet the hon. gentleman desires to vault into power supported by the Quebec Bleus who were represented as wishing to bring Ontario down to the bankrupt condition of Quebec. I now come to the uprising and the North-West troubles of 1885. In 1884 my hon. friend from North Perth (Mr. Trow) was in that country. I read his magnificent description of its resources; I read of the happy, contented people, of the splendid fertility of the districts he passed through, of the universal happiness that existed, and it was not until the rebellion broke out we heard that everyone had been miserable, that the homes of the people were ruined, that the land had been desolate, and all classes depressed and broken-hearted. The hon. member for East York was there in 1884 and he was one of the first to give warning, when he said to a gentleman who interviewed him in Toronto for the *Globe*, that he believed that the mistaken expressions of opinion in some articles in the Ontario press, as well as the utterances of certain people, had done a great deal to damage the North-West. The hon. ex-Finance Minister was there, and we heard no cry of danger from him, although he gave the people some sound advice, as he is able to do, when expressing his opinions to them in Winnipeg. But it was not until Louis Riel set his foot on the soil and strengthened himself by means of intrigues with the Indians, that this country became aware of the danger which threatened it. Did we receive assistance from hon. gentlemen opposite? From the leader of the Opposition there was assistance to some extent; from the ex-Finance Minister there was to a certain extent, assistance; but I ask if the press of this country did not blame and condemn the Government for the uprising? Had it not been for the loyal priests of that country, whose wise counsels prevailed in many cases, much greater trouble might undoubtedly have ensued. But, Sir, when hon. gentlemen opposite assert that this Government is responsible for the uprising, that Louis Riel came to Canada because the Government policy was improper, unjust or tyrannical, they assert what the country knows to be far from the truth. As this discussion relates to the execution of Louis Riel, it is not necessary for me to go into the subject of North-West grievances. The hon. member for Bothwell (Mr. Mills) will, no doubt, give the House some information on that subject. That hon. gentleman was Minister of the Interior when he wrote to Mr. Codd, his agent: "You must not look up claims; if people do not think claims worth looking up, let the claims go." The hon. gentleman refused to assist the half-breeds; he said they had no more right to assistance than the whites. The hon. gentleman, in 1877—informed the hon. member for Marquette, Mr. Ryan, that the non-allotment of lands had caused a great deal of trouble and uneasiness in that country; and when we turned last year to some returns from the Department of the Interior—I think the matter was mentioned in a speech made by my hon. friend, the present Minister of the Interior—we found that the hon. gentleman had disposed of 43 cases of half-breed grievances by simply writing: "No.—D.M." That was the manner in which the hon. gentleman summarily disposed of cases brought

before him. As some one had remarked without this House: "It was a very summary method, but I suppose it was short and sweet, like an old lady's gallop." Now, Mr. Speaker, with the permission of the House, I shall refer to a portion of the evidence as briefly as possible, seeing that the plea of insanity has been introduced into this discussion and that a great many learned legal minds will, no doubt, be brought to bear upon the subject; and I shall show that Louis Riel throughout was systematic in everything he said, diplomatic in everything he did, and thoroughly alive to the danger which must ensue if he broke the law of the country. To Dr. Willoughby, 18th March, 1885, Riel said:

"The half-breeds had sent a deputation to Montana to bring him to this country.

"Q. What else?—A. That in asking him to come they had told their plans, and that he had replied to them to the effect that their plans were useless.

"Q. Did he say what the plans were?—A. No, I believe not, but that he had plans, and that if they would assist him to carry out those plans he would go with them.

"Q. Did he tell you what those plans were?—A. Yes, he did.

"Q. What next did he say?—A. He said: Now I have my police—referring to the men at the door.

"Q. Those 60 or 70 men?—A. Yes. He pointed to them and he said: You see now I have my police. In one week that little Government police will be wiped out of existence."

Was that the action of insanity? He made his arrangements most systematically and thoroughly, and yet we are told he was insane. Dr. Willoughby continues:

"The rebellion of fifteen years ago will not be a patch upon this one."

Again:

"The time has now come when those plans are mature, my proclamation is at Pembina, and as soon as I strike the first blow in the North-West, that proclamation will go forth, and I will be joined by half-breeds and Indians, and the United States is at my back."

Further, he said:

"Knowing me and my past history, you may know I mean what I say. The time has now come when I am to rule this country or perish in the attempt."

To Thomas McKay (page 18, report of trial), Riel said:

"I have been waiting fifteen long years; we have been imposed upon, and it is time now, after waiting patiently, that their rights should be given, as the poor half-breeds have been imposed upon."

Riel became very excited and got up and said:

"You don't know what we are after—it is blood! blood! We want blood! It is a war of extermination. Every body that is against us is to be driven out of the country. There are two curses in the country, the Government and the Hudson Bay Company."

Would hon. gentlemen opposite desire that we should consider them insane because they assert the Government is a curse to the country? They have asserted that for years, and yet I do not suppose any hon. gentleman opposite considers his leaders insane.

Mr. MILLS. The hon. gentleman quotes it as an evidence of Riel's sanity.

Mr. MACKINTOSH. The hon. gentleman is quite right; I quote it to show that he was in active sympathy with hon. gentlemen opposite, and quite as sane as they are, measured by this standard. Now, as there are two features of this question which have been particularly referred to in the Province of Quebec, and which will be discussed throughout the country—the question of sanity, and the question of recommendation to mercy—I desire to refer to those questions. In the first place, it is said that Louis Riel was insane. I have studiously examined many works on medical jurisprudence, and made adigest of some few cases which I will lay before the House. Taylor, in his "Medical Jurisprudence," at page 653, says:

"If a person when left to himself has managed his affairs with reasonable care and propriety and has acted independently of others, there can be no stronger proof of his legal competency."

Again, page 654:

"In idiocy there is no capacity for writing—in dementia, as there is no memory, it often happens that the same word is written over and over again. No person in a state of dementia can write a connected sentence, because, before the last part of the sentence is completed, the first is entirely forgotten. In imbecility, we may meet with every variety of mental defect, but the state of the mind is pretty well shown by the expression of the thoughts in writing."

I ask hon. gentlemen to read Louis Riel's letter in reply to the deputation that waited on him in Montana, requesting him to go to the North-West; I ask them to read his letter to Dr. Fiset when in prison; I ask them to read his diary, and then to say whether they could not convict nine-tenths of the people of Canada of being subject to dementia and imbecility or mental disorder if Louis Riel was insane. Again, on page 664:

"The proved existence of mental diseases does not necessarily exempt a person from criminal responsibility. Many a man whose mind is in an insane state knows perfectly well whether he is doing wrong; and so long as he knows that, he is considered subject to the criminal law. The question of morbid delusion cannot always be allowed to screen a criminal from the consequences of his own acts; while, on the other hand, there are instances in which the plea of insanity may properly be allowed, although no delusion can be proved. Each case must be taken with all its surrounding circumstances, and legal theories of insanity are chiefly valuable, not as rigorous axioms of law, but as cautions to be observed by the jury."

Mr. MILLS. Hear, hear.

Mr. MACKINTOSH. I ask the hon. member for Bothwell (Mr. Mills) to peruse Louis Riel's letter in accepting the invitation of the delegates to come back, for I am sure he would not say "Hear, hear," if he had read it. Riel took twenty-four hours to consider; he said it was the proudest day of his life when asked by the delegates to go back to the North-West. I ask hon. gentlemen to read another document which bears the impress of Louis Riel's sanity, that is the delegates report on returning from Montana. This report of the delegates, I am satisfied, was inspired by Riel at the time. At page 665:

"When the defence of insanity is set up in a charge of murder, in order to warrant the jury in convicting the prisoner, it must be proved affirmatively that 'he was insane in a certain legal sense at the time of perpetrating the act.' If this be left in doubt, and if the crime charged in the indictment be proved, it is their duty to convict him."

I would ask hon. gentlemen, in order to gauge that point, to read the speeches of Louis Riel delivered between July, 1884, and July, 1885, and see how he urged his people to approach the Government as obedient children should approach a kind and indulgent parent, while, at the same time, he was holding intercourse with Poundmaker and other Indians, arranging and intriguing for the very uprising that took place; and yet we are asked to say this is the conduct of an insane man. More than that, I would ask hon. gentlemen to look at the evidence of the Rev. Father André; where he states distinctly the carefully prepared plan which Riel had arranged to get out of the country when he found himself in danger, and how, grasping at the last straw, he said to Father André: "If you cannot get me \$35,000, get me what you can." That also they call the conduct of a mad man. In a case, that of Regina vs. Stokes, 2 H. Car. & Ker., it was ruled:

"That it is necessary to impress upon the mind of a medical witness that it is not medical but legal insanity which has to be proved upon this occasion to the satisfaction of the jury. Monsieur Esquirol, who wrote much upon the medical jurisprudence of insanity, expresses his belief that there are well formed distinctions between the action of an insane and a sane criminal. Amongst those he enumerates: 1st. Want of accomplices in 'homicidal mania.' 2nd. 'The sane criminal has always a motive.' The act of murder is only a means for gratifying 'some other more or less criminal passion,' and is almost always accompanied with some other wrongful act.' The contrary exists in 'homicidal mania.' 3rd. The victims of a criminal are those who oppose his desire or wishes. The victim of the 'monomaniac' are amongst those who are either indifferent to, or are the most dear to, him."

I would ask hon. gentlemen to turn to the evidence, and tell the House whether in the matter of the murder of

Thomas Scott at that time, and again in 1885, when he threatened to hang Thomas McKay and Charles Z. Nolin, Riel's conduct indicated that he was insane, or that he was perfectly sane, and had systematised in every particular a method of carrying out his plans. Again, commenting on the case of the Queen vs. McNaughten, tried at the Central Criminal Court, London, England, in March, 1843, in which a plea of insanity was advanced, a writer in "The British, Foreign and Medical Review," July, 1843, page 273, thus wrote:

"Before a plea of insanity should be allowed undoubted evidence ought to be adduced that the accused was of diseased mind, and that at the time he committed the act he was not conscious of right or wrong. Every person was supposed to know what the law was, and therefore nothing could justify a wrong act, except it was clearly proved that 'the party did not know right from wrong.' If that was not satisfactorily proved, the accused was liable to punishment. If the delusions under which the person labored were only partial, the party accused was equally liable with a person of sane mind."

I shall also refer to Roscoe's Digest of the Law of Evidence in Criminal Cases, 9th Edition, page 75:

"This authority, dealing with the question of the defence of insanity, states that the principle appears to be well laid down by the following writers: Alison's Principles of Criminal Law in Scotland, pages 645 and 654, set forth, 'That, to amount to a complete bar to punishment, either at the time of committing the offence, or at the trial, the insanity must have been of such a kind as to entirely deprive the prisoner of the use of reason as applied to the act, and of the knowledge that he was doing wrong in committing it. If though somewhat deranged he is yet able to distinguish right from wrong in his own case, and to know that he was doing wrong in the act which he committed, he is liable to the full punishment of his criminal acts?'"

Was Riel cognisant of the fact or was he insane, when he said to Dr. Willoughby: "The time has come when I must rule this country or perish?" Dr. Mayo, in his work on "Medical Testimony and Evidence in the Case of Lunacy," 1854, page 9, says:

"It is certainly a great evil that under the present mode of laying this question before a jury the law operates unequally: One case becomes the subject of prominent public interest, and every exertion is made to construe the most trivial eccentricities of character into proofs of insanity."

I also quote from:

"Allison's Principles of the Criminal Law of Scotland, pages 655-656, referring to the case of Regina vs. Henderson, lays it down that the plea of insanity must be received with much more diffidence in cases proceeding from a desire of gain, as theft, swindling or forgery, which generally requires some art and skill for their completion, and argue a sense of the advantage of acquiring other persons' property. On a charge of horse-stealing it was alleged that the prisoner was insane; but it appears that he had stolen the horse in the night, conducted himself prudently in the adventure, and ridden straight by an unfrequented road to a distance, sold it and taken a bill for the price. The defence was overruled."

"In consequence of the acquittal on the ground of insanity of Daniel McNaughten for shooting Mr. Drummond, in 1843, the House of Lords asked the opinion of a bench of judges upon certain questions relating to insanity:

"Justice Maule held—That there is no law that I am aware of that makes persons in the state described not responsible for their criminal acts. To render persons irresponsible for crime on account of unsoundness of mind, the unsoundness should, according to the law as it has long been understood and held, be such as to render him incapable of knowing right from wrong."

"Chief Justice Tynnaal—'Assuming that Your Lordships' enquiries are confined to those persons who labor under such partial delusions only, and are not in any other respect insane, we are of opinion that, notwithstanding the party accused did the act complained of with a view and under the influence of insane delusions redressing or revenging some supposed grievance or injury, or of producing some public benefit, he is nevertheless punishable according to the nature of the crime committed if he knew at the time of committing such crime that he was acting contrary to law, by which expression we understand Your Lordships to mean the law of the land.'"

I ask then, whether, under any of these precedents, the plea of insanity could be established in Riel's case? Riel knew that efforts would be made to construe everything he did, and his peculiarities and eccentricities, into insanity; he was erratic, but only when it answered better than cunning diplomacy. I will now trouble the House with a few statements of cases where the plea of insanity failed:

"R. vs. Arnold—Collinson on Lunacy—475—16 How., State Trials—794 to 795;

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"The prisoner was indicted for shooting at Lord Onslow. A defence of insanity was set up. It appeared from the evidence that the prisoner was to a certain extent deranged, and had misconceived the conduct of Lord Onslow; but he had formed a regular desire to shoot him and prepared the means of effecting it."

"Judge Tracy ruled that defence of insanity must be clearly made out. That it is not every idle or frantic humor of a man, or something unaccountable in his actions, which will show him to be such a madman as to exempt him from punishment; but that where a man is totally deprived of understanding and memory and does not know what he is doing any more than an infant, brute or a wild beast, he will probably be exempted from punishment."

"R. vs. Earl Ferrers—19 Howard, State Trial, 866:

"Lord Ferrers was tried before the House of Lords for the murder of his steward. It was proved that he was occasionally insane, and fancied his steward to be in the interest of certain supposed enemies. The steward being in the parlor with him, he ordered him to get down on his knees, and shot him with a pistol, and then directed his servants to put him to bed. He afterwards sent for the surgeon and declared that he was not sorry, and it was a premeditated act, and he would have dragged the steward out of bed had he not confessed himself a villain. Many witnesses stated that they considered him insane, and it appeared that several of his relations had been confined as lunatics. It was contended for the prosecution that the complete possession of reason was not necessary in order to render a man liable for his acts. The peers unanimously found His Lordship 'Guilty.' It was sufficient if he could discriminate between good and evil."

"R. vs. Bowler, referred to in Collinson on Lunacy, page 613:

"The prisoner was indicted for shooting at and wounding. The defence was insanity, arising from epilepsy. He had been attacked by a fit; was brought home apparently lifeless. A great alteration had been produced in his conduct, and it was necessary to watch him lest he should destroy himself. Mr. Warburton, keeper of a lunatic asylum, said that in insanity caused by epilepsy the patient often imbibed violent antipathies against his dearest friends, for causes wholly imaginary, which no persuasion could remove, though rational on other topics. He had no doubt of the insanity of prisoner. A Commission of Lunacy was produced, dated 17th June, 1812, with the finding that the prisoner had been insane since the 13th March, nearly three months. Judge Le Blanc said it was for the jury to determine whether the prisoner had committed an offence with which he stood charged was capable of distinguishing between right and wrong, or under the influence of any illusion, with respect to prosecutor which rendered his mind at the moment insensible to the nature of the act which he was about to commit, since in that case he would not be legally responsible for his conduct. On the other hand, provided that they should be of opinion that when he committed the offence he was capable of distinguishing right from wrong, and not under the influence of such an illusion as disabled him from discovering he was doing a wrong act, he would be answerable to the justice of the country and guilty in the eye of the law. The jury, after considerable deliberation, found the prisoner 'guilty.'"

In King vs. Parker, in Collinson on Lunacy, page 477, bears out the same rule. A prisoner was indicted for adhering to the king's enemies. His defence was insanity. He was counted, from a child, a person of weak intellect, so that it surprised many that he had been accepted as a soldier. Considerable deliberation and reason, however, were displayed by him in entering the French service, and he stated to a comrad that it was much more agreeable to be at liberty and have plenty of money, than to remain confined in a dungeon. The Attorney-General said that before the evidence could have any weight in rebutting the charge so clearly made out, the jury must be satisfied that the time the offence was committed the prisoner did not really know right from wrong. He was convicted. Sir James Stephen, dealing with the subject of insanity, page 177, Vol. 2, "Criminal Law in England," says:

"It is to be recollected, in connection with this subject, that though madness is a disease, it is one which, to a great extent, and in many cases, is the sufferer's own fault. In reading medical works the connection between insanity and every sort of repulsive crime, that it seems more natural to ask whether, in many cases, insanity is not rather crime in itself than an excuse for the crimes which it causes. A man cannot help an accidental blow on the head; but he can avoid habitual indulgence in disgusting vices—and these are a commoner cause of madness than accidents. He cannot avoid the misfortune of being descended from insane or diseased parents; but even if he has that misfortune, he ought to be aware of it and to take proper precaution against the effects which it may be expected to produce. We do not recognize the grossest ignorance, the most wretched education, the most constant involuntarily association with criminals as an excuse for crime; though in many cases—I think, not a smaller proportion of cases than is commonly supposed—they explain the effect that crimes are committed. This should lead to strictness in admitting insanity as being in doubtful cases any excuse at all for crime, or any reason for mitigating the punishment due to it."

Without quoting further authorities, I hold we have proof of Riel's sanity on the following grounds: 1st, Riel deliberately

took one day to consider the request of the delegation; 2nd, Riel was a companion of theirs and held intercourse for many months, betraying no insanity; 3rd, he realised that Jackson, his secretary, was insane and committed him to jail; 4th, he had accomplices in his crimes and systematically and skilfully directed the whole campaign; 5th, he proved his sanity by confiding to Astley that he intended throwing the responsibility of the rising on the council; 6th, he stated distinctly that he would rule or perish; 7th, he admitted to Astley that he had prompted the disaffected to urge him to remain in the country; 8th, the first document addressed by the delegates to those who sent them to invite Riel, bears the impress of Riel's inspirations; 9th, he was capable of managing his affairs when he wrote Dr. Piset, formerly a member of the House, that the Government was indebted to him in land and money; 10th, he was sane, if ever man was sane, when proposing to sell his poor dupes for money; 11th, he was sane in the opinion of his church dignitaries, otherwise he could not have received the holy sacrament before his execution; 12th, he was sane as evinced by the thoroughly systematised method of all his actions from the day he left Lewis County, Montana, until he wrote a sketch of the troubles in which he was implicated; 13th, he was, up to the hour of leaving Montana, an instructor in a Jesuit college. There is one particular point which has been discussed in this House and throughout the Province of Quebec. Between the time Louis Riel was executed and the present hour, it has been insinuated that the Government, although there was a recommendation to mercy by the jury, cruelly caused the death of Louis Riel for political purposes; that they met the demands of the Orangemen of Ontario and of the Dominion, and it has been also insinuated that on no occasion have men been hanged where the jury had recommended them to mercy. I propose to show otherwise. Before quoting the cases which are local in their character, I will quote from the "Principle of Punishment," by E. W. Cox (Recorder of Portsmouth), 1877, page 188:

"But although a recommendation to mercy of the jury should always be received with respect and gravely considered, it is not always to be accepted in practice. It is a good rule to ask for the ground of the recommendation. In fact, when infrequent, it is nothing more than a ready means of bringing about unanimity. Some of the jurymen have doubts, or more properly, are reluctant to convict, not because they question the guilt of the prisoner, but because some soft place in their hearts makes them unwilling to punish. A recommendation to mercy satisfies a kindly emotion, and others assent; but without any such desire on their part. The question by the judge, 'upon what ground, gentlemen,' perplexes them and some give 'insufficient reason,' as the usual defence. So, likewise it is when the jury recommend to mercy in ignorance of the facts as to antecedents of the convict. I have seen cases in which the prisoner, so recommended, is afterwards shown to have been convicted previously. In all such and similar cases, the judge will not give effect to the desire of the jury."

Taschereau, in "Procedure in Criminal Law," vol. 2, page 377, 1875, referring to the judgment in *Regina vs. Tribilcock*, sets forth:

"What the jury may say in recommending the prisoner to mercy, is not a matter upon which a case should be reserved. When the jury say 'guilty,' there is an end to the matter—that is the verdict—and the recommendation to mercy is no part of the verdict."

Stephen, volume 1, p. 558, *Criminal Law in England*, contrasting the English and the French system of procedure, remarks:

"The English system is based upon the assumption that judge and jury will each perform their respective parts fairly and in good faith. That the judge will tell the jury what is the law applicable to the whole case, and that the jury will be guided by the judge's directions in finding their general verdict of 'guilty' or 'not guilty.' Both history and contemporary experience show that this system has in fact worked admirably and does so still. Under the French system elaborate and even intricate precautions are devised to keep apart the facts and the law, to leave the law for the court while the facts are for the jury. But in spite of these precautions the jury continually decide in the teeth of the law, and are in practice judges, both of law and of fact. The jury deliberate and then vote upon each question proposed to them. Each jurymen has two tickets marked 'yes' and 'no' for each question. The tickets are counted and burned after each vote, and the result 'yes'

or 'no' is recorded on the margin of the paper of question. The matter is decided by a bare majority and the jury are expressly forbidden to state the number of the votes."

Yet hon. gentlemen have been perambulating the country, holding up before audiences in the Province of Quebec the terrible scandal of a jury of six at Regina, with a stipendiary magistrate, and a Justice of the Peace assisting, finding a man guilty of murder, while in old France seven out of a jury of twelve can find a man criminally guilty and send him to the gallows. Stephen also says, vol. 1, page 560, "*Criminal Law of England*:"

"There is one other point in which the English and the French systems are strongly contrasted. This is the French system of 'circumstances atténuantes,' and the English system of 'recommendation to mercy.' The finding of 'circumstances atténuantes' by a French jury, ties the hands of the court, and compels them to pass a lighter sentence than they otherwise would be entitled to pass. It appears to me to be as great a blot upon the French system, as the way in which that system sets the judge in personal conflict with the prisoner. It gives a permanent legal effect to the first impressions of seven out of twelve—altogether irresponsible persons, upon the most delicate of all questions connected with the administration of justice, the amount of punishment which having regard to its moral enormity and also to its political and social danger ought to be awarded to the given offence. To put such a power into the hands of seven jurymen to be exercised by them irrevocably—upon the first impression, is not only to place a most important power in the most improper hands; but also to deprive the public of any opportunity of influencing the decision in which it is deeply interested. Jurymen having given their decision disappear from public notice, their very names being unknown."

Again, p. 461:

"In cases where the judge has a discretion as to the sentence he always makes it lighter when the jury recommend the prisoner to mercy. In capital cases, where he has no discretion, but invariably in practice informs the Home Secretary at once of the recommendation, and it is frequently, perhaps generally, followed by a commutation of the sentence, it seems to me infinitely preferable to the system of 'circumstances atténuantes.' Though the impression of the jury ought always to be respectfully considered, it is often founded upon mistaken grounds, and is sometimes a compromise. It is usual to ask the reason of the recommendation. I have known at least one case in which this was followed, first, by silence, and then by withdrawal of recommendation. I have also known cases in which the judge said, 'gentlemen, you would hardly have recommended this man to mercy if you had known as I do, that he has been repeatedly convicted of similar offences.'"

And yet some honorable members contend that Riel's first offence should have had no weight in determining the action of the Executive. Mr. Speaker, I have quoted distinguished authors, in order to show, by contrast, how unfairly and unjustly those opposed to this Government have acted with reference to the question of recommendation to mercy, and I have taken the trouble to go through the different criminal cases which have been tried in the Dominion since Confederation, and I find case after case where there were recommendations to mercy, where insanity was set up as a defence, and where Ministers of Justice have refused to recommend Executive clemency. In the case of Ethan Allan, who was found guilty of murder and recommended to mercy (the prisoner was convicted of killing C. Driscoll by a blow with a crowbar) the Minister of Justice recommended no interference, and he was hanged on the 4th December, 1867. John H. Munroe was found guilty of murder and recommended to mercy, and was hanged on the 25th of January, 1869. Cyrus Picard was found guilty of murdering Duncan McVannell by shooting, and was recommended to mercy. He was hanged on 23rd November, 1871. John Travis, convicted of murdering John Johnson, was recommended to mercy. Sir Geo. Cartier (for the Minister of Justice) could discover no grounds upon which the jury could base such recommendation. He was therefore hanged on the 13th of February, 1872. James Carruthers was convicted of murdering his wife and recommended to mercy. The judge (Chief Justice Hagarty) reported that "there was no doubt whatever of the fact of the murder. The defence rested on endeavoring to prove that the prisoner was insane. The jury found against that defence and convicted him of murder, and at the same time recommended him to mercy." Sir John Macdonald, the

Minister of Justice, recommended no interference, and he was executed on the 23rd of May, 1873. Elizabeth Workman was convicted of the murder of her husband, and recommended to mercy. The judge reported that he had nothing to say favorable to the prisoner. She was executed on the 23rd of May, 1873. Angus McIvor (Manitoba) was convicted of murdering Geo. Atkinson, and wounding with intent B. Charette. Chief Justice Wood charged against the plea of insanity, and the Minister of Justice (Hon. Mr. Blake) reported that he saw no reason to doubt the evidence, nor any extenuating circumstances. McIvor was hanged on the 17th December, 1875. Thomas *alias* Iroquois (Manitoba) was convicted of murdering Henry Corneil, with a recommendation to mercy. Judge McKeagney made no comments. The Minister of Justice (Mr. Blake) reported the crime clearly proved, and the convict was hanged on the 4th of April, 1876. William Vaughan was convicted before Mr. Justice Wetmore at the city of St. John on the 1st April, 1878, of having brutally murdered an old woman of 70. On the 6th of the same month he was sentenced to be hanged on the 22nd June next ensuing. Insanity was not pleaded as a defence; but after the sentence it was suggested by the Attorney-General (Mr. King) to the then Minister of Justice (Mr. Laflamme) that there was undoubted insanity in Vaughan's family, his paternal grandfather having been of weak intellect, and one of his aunts on the same side insane for several years, while a sister of his was subject to fits, and prisoner himself of rather feeble intellect, though apparently perfectly aware of the moral character of the crime. Mr. King added that Dr. Steeves, of the Provincial Lunatic Asylum, had examined the prisoner, and would report, if asked to do so. Mr. King was asked to send, and sent Dr. Steeves' report, which corroborated what the Attorney-General had stated as to insanity in prisoner's family, and mentioned, besides, that the prisoner had two feeble-minded brothers, both criminals. The report concluded:

"There is, therefore, without doubt a congenital neurotic defect running through this branch of the Vaughan family, and that William possesses a faulty intellect and an effective nature, utterly bad, is proved by his last senseless crime, and also by his erratic habits, his lying and his thefts.

"Wm. Vaughan's mind is in a measure imbecile. He probably began life with an imperfectly developed nervous organisation, his affinities for evil gratifications were strong, and by easy gradations he passed to his last great crime. Notwithstanding this consummation, however, Vaughan possesses a pretty clear knowledge of the nature, character and consequences of his acts, and yet there is an element operating in him, due to congenital neurotic defect, rendering oblique his affective nature, perverting his volition and tending to produce crime."

The sentence of death was carried into execution. Many years ago the rising of what were called the 'Luddites,' in the west riding of Yorkshire, England, resulted in the hanging of 17 offenders. The organization had for its object the prevention of the introduction of machinery into the manufacturing of fabrics, in which the towns of Yorkshire and Nottinghamshire were specially engaged in producing. With reference to one of the prisoners, Thomas Smith, the verdict of guilty was returned, the jury recommending him to mercy. The recommendation was disregarded and he was hanged. The chronicler of this case says: "After this somewhat severe example of the danger attending those connected with such lawless acts, the spirit of the Luddites was broken and was never again revived in Yorkshire." I think, Mr. Speaker, I have shown that when recommendations to mercy are not accompanied by a recommendation from the judge, the Minister and his executive very seldom extend Executive clemency. But we have found throughout the country this Government condemned because there was a recommendation from the jury at Regina—a sentimental recommendation, perhaps—and it was referred to the judge, but he failed to endorse it, and referred it to the Minister of Justice, who, as I imagine, laid it before the

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Executive. And because in the case of Riel and the others that policy was adopted, we find the hon. gentlemen opposite prepared to condemn this Government and endeavoring to make party capital out of questions of high constitutional law. Sir, I have shown, as briefly as possible, the battles the Conservative party have fought for national union, a union of all classes of people; I have shown that in questions of sanity and insanity, doctors and experts differ; I have shown that in cases of recommendations to mercy, this Government and the Reform Government on many occasions, when there was a recommendation to mercy, when there was an insanity report by medical experts, failed to take cognisance of those reports, and hanged the criminals. Again, Sir, even the respites granted Louis Riel have been turned against the Government. Take a similar case in England which now suggests itself: Michael Barrett, found guilty of the memorable Fenian outrage at Clerkenwell, England, was sentenced to execution on the 12th of May, 1868. The Government instituted an enquiry into the truthfulness of the alibi set up by several witnesses from Glasgow. Proper persons were appointed to sift the matter thoroughly. The investigation as to the enquiry did not terminate; the day of execution drawing near, a respite of several days was granted. This respite ended on the 19th of May. A further respite took place, and on Sunday, the 26th of May, the chief official connected with the Newgate goal intimated to the Fenian convict that the enquiry had closed, and that the Home Secretary saw no reason to interfere with the carrying out of the sentence. Early on the morning of the 26th of May Barrett was hanged, after being twice respited. I have now to quote in contrast to the almost inhuman action of some hon. gentlemen opposite, the words of their leader, when it suited him to sneer at the Province of Quebec and thus make capital with the other Provinces. I have expressed the humble opinion that I believe that if this sectional question is continued we will have ere long in this country a conflict of race and nationality and a policy of provincialism. If we do not stand by the federal constitution, grave results will follow. In this view, I am glad to know that the leader of the Opposition once agreed with me. He has laid down broad and strong, the great principles of federal government, the principles of federal stability; and looking over one of his speeches the other night I find an earnest appeal made, particularly to the Province of Quebec, to maintain the federal principle. In a speech on the address, delivered January 18th, 1884, the hon. gentleman said, referring to Mr. Belleau, who had just been returned for Lévis:

"I would say to the hon. gentleman (Mr. Belleau, the then member for Lévis) that when he has adorned this Parliament a little longer, he will find that if there is one thing this Parliament is disposed not to do, it is to meddle with Quebec, and he will find that any danger which Quebec runs is because it is not always the case that the hon. members from that Province—and I have now one of them in my eye—who are, or make themselves the special guardians of its rights in the Parliament, are equally careful of the application of the same principles which they would desire to see applied to their own Province when the question concerns some other Province. I would desire him to remember that it is by a firm and careful adherence, and a uniform and undeviating application to all the Provinces of the same hon. gentleman's principles of respect for the federal principle, of respect for the local rights, and by resisting as endangering the whole fabric any attempted infringement upon them in any one Province, that the views of my hon. friend will ultimately prevail; and that so long as we find jealousy with respect to those rights when they affect a particular Province, and indifference, or even a disposition to assist in their impairment when only other Provinces are concerned, so long it is impossible to say that what the hon. gentleman wishes, namely, the maintenance on a sound and immutable basis of the federal principle has yet been attained."

Mr. BLAKE. Hear, hear.

Mr. MACKINTOSH. The hon. gentleman says "hear, hear." I ask him to turn to his supporters and while he says "hear, hear," I ask if they can sincerely say so too.

Some hon. MEMBERS. Hear, hear.

Mr. MACKINTOSH. I am much pleased to know that so many hon. gentlemen opposite have obeyed for once the instincts of patriotism; I am very glad to hear them at last standing by their leader who will no doubt vindicate his professions by his actions. Although the hon. gentleman and his supporters say "hear, hear," to that principle, the hon. member for Huron, (Mr. Cameron) a few nights ago was doing everything he possibly could, amidst the plaudits of his party, to stir the bitterest kind of provincialism and animosity. He was warning his people against Orangemen; he had the raw-head-and-bloody-bones in the shape of the hon. member for West Durham's Orange speech to fall back upon and thus appealed: I ask you French Canadians and Catholics in this House and country, to support our party because the Government executed Louis Riel. He did all this, yet the hon. gentleman to-day, sitting calmly in his seat, asks the party to re-echo his stentorian "hear, hear," when I repeated his patriotic speech, the speech of one who has national feeling, but who has no policy, no determination, and has not the courage of his convictions or opinions. Sir, there is more than that to be said. We heard the hon. gentleman complain that he wanted more documents in this case, and yet a few nights before the hon. gentleman from West Huron delivered a firebrand speech in this House, denouncing the Government, saying the Government was clearly proved guilty, although they had not then the documents which they now ask for; and we heard the hon. leader of the Opposition applauding and congratulating him on his unpatriotic effort. He was able to make up his mind in the case, and found the Government guilty; but to-day his party want more documents to enable them to arrive at a just and unprejudiced verdict. Mr. Speaker, the hon. member for West Durham wants returns, the hon. member for East Quebec wants returns; other hon. gentlemen want returns. Sir, hon. gentlemen opposite will get returns; they will get returns at the next general election, come it soon or late; they will get returns from the constituencies, returns from the counties, the same kind of returns they have received for the last two years, in nearly every by-election that has taken place—the same kind of returns that Antigonish sent them a few weeks ago; the same kind of returns that St. John sent them a few weeks ago; the same kind of returns that intelligent electors send from every constituency when they are called upon to decide whether demagogues or statesmen shall be entrusted with the management of national affairs. And when they appeal to the country they will find that they cannot cajole and deceive the people into supporting them. Sir, so far as the people can judge of their record for the last thirty years, and particularly of their course in this House to-day, the verdict will be that, neither in power nor out of power, have they fulfilled a single pledge that they ever made when in opposition or at any other time; and I challenge any hon. gentleman to prove a single case where they made a pledge to the people in opposition upon any great political issue that they fulfilled when they reached the Treasury benches. It is said this Government has persecuted Riel, that they have hounded him to death, that they handed him over to the Orangemen, that the Government wanted to discover some method of getting rid of him, and the only way was to pack the jury and get a verdict against him. Looking over the case, as I did before I made up my mind to say anything about it, I turned to the report of Chief Justice Wood as well as to the indictment against Louis Riel on 10th February, 1875. The indictment states:

"The Queen vs. Louis Riel. February 10, 1870. Judgment of outlawry on an indictment for the murder of Thomas Scott at Fort Garry, on the 4th March, 1870, was this day pronounced in open court at Winnipeg, against Louis Riel, and a record of the proceedings to judgment of outlawry."

Chief Justice Wood pronounced the sentence of outlawry on the same date. This judgment amounts to conviction of the crime, and therefore Riel was found guilty according to the law of the land as much as though he had been tried and found guilty of the murder by a jury. I turn now to the proclamation issued by the advice of the Government of the hon. member for East York (Mr. Mackenzie), dated 23rd April, 1875. It provides:

"And we do hereby further ordain, direct, declare and proclaim: That each of them, the said Louis Riel and Ambroise Lepine are and shall be acquitted, pardoned, released and discharged. And that all proceedings in respect thereof shall cease and determine upon this expressed condition that each of them the said Louis Riel and Ambroise Lepine shall absent and keep himself absent from the Dominion of Canada for the period of five years from the date of this Royal proclamation (23rd April, 1875) and abstain from the exercise and enjoyment of his political rights therein for and during the said term; and provided that upon breach of this condition by the said Louis Riel or Ambroise Lepine this our Royal proclamation and remission shall as to the said Louis Riel or Ambroise Lepine so committing breach thereof be utterly null and void."

If Louis Riel accepted these terms he thereby entered into a virtual contract with the Crown to absent himself from the country, according to the terms of the proclamation and the action of this House, for five years. What was the fact? Turning to the evidence given by Dr. F. Roy at Regina, I find the following:—

"Q. Had you any connection with the asylum at Beauport, in 1875 and 1876?—A. Yes.

"Q. You were at that time superintendent of the asylum?—A. Yes.

"Q. In those years or about that time, did you have occasion to see the prisoner?—A. Certainly, many times.

"Q. Where did you see him?—A. In the asylum.

"Q. Can you tell the date?—A. Yes, the date was taken from the register when I left Quebec.

"Q. What date is that?—A. I took the entry from the register in the hospital in the beginning of this month.

"Q. Was he admitted with all the formalities required by law?—A. Yes.

"Q. Will you tell me what time he left the asylum?—A. He was discharged about the 21st January, after a residence in the house of about nineteen months."

Although Riel was required by Royal proclamation to remain absent from the country for five years, he returned within the specified period. Turning to Addison on "Law of Contracts," 8th edition, page 149, I find that the breach of a contract entered into when sane, dealt with:—

"Although contracts of lunatics cannot be carried into execution against them, yet, if they were in sound mind when the contract was made, and the imbecility of intellect has subsequently intervened, the rights of the parties will not be altered."

Apart from the plea of insanity which is urged by some hon. members, and the force of which I do not admit, had this Government been desirous of persecuting Riel, they could have shielded themselves, according to my view, which is that of a layman, behind the fact that Riel was subject to arrest and execution without trial under the proclamation, the terms of which he had violated. If Louis Riel did not accept the terms or agree to any contract with the Crown, he was yet more culpable as he was an outlaw under the bill of indictment found against him in 1875. In any sense I can see no legal reason why, when he violated the terms of partial pardon he was not liable to be hanged at any time. I throw out that opinion to show that had the Government been desirous of persecuting and pursuing him like bloodhounds, as has been said, they could have done so in the way I have mentioned, and thus have brought Riel to justice, when at the recent trial evidence was given that he had been a resident in Canada and had never answered to the Crown for the murder of which he had been found guilty. This of itself proves that the action of the Government was promoted by high constitutional motives and not barbarous persecution. I find that another hon. member, whom we all respect for his ability, the hon. member for South Huron (Sir Richard Cartwright), made a speech on 17th December, 1885, in Orillia. The hon. gentleman said, in answer to a question asked by the Rev. J. B. Armstrong:

"I have no objection to answer the question put by my rev. friend. I do not condemn the Government for the execution of Louis Riel. My condemnation rests on a very much broader and deeper ground—on the ground of their maladministration of the North-West during the past seven years; the other question if I recollect aright was whether the first rebellion in 1870 was justified. * * * The condemnation is asked for on the ground of their general mismanagement, not, so far as I am concerned, on account of the sentence of death being carried into execution. As to the first rebellion in 1870 I am not so well informed on that, but I believe that the universal opinion now among those who have examined the matter, is that the population of the North-West were badly treated in 1870. But to say that rebellion is justified is a very different thing. A rebellion may be excused, and parties who goad unfortunate ignorant men into rebellion may be punished. But that is a wholly different thing from justifying rebellion, and least of all can I undertake to justify rebellion in an Indian country, where, as I have said, an enormous number of our countrymen and countrywomen would have been exposed to all the horrors of savage war if that rebellion had spread."

That was the opinion of the hon. member for South Huron, in contrast with the opinion of the hon. member for Quebec East (Mr. Laurier), who a few weeks before had said he would, had he lived on the banks of the Saskatchewan, have shouldered his musket; and possibly the result would have been that the hon. member for South Huron would have had one son less. During this debate we have heard the *Montreal Post* quoted. That paper has condemned the Government for hanging Louis Riel, and published bitter diatribes against the Minister of Inland Revenue and against the Conservative party. When we examine the articles and know who the writer is—that he is a gentleman who failed to obtain a commission from General Middleton, and was yet so anxious to shoot down the half-breeds that he took his gun and went as a volunteer and fought at Batoche, we can understand that there are white grievances at the bottom of half the agitation. Hon. gentlemen opposite have challenged us to show where they used this question in Ontario to stir the people. I will tell them one place. I was in East Durham in August last, and the whole battle on nomination day was fought over the question as to whether Riel should or should not be hanged. An ex-member of the House, Mr. Kerr, of Cobourg, was there stating from the platform that it was the duty of the electors of East Durham to vote for the Government candidate as a warning to them that if they did not hang Riel in September, what the result would be at the next elections. I heard these declarations made on the platform by Mr. Kerr, an ex-member of this House, and a Reformer. He stated further that he condemned Sir John Macdonald for his actions in the House towards Riel, that it brought the blush of shame to his face to find that the Conservative party had supported him, and I turned to the journals and showed that Mr. Kerr himself had given his vote in favor of the very motion for which he was denouncing the leader of the Conservative party. More than that, advertisements were scattered over the riding, offering to devote \$500 to a charitable institution should Louis Riel be hanged if some prominent Conservative would undertake to contribute a like sum in the event of Louis Riel not being hanged. We had some fifteen or sixteen gentlemen in that riding, of whom eight or ten were Liberal members of this House, and our candidate had a majority of between 300 and 400, and, as one gentleman remarked, if we had had the whole of the Reform party in this House in the riding at the time, the majority would have been at least 1000. As for the hon. member for East Quebec, I cannot believe that he spoke the sincere sentiments of his heart when apologising for rebellion; I believe he spoke under excitement, or else he has changed very much since the days when he was in the Ministry, the days when he made loyal speeches to his countrymen and recorded the sentiments embodied in speeches which I have in my possession. I have here a "Lecture on Political Liberalism, delivered by Wilfred Laurier, M. P., on the 26th of June, 1877, in the Music Hall, Quebec, under the auspices of the Canadian Club." In that speech he said:

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"You wish to organise a Catholic party, but have not taken into consideration the evil of raising it; you will bring on your country calamities, the consequences of which it is impossible to predict."

"You wish to organise all Catholics into a single party, without other support, without other basis than that of religion, but you have not reflected that by that fact alone you organise the Protestant population as a single party, and that then instead of peace and harmony which now exists amongst the different elements of our Canadian nation, you will bring on war, religious war, the most frightful of all wars."

Then he went on to refer to the peace and happiness existing among all classes in Canada. He said:

"But if we are a conquered race, we have also made a conquest—the conquest of liberty. We are a free people. We are in the minority; but we have preserved all our rights and privileges. Again, why is it that this liberty is so valuable to us? It is because it is the constitution which was won for us by our fathers; and which we to-day enjoy. We have a constitution that places the Government in the hands of the people. We have a constitution that has been granted to us for our own defence. We have not greater privileges, but we have as many rights and privileges as the other races which compose the Canadian family. Again, it must not be forgotten that the other members of the Canadian family are divided into two parties—the Liberal and the Conservative."

Then the hon. gentleman spoke out for his country and gave his countrymen advice, which it is greatly to be regretted was not before him when he made his speech at the Champ de Mars. He further said:

"No, there is a fatal law which shall have always the same effect, in morality as in physics. Where there is compression there must be a violent and ruinous explosion. I do not say this to palliate revolution. I hate revolutions; I detest every attempt to force opinion by violence."

The hon. gentleman, after making these remarks, after teaching his countrymen constitutional rights, constitutional law and principles, went before an audience, and, in an hour of excitement, ere he had the documents before him, ere he had the report of the trial, ere he had a case upon which to base a fair judgment, told them that had he been on the banks of the Saskatchewan, he would have had his musket on his shoulder in rebellion against the Government and against the Queen, whom he had faithfully promised to sustain and support with all due allegiance, when he became a Minister of the Crown. There have been charges hurled against the Conservative party in this House that they play with loaded dice. Sir, I ask hon. gentlemen opposite, and I ask you and through you, the country, who and what party have played with loaded dice; who is to-day gambling with the destinies, with the national interests of the country? Who is gambling with the sacred causes of Justice?—if not hon. gentlemen opposite—I do not say all of them—but I do say that to-day we have a party arrayed against constitutional Government, and we have the Conservative party, the constitutional party in this House, who are fighting the battle fairly and honestly against men who have no object, no ambition, no method in their actions, save and except the one idea of office. I have spoken as briefly as possible, not being desirous of occupying the time of the House any longer than absolutely necessary. But when a question of this kind comes up, though I may represent a constituency or I may not, I for one shall go for country, for constitution, for law, be the origin of the man whose fate is in question, English, Irish, French or Scotch. Sir, why is it that in times of trouble, in the hour of excitement and national danger, the people look with confidence to the Conservative party—feel that they are able to guide the Ship of State over the breakers, feel that they would scorn to betray their trust, that they would scorn to jeopardise the constitution or to make capital out of the nation's tribulations? It is because Conservatives have the courage of their opinions; it is because Conservatives have confidence in the present and future of their country; it is because Conservatives properly estimate the genius of the era in which they live, and realise that a nation governed on mere experimental principles cannot hope to keep pace with the march of modern civilisation. To-day the world's progress, the world's ceaseless activity, will not allow men time to consider mere threadbare doctrines or to

embrace the dead issues of bygone decades. The people desire principles, aims, measures, issues that will live over night—a constitutional structure capable of withstanding the ravages of time; one that future generations may point to with pride and say: That edifice was erected by skilled mechanics, it was the creation of master workmen; the storms and passions and prejudices of centuries have beaten about it, yet it stands to-day as grand, as massive, as impregnable, as when first completed.

Mr. BLAKE. I trust the hon. gentleman who has just sat down will not impute any desire on my part to depreciate the varied and versatile talents of which he has just given us an illustration, if I do not devote any considerable portion of the time that I shall feel called on to trespass on the House, to a discussion of his speech. It was indeed a production which, if it were to be followed and discussed, would lead us tolerably far afield from the question we are now called upon to debate; and there is nothing I more admire than the apparent fervor and freshness and zeal with which the hon. gentleman in his peroration, denounced the propriety of dealing with dead issues, after he had commenced his speech by laying before us an *olla podrida* not very savoury of ancient fancies and fictions, rather than facts, which he proposed should be set before us to prevent us from dealing with the very serious issue which is really before us. I have admired his skill and talent in several capacities. I have admired his skill in the making of printing contracts; I have admired his powers in the acquisition of railway subsidies, and I am to-day called on to admire his attainments in the profession of law and in the profession of medicine, as well as in that process of the collection of odds and ends of dead issues, which he began by telling us about, though he ended by denouncing their being raised. Now, Sir, the question before us belongs to that part of the administration of justice for which the Executive is responsible to Parliament. It is, in its nature, out of the ordinary scope of our enquiries. But I am glad to know that the Government has frankly recognised the proposition which I ventured a few weeks ago to suggest in public—that this particular case comes fittingly within the scope of our enquiry; that it is a proper thing, under the circumstances which have occurred and in the condition of the question, that it should be brought into Parliament, and should be here debated and decided. There is, therefore, on this occasion no necessity to engage in the consideration of what are the limitations under which we may properly intervene in Parliament with this portion of the administration of justice, because both sides of the House appear to agree that this particular case does not fall within any rule which should prevent our interference, but rather that its nature is such as imperatively demands our interference; and, for my part, I should have thought it a humiliation to the Parliament of Canada if—in the circumstances which preceded, which attended, and which have followed the event round which the interest of this debate centres—it should have been argued by any responsible statesman that it was in this Chamber, and in this Chamber only, that there should not be free discussion, and a decision after that discussion, upon the conduct of the Administration. But while this is the case, and while I for my part do not desire to complicate the particular issue which is raised with any other issue not necessary to be considered in order to its determination, I am not equally able to compliment the Administration upon the mode in which they—because I drop disguises, and say they—have brought this question forward, and have insisted that it shall be debated. I entirely agree that, while the case is one for our consideration, the discussion is of a delicate character, dealing as it does with the administration of justice. It is a case in which I believe we ought absolutely

to eschew all spirit of partisanship, in which we ought, as far as possible, to eliminate from our minds all spirit even of party, and which we ought to approach as nearly as we may with the calmness, the dignity, and the impartiality of the judge. This is always a difficult task for a political body, and therefore a task rarely to be attempted—to be attempted only under that pressure of necessity which rests upon us to-day. But it is a task peculiarly difficult on the present occasion, because of those questions of race and creed which have been drawn into the discussion; because of the old offence, which has been made, rightly or wrongly, a part of the question under consideration; and because also of the question of responsibility of the Government itself in connection with the outbreak which gave rise to the trial which resulted in the sentence which the Government ordered to be executed. But, Sir, though I quite recognise the special difficulties which surround us in approaching this our task in the spirit in which it ought to be approached, I conceive that the existence of those difficulties only makes the adoption of that spirit the more imperative, and that our duty is, so far as the interests of truth and justice will allow, to say no word that may irritate, and as far as possible to take a course which may heal old sores—and new sores too. I agree in the observation which was thrown out from the opposite side of the House the other day as to the general tone and temper of the debate so far; and I hailed with extreme pleasure the courteous and kindly compliments which were paid to my hon. friend beside me (Mr. Laurier), by two of the Ministers, on his speech of the other evening. It is to my mind the crowning proof of French domination. My hon. friend, not contented with having for this long time, in his own tongue borne away the palm of parliamentary eloquence, has invaded ours; and in that field has pronounced a speech, which, in my humble judgment, merits this compliment, because it is the truth, that it was the finest parliamentary speech ever pronounced in the Parliament of Canada since Confederation. That speech has been complained of a little because it differed from the tone, it was said, of former speeches. Some things have been said upon it to which I may ask your permission to allude at a later date. Now, Sir, the hon. member for Ottawa (Mr. Mackintosh), announcing in varied tones and at different intervals, the attitude of hon. gentlemen on this side of the House with reference to this question, a little mistook it, and, I think, without any justifiable cause for such mistake. I have the honor to occupy, however unworthily, the position of leader of the Liberal party; and with a full sense of the responsibility attaching to that position, I took, at the earliest practicable moment after my return to the country, the opportunity of declaring publicly what I conceived ought to be and was the attitude of that party towards this question. I have since enforced by argument on all occasions the view that that was our true attitude; and I repeat to-day, in the presence of this Parliament, the declaration I then made, that upon this subject there has not been, nor is there intended to be, the slightest association of party in our ranks—that of set purpose, and in the belief that we shall so best discharge our duty to our country, we have agreed that each one of us shall, after listening to the arguments and coming to such conclusion as we can, vote as he conceives, entirely irrespective of all party alliances, the interests of his country demand.

Some hon. MEMBERS. Hear, hear.

Mr. BLAKE. Hon. gentlemen opposite cheer derisively. I understand them perfectly; they cannot conceive of such an act. It is incredible to them that public men should so act, and I do not feel moved at all by their cheers, knowing as I do from eighteen years' experience, their manner of conducting business. But what I say is true, for all that; and so, upon this occasion, I must speak, not at all in my

capacity of leader of a party, but as an individual, for myself alone. The hon. member for Lincoln (Mr. Rykert), the other evening, very much complained that I had not been heard from earlier, and he also, with that vivid imagination which he shares with the hon. member for Ottawa (Mr. Mackintosh), made some statements with reference to my course in debates on important questions, which I might challenge if it were perhaps worth while. I had thought that I had expressed opinions which are recorded in the *Debates*, and of which I believe I have no cause to be ashamed, with reference to the Streams Bill, the Boundary question, so far as that was at all a constitutional question, and the License law. But it seems that the hon. member's diligence and researches have failed to recall to his recollection or to enable him to ascertain that I ever spoke on any of these topics. However that may be, I never intended that this debate should close without my saying something upon this question; but, as I stated upon the occasion to which I refer, I desired to hear, being entirely uncommitted by any declaration or absolutely formed opinion, what was to be said on both sides of the question, and I have awaited, I think, a convenient time for the presentation of the case by those who have been assailing the Administration and by the Administration in its defence. I think we have the right to assume, at this period of the debate, that all the material positions which could be brought forward on the side of either of the contending parties have now been advanced. I waited, I confess with some anxiety, to hear the legal adviser of the Government, who, I thought, might at an earlier period than this have enlightened us upon those portions of this important question which specially appertain to his duty, to his responsibility, and to his office. But when I saw, two or three nights ago, after the close of the speech made by the hon. member for Iberville (Mr. Béchard), though half a dozen Ministers or more, including the Minister of Justice and the Secretary of State, were in their places, that the Government declined to rise; when I saw their supporters calling "question;" when I saw the Government insisting upon Opposition members, or upon hon. gentlemen on this side, gentlemen who did not take the view that the Government took, following one another, and thus declining the debate; when I found my hon. friend from East Quebec (Mr. Laurier) obliged to rise after the hon. member for Iberville, and when I found, 24 or 48 hours afterwards, that still the Minister of Justice did not rise, I presumed he was not going to rise at all, or, at any rate, not until after he had heard some other speakers on this side. If, therefore, I shall be obliged to state some conclusions, to advance some opinions, which, after the further light that he perhaps may be able to throw upon this subject, I should have modified, I trust that the House will not suppose, at any rate, after the taunt from the hon. member from Lincoln (Mr. Rykert), and after the course pursued by the Government so far with reference to the debate, that I have indecently hurried my presentation of my humble self to this House. I have said that I believe that there are materials very important to a satisfactory discussion of this question, which materials the Government have not thought fit to bring before us. I do not intend to enlarge upon that topic, having had an opportunity of referring to it a day or two ago. I say we ought to have had an opportunity of seeing some of the papers which have been brought down and which we have not yet seen, because we know that unprinted papers are accessible to but few. For my part, I have not yet had the opportunity of seeing a single paper brought down by the Government so far, with the exception of the instructions to the Crown counsel of which I obtained a copy. There are important papers, so far as I am able to gather from statements made by the Minister when presenting from time to time those which he

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did bring down, which are not yet brought down, and some, as I shall show before I resume my seat, very important. I think the conduct of the Administration on the question of the production of papers is blameable in the extreme. They use these papers as a fund upon which they can draw, so far as they think them advantageous to themselves in the conduct of the discussion; but such papers as they think do not tell in their favor, they hold back. Take the Minister of Militia. The other evening he thought it would help his argument with reference to the patriotism and disinterestedness of Riel, with reference to the degree of sympathy or the reverse which we ought to extend to him, to read a letter of Bishop Grandin. The Minister takes the letter out of his pocket, and he reads it. He thought it would help him and therefore he read it. He thought it would help him to anticipate the encounter, which I am sure we are looking forward to with great interest, of the two military men, the hon. Minister of Militia and the hon. member for Bellechasse (Mr. Amyot). He thought it would do him a little good to bring down some telegrams in advance, and he read extracts of a lot of letters, and a couple of telegrams, which he says were sent to him by the hon. member for Bellechasse, and he read them at a time when the hon. member for Bellechasse (Mr. Amyot) having already spoken, had no opportunity, according to the rules of debate, of replying to him, and when they were but very little relevant to the question. Such was the course that the hon. Minister of Militia thought consistent with his duty to the House, with the dignity of his position, that he thought consistent with the generosity which ought to prevail between political opponents. The Government select such papers as they think they can make a point on in the debate. These they bring down at the moment they want to use them, but the mass of papers, on the perusal of which, if they had been placed in an accessible form before us, a proper general judgment could be reached, these they refuse to bring down. They say they have no time to bring them down, that they have no time to do anything else but to debate this question from day to day, and have time only to bring down those papers which serve their arguments. I said the other day, and I repeat, that in my opinion the whole question of the conduct of the Government, before the rebellion and up to the outbreak, and the whole attitude and relation of the half-breeds and white settlers to the Government with reference to the various questions which have been agitated, are extremely material to the formation of a judgment upon this question. I did not say what the hon. the Minister of the Interior the other day misunderstood me as saying, that I thought we ought to debate them in the same debate on which we debate this question. I did not think so for a reason which is very obvious, for the reason that, even the debating of them by themselves, taking them altogether, is a question so large in point of time, in point of subject, in point of reference to documents, as to transcend the limits, the ordinary and reasonable limits of debate, while the question we have before us is one of quite sufficient magnitude and complication at any rate to involve a debate by itself. So far I quite agree, but what I said the other day, and what I reiterate, is that, notwithstanding that proposition as to the complexity and magnitude of the questions rendering it inconvenient that they should be debated together, it is none the less important to a sound decision upon this question that the other questions should be debated, and we are doing a wrong thing: we are putting the cart before the horse, when we discuss first of all the final act in the great drama, instead of dealing in the first instance with those precedent facts and circumstances, threshing them out, sifting them, and endeavoring to reach a conclusion as to the relative responsibilities and attitudes of the Government of the country and of the people who rose. I say that we ought to know that in order that

we may properly measure what the moral guilt was of those who rose, we ought to know it in order that we may properly measure what was the right of this Government to act as judge in this cause. And, therefore, Sir, I am of opinion that the course which the Government has decided and insisted upon being pursued in this matter is an inconvenient, an illogical, an unsatisfactory course. I think also that it must be thoroughly understood—and we may as well understand it now—that, if we are to put the cart before the horse, we shall have to deal with the horse a little later. I think it had better be understood that we are not debating in this motion, in the form in which it is insisted that the question shall be put, when we cannot call, if it were convenient to call, for a decision upon it, when we have not those materials to which I referred the other day, the obligation to submit which to us has been admitted by the Government but remains unperformed; that we are not now debating, still less deciding, that great question, a question which is the question, Sir; for what we are debating to day, however important it may be on the general principles which govern it—and I believe it is of grave importance—however important it may be with reference to the question of sentiment and the question of feeling which have been raised about it, that question is but an incident of the real question which is to be tried between the two sides of this House. And again, Sir, I am unable to compliment the Government upon the course which they have pursued in determining that, this question being brought forward now, the discussion, in its practical form and sense, should be limited, by their motion of the previous question. I am not hinting that we may not debate the main motion just as freely after the previous question is put as before—of course we may; but all the questions which are involved in the main motion are questions which are properly to be debated, and some of them should have been brought forward in a manner in which the opinion of the House should be taken upon them in this connection; and the capacity to take the opinion of the House upon them in this connection being taken away from us by the proposal of the previous question, the Government has, as I conceive, exercised a very unwise discretion, and pursued a very needless course as well, in so dealing with the matter. I say a needless course, because I think it is pretty palpable to all of us that no possible amendment that could have been moved would have prevented us in the end from coming back upon the motion of the hon. member for Montmagny (Mr. Landry). I should myself deplore any attempt to evade a decision upon that precise question, but quite consistently with a decision upon that precise question being desirable is this proposition also good that it is desirable that there should be decisions upon other questions as well. Therefore, Sir, upon these grounds, and notably on the ground to which I have referred a moment ago with reference to the papers, when we happily reach that stage in this debate at which our opinions are to be converted into votes, I shall myself vote against the proposition that this question be now put, believing it is not fit that, at this time and under these circumstances, that the question should be now put. I shall represent, I feel sure, though I do not know, I am quite satisfied I shall represent in that declaration the opinions of a minority—how small or how large a minority is of little consequence—the opinions of a minority, and therefore immediately afterwards we will come to the question itself, and, coming to the question itself and recognising therefore the fact that with that question we shall have to deal, I propose to discuss the method in which we should deal with it, as of course after that first vote there will be no opportunity for further discussion. Now, I could well understand and I believe that I could well justify this proposition—that under the circumstances to which I have briefly alluded, it would be fit further to emphasise one's view of the inex-

pediency, the impropriety, the unfairness of the course which the Government is pursuing by abstaining from voting either way upon the main motion. I can thoroughly understand the opinions of many people as being in favor of such a view, thus leaving the question to be debated at its proper time and under its proper circumstances; and I can understand also—as you will readily perceive—the opinion as existing in some minds that in the sum of this whole matter, though they may not be able wholly to agree with the view of the Government, they should yet think that it was not a case in which there were grounds for recording a censure upon the Government in regard to their action. I have already declared, on the occasion to which I have referred, that such circumstances have existed in my knowledge, paying as I naturally do, some attention to the operation of criminal justice in the country, and I say that I can very well understand that some persons should reach that conclusion. It is not the view or course which I propose to adopt. I have reached, for my own part, conclusions which seem to me to be so clear, which seem to me to be so well founded, which seem to me to be so important in the general interest of the administration of criminal justice, that I feel it my duty notwithstanding the disadvantages in which we are placed in coming to a conclusion, not to permit those disadvantages to deprive me of an opportunity which, perhaps, might not recur, of recording my vote or expressing my opinion. Now, then, as I have said, it will be necessary that we should, before we can finally dispose of this question, though we are called upon to dispose of it now, it will yet be necessary that we should, before we can really and properly dispose of it, thresh out the question of the North-West affairs. I do not propose to enter into that discussion now, for the reasons which I have given. It is, perhaps, needless for me to do so, because I have already, at some considerable length, variously stated at from six to seven hours—I hope it was not quite seven, Mr. Speaker; I dare say you know better than any one of us—but I have stated in a speech which was but, after all, a chronological recital of the actions of the one side and of the other, my view upon the evidence which was then presented, of the relations of the Government to the North-West to the white settlers, and to the half-breeds in the neighborhood of Prince Albert and elsewhere the facts; and I have declared, and I think I have proved, that there were in those matters gross, palpable, incredible delay, neglect and mismanagement. I was struck the other night when my hon. friend from East Quebec (Mr. Laurier) in the course of another branch of his argument altogether, referred to the execution of Admiral Byng. I thought I recollected something of a historical parallel in another regard between those times and persons and these times and persons; and turning next morning to the book I had in my memory, Walpole's book on George II, I found what happened at that time. At that time, too, Sir, there was a North American question with England; at that time there was a French question in North America; and just at that time the annalist of the reign of George II, records with reference to the Secretary of the Southern Department, the Minister of the Interior of that day, the Duke of Newcastle—that duke who, when he was told, as I said awhile ago in this House, that Annapolis must be defended, said, "Oh, yes, of course; Annapolis must be defended; certainly. Where! where is Annapolis?"—of that same Minister, he records that what facilitated the enterprises of the French was the extreme ignorance in which the English court had kept themselves of the affairs of America. "It would not be credited," says the annalist, "what reams of paper, representations, memorials and petitions from that part of the world lay mouldering and unopened in his office." And turning a few pages on to the other event which had called my attention to the subject, I

find the account of this same Minister with reference to Byng, that when a deputation waited on him shortly before the trial took place, to make representations against the Admiral, he answered: "Oh, indeed, he shall be tried immediately, he shall be hanged directly." So you see, Sir, there are very curious parallels between past and present times. Now, Sir, I have held, and I hold this Government responsible for every dollar of the public and private treasure which has been expended, for every pang that has been inflicted, for every life that has been lost, whether on the field or on the scaffold in the North-West, and I believe that for this, their responsibility, they will be called to a strict and stern account, here first, and afterwards at the great tribunal so soon as they, who boldly challenge us to come on, choose to bring forward those papers which they hold—I do not know whether they be yet mouldering or unopened—but which, in some way or other, they hold within their vaults. Now, with reference to the insurgents, of course there was legal guilt—of course, rebellion, the old saying is, is always treason until it becomes revolution. The degree of moral guilt is not a question for the jury at all; it is a question to be considered when you come to award the punishment. It does not affect in the slightest degree either the verdict of the jury or the sentence of the court. Riel was legally guilty, no matter how great, and pressing, and long endured the grievances may have been; no matter how strong the case may have been; Riel was legally guilty, no matter what the moral justification or the moral palliation or excuse may have been; Riel, and those who rose with him, were legally guilty of the crime of treason, if they were mentally responsible. The Crown in the course of this trial, stopped the evidence about the grievances, and they stopped it—I make no complaint of their conduct—they stopped it rightly, because it was no defence at law, because it was utterly impossible, as the Crown counsel observed, that the court which sits under the authority of this Parliament and of this Government, could permit evidence to be taken to show that treason or rebellion against this Government was a justifiable thing. There was then, Sir, upon this trial before the jury, complicity with and a league in, the insurrection being abundantly proved, and in fact practically admitted, the single question whether the prisoner should be found guilty, or whether he should be found not guilty, on the ground of insanity. Now, before dealing with that question, I wish to refer to some only of the incidents connected with the trial, and I regret that the course of this debate has somewhat lessened, in one or two respects, the favorable impression which I had derived and had pleasure in expressing on a former occasion. I have myself expressed—and I had hoped, and hope now that what I said, though not said here, might have been thought, not wholly unworthy of some observations—I have expressed my regret at the choice of the judge in this case. I have pointed out there were some difficulties in relation to any judge who might be appointed under the existing circumstances; that in the first place these stipendiary magistrates, in the North-West were, in truth, inferior magistrates. They are not magistrates—I desire to speak of them with all due respect—but confessedly they are not magistrates in any sense of that weight, dignity, authority, and standing which belong to those magistrates, who, under the laws of the older Provinces of the Dominion, are entrusted with the trial of capital offences. I have pointed out, besides, that those judges are political officers, as members of the North-West Council, of that very North-West Council which, shortly after these trials, thought it within the sphere of its duty to pronounce an opinion—first of all, upon the conduct of the Government with reference to the transaction of its business, that portion of its business the neglect of which led to the insurrection or gave the opportunity for the insurrection; and, secondly,

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to pass an opinion upon the course which ought to have been, or the course which was, pursued by the Government with reference to the execution of this very sentence. I have pointed out also that the standing of those officers in another important respect is inferior to that which ought to be the standing of men entrusted with such issues, in this: That they are not officers holding their office during good behavior; they are officers holding office practically during pleasure. The security which grows from the entire independence of the judges of the Executive Government, does not subsist in this case, and the fact that it does not subsist has been emphasized by this Government, which in a well known case has removed one of those stipendiary magistrates from office. So that, not merely in theory, but in practice has the lesson been taught that these judges are under the control of this Government. Those difficulties, in my opinion, should have been removed by legislation. I do not think that Parliament as a whole, whatever the Administration may have done, really contemplated that trials for high treason or treason-felony should take place before those magistrates. I do not suppose that in what we thought was happy, peaceful and contented Canada there was any one who thought of the possibility of a trial for high treason or treason-felony. Speaking for myself I say it never occurred to me that we should have such a trial last year or any year in our country; and I therefore say that I fancy it must have been upon that view very largely that the legislation which was passed by the late Government and which was amended in a direction which diminished to some extent the securities for the prisoner by the present Government, was passed. You may say these are but theoretical difficulties after all. I say, no. I say they are serious practical difficulties. I have already said elsewhere that the question is not simply of the actual fairness of the trial. It is of the last consequence that the public should have all the securities which constitutional government and parliamentary government have wrested from the prerogative, and that there should be in the minds of the public a certain conviction that those securities exist and are available. This is not a new question with us.

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

After Recess.

SECOND READINGS.

Bill (No. 24) to incorporate the Kingston and Pembroke Mutual Aid and Insurance Company, Limited.—(Mr. White, Renfrew.)

Bill (No. 25) respecting the Northern and Pacific Junction Railway Company.—(Mr. McCarthy.)

Bill (No. 27) to amend the Act to incorporate the West Ontario Pacific Railway Company.—(Mr. Macmillan, Middlesex.)

Bill (No. 32) to incorporate a Community of Religious Ladies under the name of "The Sisters, Faithful Companions of Jesus."—(Mr. Royal.)

Bill (No. 33) to incorporate the Shuswap and Okanagan Railway Company.—(Mr. Homer.)

Bill (No. 37) to naturalise Girolamo Consentini, commonly called Baron Girolamo Consentini.—(Mr. Hall.)

Bill (No. 38) relating to the Niagara Grand Island Bridge Company.—(Mr. Baker, Victoria.)

Bill (No. 40) relating to the Canada Southern Bridge Company.—(Mr. Baker, Victoria.)

Bill (No. 45) respecting the Dominion Lands Colonisation Company, Limited.—(Mr. Beatty.)

Bill (No. 48) to amend the Act to incorporate the Niagara Frontier Bridge Company.—(Mr. Rykert.)

EXECUTION OF LOUIS RIEL.

Mr. BLAKE. Before recess I was pointing out that we must not consider these points as theoretical merely; they are practical—intensely practical. The spirit of them is exhibited in our Statute-books, in the Act which constitutes the Supreme Court, in which it is expressly provided that the judges of that court should not be competent to accept any commission or employment, or any emolument under the Government of the day. In the Consolidated Statutes of Lower Canada, an express prohibition of a similar character exists, and was brought into play we recollect, not so many years ago, by our late lamented friend, Mr. Holton, and that in connection with a North West matter too, when a learned judge of the Superior Court of the Province of Quebec had been appointed administrator of the Government of the Province of Manitoba. This statute precluded the taking effect of that appointment. And how did this take place? How was it that this law was engrafted on the Statute Book? Because it had been found of practical consequence to the people of the Province of Quebec that it should be so. There also, as we know, there had been an agitation against grievances of many years' standing, which culminated in the rebellion of 1837; and for a great many years this question had been one of the questions agitating the people of that Province. You will find that as early as 1825 the resolutions of the Legislative Assembly of Lower Canada declared as follows:—

"That for the more upright and impartial administration of justice it is expedient to render the judges of His Majesty's Court of King's Bench and Provincial courts more independent than hitherto by incapacitating the said judges from seats in the Executive and Legislative Councils, and disqualifying such as have now seats therein from sitting or voting in such Councils.

"That it is expedient to secure by law to the said judges their respective offices during good behavior in the same manner as those officers are secured in England.

"That it will be expedient, for the purpose aforesaid, to secure adequate permanent salaries to the said judges on their being prevented from holding any other office of profit or emolument under the Crown."

It is not, Sir, in the heyday of liberty that we are to forget the securities for freedom. The price—according to a hackneyed but ever-to-be-remembered maxim—the price of liberty is eternal vigilance; and in this regard, as I have said, an error has been committed. Now, what is the measure and extent to which this Administration is chargeable in this respect? Certainly not in the existing state of the law with reference to a trial before one of the stipendiary magistrates. All that can be complained of fairly against them is, that their attention being called to the special circumstances of the case to the unprecedented and unanticipated circumstances, during the late Session of Parliament, by the hon. member for Beauharnois (Mr. Bergeron), and the suggestion being made that legislation should take place, they declined to accede to the suggestion and insisted that the trial should go on under existing laws. Sir, I have said that trials of this description differ altogether from all other classes of trial in respect to the importance of the independence of the judiciary. They differ wholly, because in trials of this description there is hardly a conceivable case in modern times at any rate, in which the Government does not occupy a wholly different relation to the prosecution from that which it occupies in all ordinary cases in the administration of criminal justice. There can be no question, for example, of the Government being otherwise than an impartial and equal administrator of the law if John Jones or Tom Smith is taken up and accused of having picked somebody's pocket, or robbed somebody's barn, or maimed somebody, or killed somebody. But cases of this description wholly differ. In this case the Government may be, generally is, in this particular case unquestionably was—a prosecutor in altogether a different sense and with altogether different relations to the prisoners than in those other cases. I point out—for I desire through this discussion

to sustain myself by authority—what authority says upon this topic. I refer to the well-known book of Lieber on Civil Liberty, where he uses these words:

"In the trial for treason the Government is no longer theoretically the prosecuting party as it may be said it is in the case of theft or assault, but the Government is the really offended, irritated party, endowed at the same time with all the force of the Government to annoy, persecute and often to crush. Governments have therefore been most tenacious in retaining whatever power they could in the trial for treason; and on the other hand it is most important for the free citizen that in the trial for treason he should not only enjoy the common protection of a sound penal trial; but far greater protection. The trial for treason is a gauge of liberty. Tell us how they try people for treason and we will tell you whether they are free.

"It redounds to the glory of England that attention was directed to this subject from early times, and that guarantees were granted to the prisoner indicted for treason centuries before they were allowed to the person suspected of a common offence. * * * Experience proves that not only are all the guarantees of a fair penal trial peculiarly necessary for a fair trial in treason, but that it requires additional safeguards; and of one or the other the following seem to me the most important.

"The judges must not depend on the Executive."

"The judges must not be political bodies."

Many safeguards are specified, of which I select the two that are apposite to the present case: "The judges must not depend on the Executive; the judges must not be political bodies." Now, Sir, being in the difficulty that in these particular trials the Government under the standing laws which they did not choose to propose to alter, had to select a judge who was dependent on the Executive—a judge who was one of a political body, it was eminently incumbent on them to have made the best selection, the one which was least objectionable, the one in respect of which it might be said, though there is a difficulty as to all to which I have adverted, this one is certainly the least or, at any rate, not the most obnoxious. But what I have objected to on a former occasion, an objection which I renew to night, is to the choice of the particular judge, because this particular judge, as you will see if you refer to the Public Accounts, was the recipient of special favors, the occupant of special relations to the Executive of the day. In the first place, he is the legal adviser to the Executive of the North-West; he is so appointed during the pleasure of the Government; he is so paid a salary during the pleasure of the Government. He answers to the Attorney-General, the legal adviser of the Government in the North-West Territories; and it needs not to enlarge upon the relations and responsibilities of a Lieutenant Governor of the North-West Territories to a rebellion in the North-West, and upon the relations and responsibilities of the First Minister of Canada, who declared that he was the medium of communication between the two Governments, and of the Minister of the Interior towards the Lieutenant Governor of the North-West Territories to point out that it was an unhappy choice to select, of the three or four judges, the person who filled the position of the political adviser, the political law officer, to the Government in the Territories to be the judge in this particular trial. He is also the recipient of special favors. I find, in the Auditor General's Report, just brought down, a statement of his accounts. I find that, irrespective of his salary of \$3,000 a year, there has been paid to him, during the year to which these accounts refer, a special rental allowance of \$500, an additional salary as legal adviser to the Lieutenant-Governor of \$200, three votes of \$200 each as a nominative member of the North-West Council, his travelling allowance of \$1,000, and something between \$100 and \$500 for expenses and allowances for attendance at Ottawa in connection, it is said, with the Torrens' Act; making a total of over \$2,700 paid during the last year to this judge, in addition to his salary of \$3,000. Now, as to travelling allowances, and allowances as nominative members of the North-West Council, the other judges were in the same position; but the allowances for house rent and as legal adviser and in connection with the Torrens' Act are peculiar to the

particular officer whom the Government, I think, extremely unfortunately, decided they would entrust with the duty of conducting these trials. Well, the judge chooses the jury panel, and we have heard from the hon. member for Bellechasse (Mr. Amyot) a statement, which I think is of considerable importance, and with reference to which I should have desired to hear something from the Government before now—a statement to the effect that there were persons of the faith and nationality of the prisoner eligible as jurymen, but that none or only one such was chosen of the panel. I heard the hon. member for Montreal Centre (Mr. Curran) say that no objection of that description could apply, in consequence of the relations of the prisoner at the time of his trial to the church of his fathers and the church to which he himself belongs, but I do not think that argument holds; and, for my part, I must express my regret that, if the circumstances be as up to this moment they appear to be from the uncontradicted statement of the hon. member for Bellechasse (Mr. Amyot), a wider selection should not have been made of the panel; and I share the regret expressed by several hon. members that the single person who happened to be on the jury, of that faith, should have been peremptorily challenged. For that challenge there may have been, for all I know, a good reason; but we are not told, and we must not presume it was a challenge for cause. We all know the shock to the administration of justice which ensued when those of his faith were challenged on the occasion of the O'Connell trial. That ought to have been a lesson on this occasion, and the same difficulty ought not to have recurred in our day. Again, with reference to the character of the prosecution. The written instructions which were given to the Crown lawyers were to try all the leaders, with the exception of certain Indians and others who might be chargeable with murder—to try all the leaders for treason. No distinction whatever was made in those instructions between Louis Riel and the other leaders. Now, how did it happen, under these circumstances, that all the prisoners, except Louis Riel, were indicted—for the same offence it is true—but under the more modern statute and procedure, for treason-felony, while Riel alone was tried for high treason under the ancient law? Were there special instructions given which have not been brought down to us, or special verbal instructions or communications differing from the general instructions which have been brought down to us, as the only instructions given to the officers? If there were none such, I consider it to have been a violation of those instructions to try for treason-felony the mass of the leaders, and for high treason, one. They were all ordered to be tried for treason, and they all ought to have been tried under the same statute, unless special instructions were given to the contrary. It was, of course, with the cognisance of the Government that this difference was made, because it was everybody's news—it was reported in the papers; and, therefore, I assume that the Government either instructed, in the first instance, or else acquiesced in the course pursued; and I am entitled to assume that because I observe still further that the Deputy Minister of Justice was one of the officers associated with the others in the conduct of the trial. As to the time, I agree with the observations that have been made, that it seems to have been short; but I am not prepared, in the present state of the evidence, to maintain that it was too short, simply because I have been unable to observe any protest on the part of the prisoner's counsel that it was too short, excepting in so far as such protest may be implied from their having asked for a longer time than the Crown counsel granted. Upon that subject, I think we might have some further information. I was glad to be able to make an observation, which has been referred to before in this debate, as to the assistance given by the Crown in procuring the prisoner's witnesses; that

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observation can no longer be repeated in its full force, because I have learned, since this debate commenced, the course which was pursued with reference to the request for witnesses. In my view, it was of the highest consequence, and in saying that I do not overlook the letter which the hon. member for Montreal Centre (Mr. Curran) read, that Dr. Howard should have been called. I do not, after the statement of that hon. member, charge his not being procured upon the counsel for the Crown, because the hon. gentleman read a letter addressed to Dr. Howard from the Department of Justice here, from which it appeared that negotiations had been going on between the Department of Justice and Dr. Howard as to the terms upon which that gentleman would visit Regina; that he had named, under the special circumstances which the hon. gentleman mentioned, the sum of \$500; and that it was upon the question of that charge that the Department of Justice declined to arrange for Dr. Howard going up to Regina. Now, Sir, I regret that decision. I think it extremely unfortunate that Dr. Howard—who, besides being a well known alienist, also had charge of Riel for, as well as I could gather, a period of nine months in the asylum over which he presided—was not a witness at the trial, and that we have not now the benefit of his evidence. I do not think any such question as the difference between what might have been supposed to be his reasonable charge and the sum of \$500 ought to have weighed for an instant in considering the question whether he should have been available or not. Then, Sir, I think it is unfortunate that we do not know more with reference to the complicity and responsibility of the whites in the rebellion. We remember the speech of the First Minister, last Session, in which he declared that it was not to the Indians or to the half-breeds, but to the whites of Prince Albert, that we owed the shame, the disgrace and the discredit of the rebellion. We find the law officer of the Government pointing out the same proposition, not as positively but still with a tolerable degree of certainty, to the counsel whom he was sending there, and instructing them that no point was more important than that they should secure evidence and convict those who are guilty in this regard. We hear from the Minister of Justice that reports have been received from the law officers of the Crown on all these points; we know the beggarly kind of attempt made to mete out justice to these guiltier whites. We know that two only were committed for trial, for the Minister of Justice has told us so; we know that one was Jackson of whom the Secretary of State, with that liveliness of imagination which characterises his oratory, told his constituents at Terrebonne that he was a Frenchman in all but the name, that he was *Francisé*, that he was just as much a Frenchman as Regnier, and there was no question of nationality about it.

Mr. CHAPLEAU. I did not.

Mr. BLAKE. Oh! well, we will verify as we go on. Here is a report in *La Minerve* of the hon. gentleman's speech:

(Translation.)

"A VOICE. You have pardoned Jackson, the Englishman, why did you not pardon Riel? Jackson, gentlemen, what has been said and written with regard to Jackson's pardon is, allow me to use the words, downright stupidity. In the first place, Jackson is no more an Englishman than you or I. All the English there was in him was his name, and he was just as much French by blood and language as Riel himself. In this he was a good deal like a great many of our countrymen who are of English or Scotch descent, but who are thoroughly frenchified. Jackson was one of Riel's secretaries. His fate was that of Régnier, his colleague, who was a Canadian by name and origin."

And then the hon. gentleman proceeds to say:

(Translation.)

"They were both pardoned as accomplices in the second degree, so that the question of race had nothing to do with the case."

That was the hon. gentleman's statement by the revised report of the hon. gentleman's speech in the *Minerve*,

Mr. CHAPLEAU. It was not my statement. The hon gentleman who corrects the *Hansard* here should allow other people to correct reports in other papers.

Mr. BLAKE. I do allow it to be corrected. So this is the account of the trial of Jackson, who, I admit, was an Englishman, contrary to the incorrect report of the gentleman's speech, which some wicked adversary, with intent to get him into a corner and injure him politically, has foisted into that well known hostile paper to him, the *Minerve*. I leave the responsibility to him and the hon. member for Ottawa (Mr. Tassé) of settling with the reporter, and I hope the hon. gentleman will not blame me if I have chosen the report from that paper which has given ostensibly, in the first person, a verbatim report of his speech.

Mr. CHAPLEAU. I blame the hon. gentleman for not accepting the statement of one of his colleagues in the House.

Mr. BLAKE. I said I hoped he would not blame me for having taken the report. With reference to Jackson, we know well the circumstances in his case. We know that he had joined Riel at an early period, and that he is said to have become a lunatic and was acquitted on the ground of insanity. The other person was one Scott, of whom we have not equal particulars, but of whom the Minister of Justice reports to us the result of the trial, saying he was found "not guilty;" and I think having read that in the instructions to the law officers and hearing the Government declare that the persons principally guilty were the whites of Prince Albert, it would be important to us in measuring out the degree of lenity or severity that was due to Riel, to have heard something more of the result of this search by the Government against their white enemies. I pass, although there are other points to which I might refer, to the issue which I have said was for the jury to decide on that occasion, and that issue was, not whether Riel was insane in the sense in which, in common parlance, we use that word, but whether he was insane in the sense of the word which is used in order that it may create irresponsibility for crimes. By our law, whether that law be right or wrong, he might be insane in the sense in which we ordinarily use the word, and yet criminally responsible; and the question for the jury was, in fact, whether he was so insane as, within the meaning of the law, to be responsible for his acts. This is a difficult question, as are all questions of insanity, and it may be divided into two headings: First, what was the effect if his conduct were genuine? And next, was it genuine or feigned? Now, I want to fasten, if I can, upon your mind the question for the jury. I want you to remember that the question for the jury was whether he was insane within the meaning which the law attaches to that term, so as to induce the consequence of irresponsibility for crime, because it must be always remembered, as the vital question, as the vital point, that, without disturbing in the slightest degree the finding of the jury, there may remain, and generally will remain, under circumstances like these, important considerations as affecting the moral guilt, and therefore, as affecting the degree of punishment to be awarded to the prisoner. The verdict then of guilty would be right, first of all, no matter how great were the faults of the Government, no matter how clearly political was the offence, no matter how great the grievances, no matter how long-enduring and suffering the people might have been, the verdict of guilty would be right, no matter how these things might have been, and also the verdict of guilty would be right no matter how clearly Riel's intellect were disordered, if it were not disordered up to a certain point; and these two things, the question of the political character of the offence and the resultant considerations, and the question of the disorder of intellect, would fall to be considered, consistently with

not disturbing in the least the verdict of guilty by the jury, in the award of punishment. Now I shall make good after a little while by authorities those two propositions; but before touching the facts as to the mental condition of this individual, it may be as well to look for a moment at the general knowledge on the subject and the principles of enquiry. There is an old controversy between the lawyers and the doctors upon this head; the doctors widening the degree of irresponsibility due to disordered intellect, and the lawyers narrowing it. Both extremes were, I humbly venture to think, perhaps wrong, and I believe that these extremes are somewhat meeting now. I believe that many eminent men in the medical profession in these modern days have come round to the view that there may consist with a decidedly disordered intellect a measurable responsibility for crime, and that on the other hand the lawyers have come round largely to the view that the old and, what I may call in the main, the barbarous dispositions of the law, ought no longer to be considered as governing the case of insanity. But we have not to do, in the disposing of this matter, with the law as we would like it to be, or as we think it ought to be, or as we may hope it is going to be. It would be unjust entirely to try the Administration, or the judge, or to consider of the case on any such footing. We have to ascertain, if we can, what the law is, as applicable to the case and then see how the facts fit into it. Upon this question of insanity, so much has been said abroad and within this House utterly inconsistent, as I understand them, with the settled facts, that I desire, besides alluding to authorities which were quoted on the trial, and to the authorities which my hon. friend who spoke on that subject quoted, to refer to a very few passages from books. I have heard two hon. gentlemen speak of homicidal mania, as if we had anything very specially to do with that here, and point to the fact that the homicidal maniac acts without accomplices, and that, because Riel had accomplices, therefore he could not be a homicidal maniac. I have heard an hon. gentleman this afternoon illustrating this subject by reference to the description of idiocy, by reference to the description of imbecility, by reference to the description of dementia. Now, however much those descriptions may apply to very many respectable persons who entertain, and even to some who express, opinions on this subject, they certainly have nothing to do with the peculiar kind of insanity with which we are dealing. Now, Sir, the eminent French writer Georget, who is quoted by Browne, says:

"In conversing with patients on subjects foreign to their morbid delusions, you will generally find no difference between them and other people. They not only deal in commonplace notions, but are capable of appreciating new facts and trains of reasoning. Still more, they retain their sense of good and evil, right and wrong, and of social usages to such a degree that whenever they forget their moral sufferings and delusions, they conduct themselves in their meetings as they otherwise would have done, enquiring, with interest, for one another's health, and maintaining the ordinary observances of society."

"Those who conduct themselves so well in the asylum, in the midst of strangers with whom they have no relations, and against whom they have conceived no prejudice or cause of complaint, and in quiet submission to the rules of the house, are no sooner at liberty in the bosom of their families, than their conduct becomes unsupportable; they are irritated by the slightest contradiction, abusing and threatening those who address the slightest observation to them, and working themselves up to the most intolerable excesses."

Clouston, who had charge of the Morningside Asylum, a very well known institution at Edinburgh, in his lectures on this matter, says:

"But to return to D.M., who may be taken as a typical case of monomania of grandeur, his mind is not only affected with the delusion that he is king, but it is affected by an unreal tendency to elevation in all directions, and it is now somewhat enfeebled, as is commonly the case after many years in such cases. He often writes me long rambling letters proposing various impractical modes of managing the asylum, and he is the greatest fault finder in it. Then affectively, he is different from a sane man, showing small love for his wife and children, and he takes morbid dislikes to people without real cause. He is of course very inconsistent to work as a blacksmith, he being a king; but the conduct of by far the majority of the insane is quite

inconsistent with their beliefs; and then, if he did not work he would get no tobacco, or beer to lunch, arguments that even royalty can appreciate."

Again he says:

"I have a 'prophet of the Lord,' D. O. B., a joiner who by no means at our disposal can be got to work at his trade. He says that the Lord has sent him a new work and he must follow it. He sees visions from God all the time, which he puts down on paper, &c., &c.

"I have another man, D. O. C., with almost precisely the same delusion, viz., that he is a 'man of God,' who is a capital worker in the garden, and enjoys a dance or concert immensely."

Then, referring to a number of the others of the inmates of the asylum, he says:

"Here is Jesus Christ, and here are the prophet Elias, the Emperor of the Universe, the Universal Empress, Empress of Turkey, the only daughter of God Almighty, Queen Elizabeth, four Kings of England, one King of Scotland, the Duke of Kilmarnock, the inventor of perpetual motion, a man who has discovered the new elixir of life that can cure delusions, 12 persons to whom this establishment and all that it contains belongs, a lady who daily and nightly has delightful conversations with the Prince of Wales and the rest of the royal family, &c. &c. Those are all calm and harmless people, bearing themselves in their deportment and manner as becomes such distinguished persons, though a few do not exhibit any outward or muscular indications of their greatness, all are some way inconsistent and absolutely unmoved by the most conclusive argument or evidence that their ideas are wrong or unfounded."

In the report of the Commission on Capital Punishment which sat in 1865, the very eminent physician, Dr. Tuke, being examined, gave the following answers to questions:—

"Q. I believe that the knowledge of right and wrong is by no means uncommon among persons who are decidedly insane?—A. It is the normal state for them to have such knowledge.

"Q. I suppose that in lunatic asylums you find a consciousness between right and wrong; that is to say, obedience to the rules which you lay down?—A. Except in cases of absolute idiocy or dementia, the knowledge of right and wrong is intact."

Then, with reference to the border line, Clouston says on the subject of delusional insanity:

"There are plenty of persons doing their work in the world well and getting through their labor under monomania of pride or suspicion in a mild form. The now famous case of M. Wyld who held an important government office and did his work well all his life, and yet had labored under the delusion of grandeur, that he was the son of George IV, and left all his money to the town of Brighton because that monarch had been fond of that place, is one in point. He was held to be sane in everything he did but his will making. I am constantly consulted by their friends about the insane delusions of persons who do not show them to anybody but their near relations, and continue to do their work and occupy responsible positions. I now know in Scotland lawyers, doctors, clergymen, business men and workmen who labor under undoubted delusional insanity, and yet do their work as well as if they had been quite sane."

The latest work I have been able to see on this subject is that of Dr. Ireland, published last year, called "The Blot upon the Brain;" and he says this:

"Thus between the soundest intelligence and the most disordered there are differences our vague adjectives will not define. People mad enough to be shut up in asylums are not so rare—say one in every 500 in highly civilised countries. Then again, people with a less dangerous or intractable degree of insanity are very common. Every man skilled in the symptoms of lunacy knows this. In the world's history, men somewhat deranged in mind have had a great influence; but to effect this their delusions must harmonise with the delusions of the multitude.

"The history of religious imposture shows how powerful may be the influence of the insane upon the sane. If disposed to enlarge upon such a subject, we might have the characteristics of some of the founders of the wild sects which sprang into being during the period of the Reformation, from John of Leyden to Venner. Towards the end of the last century, Mr. Richard Brothers, of whose insanity there can be no question, infected some educated people, and many of the vulgar, with his claims to be an inspired prophet. Mr. Halhed, a well-known Orientalist and member of Parliament, was one of his followers. There are people still living who remember Joanna Southcott, who was, when 60 years of age, to give birth to the Messiah, and who was said to have had 100,000 followers. In 1838 John Nicholl Thom collected a number of followers among the ignorant rustics of Kent, and killed a constable who came to apprehend him. After this he persuaded his dupes to face the military, under the assurance that he would make them invulnerable. Thom killed with a pistol the officer of a detachment which came to arrest him, and was instantly shot dead, with nine of his credulous followers, by the soldiers. It was even believed that he would rise again within a month."

MR. BLAKE.

I read this—partly to meet what I conceive the erroneous argument stated in the report of Sir Alexander Campbell, in which he argues the impossibility of Riel having been seriously affected in his mind, because he could not have done what he did do, and had the followers he had, and pursued the career in that respect that he did, unless he were sane. Then, Sir, we come to the question of the legal view of insanity and of responsibility as affected thereby, and here again I trouble the House with what I conceive to be the best records of the expounded law upon the subject. Amos, in his work, says:

"Insanity, in the largest sense of the term as used for legal purposes, is a temporary or permanent disorder of the relations between the mental and physical functions of man, of such a nature as to destroy the value of the current presumptions, founded on those relations, as existing in a condition of health."

The other quotations which I make are from Sir James Fitzjames Stephen, the well known criminal lawyer, who has devoted, I suppose, more attention to the principle and theory, and the practical operation of the criminal law, than any, or, at any rate, most, other modern criminal lawyers, who has been practically engaged in the attempt at codification, and whose knowledge and position has been recognised by his appointment to the judiciary, subsequently to which he became a member of the latest commission upon this subject. Now, in his very recent work upon the history of criminal law, he gives an exposition upon this subject which he derives principally from the writer Griesinger, of whom he says that, after having read all that was to be found upon it, he thinks that this concurs with, if not all, the overwhelming bulk of medical authority, of which may be fairly taken as a summing up:

"Sanity exists when the brain and the nervous system are in such a condition that the mental functions of feeling and knowing, emotion and willing can be performed in their regular and usual manner.

"Insanity means a state in which one or more of the above mentioned mental functions is performed in an abnormal manner, or not performed at all by reason of some disease of the brain or nervous system.

"There are two grand groups or fundamental states of mental anomalies which represent the two most essential varieties of insanity. In the one the insanity consists in the morbid production governing and persistence of emotions and emotional states, under the influence of which the whole mental life suffers according to their nature and form.

"In the other the insanity consists in disorders of the intellect and will which do not (any longer) proceed from a ruling emotional state, but exhibit without profound emotional excitement, an independent, tranquil, false mode of thought and of will (usually with the predominant character of mental weakness). Observation shows further, that, in the great majority of cases, those conditions which form the first leading group precede those of the second group; that the latter appear generally as consequences and terminations of the first, when the cerebral affection has not been cured.

"Then the emotions are divided into two classes: those which tend to depression, resulting in melancholia; and those which tend to excitement, resulting in mania, the condition in which the disease of the brain constitutes an excited vehement state of the emotions tending to morbid energy and restlessness.

"Melancholia often passes into mania. The approach of mania displays itself by great restlessness and loquacity, accompanied with morbid activity of thought.

"The effect of mania upon the intellect is to increase the rapidity and quantity of thought. In its most moderate degrees this relation appears as an exaggeration of the normal faculty of thought.

"The principal effects of mania upon the intelligence is incoherence arising from precipitation of thought. The patient may call himself Napoleon, the Messiah, God, in short, any great person. He may believe that he is intimately acquainted with all the sciences, or offer to those around him all the treasures of the world.

"Mania may be incompletely developed, in which case the patient shows a natural activity and restlessness, adopts strange, eccentric projects, and is apt to be exceedingly vain, cunning and intriguing, but does not manifest either definite marks of disease of the brain or positive disturbance of the intellect. This state may be the first step towards mania proper, or it may continue for a length of time.

"The earlier form of madness, melancholia and mania, sometimes pass into a condition of feeling in which, however, particular delusions which, in the earlier stage of the disease, may have occurred to the patient in an unstable, transient way, become fixed in his mind and regulate his conduct.

"The condition in which a person is a victim for a time or permanently of fixed delusions is called monomania. The word has been objected to on the ground that it suggests that the disease is much more limited than it really is, involving nothing more than isolated mistaken beliefs not capable of being dispelled by reason. It appears that this

view of the disease is incorrect. Such fixed delusions proceed from a profound disturbance of all the mental powers and processes. It may seem as if there were merely a partial destruction of the intelligence, while, in reality, the essential elements of thought, normal self-consciousness, and a correct appreciation of the special individuality and its relation to the world are utterly perverted and destroyed.

"The more limited the circle of these delirious conceptions, the more do they appear on superficial consideration to be simple and even inconsiderable errors of judgment. But how much do such errors, even in the most favorable cases, differ from those mistakes which in the same proceed from deficient knowledge? A long series of psychical disorders must precede them; they are inwardly developed from states of emotion. The whole personality of the patient is identified with them; he can neither cast them from him by an act of will, nor rid himself of them by argument, and in order to the existence of the delirium in this mild form, not only must that long series of emotional states from which it grew have run their course, but there must also remain behind a deficiency of thought to ensure its existence.

"This account of the disease of madness may be summed up in the following short description:—Any one or more of numerous causes may produce diseases of the brain or nervous system, which interfere more or less with the feeling, the will and the intellect of the person affected. Commonly the disease, if it runs its full course, affects the emotions first, and afterwards the intellect and the will. It may affect the emotions, either by producing morbid depression or by producing morbid excitement of feeling. In the first, which is much the commoner of the two cases, it is called melancholia, in the second mania. Melancholia often passes into mania. Both melancholia and mania commonly cause delusions and false opinions as to existing facts which suggest themselves to the mind of the sufferer, as explanations of his morbid feelings. These delusions are often accompanied by hallucinations, which are deceptions of the senses. Melancholia, mania and the delusions arising from them, often supply powerful motives to do destructive and mischievous acts.

"Insanity affecting the emotions in the form of melancholia and mania is often succeeded by insanity affecting the intellect and the will. In this stage of the disease the characteristic symptom is the existing permanent incurable delusions commonly called monomania. The existence of any such delusions indicates disorganisation of all the mental powers, including not only the power of thinking correctly, but the power of keeping before the mind, and applying to particular cases, general principles of conduct.

"The result of all this is that insanity produces upon the mind the following effects which must be considered in reference to the responsibility of persons shown to have done acts which would, but for such effects, amount to crime. Insanity powerfully affects, or may affect the knowledge by which our actions are guided, the feelings by which our actions are prompted, the will by which our actions are performed, whether the word "will" is taken to mean volition or a settled judgment the reason acting as a standing control on such actions as relate to it. The means by which these effects are produced are unnatural feelings, delusions or false opinions as to facts, hallucinations or deceptions of the senses; impulses to particular acts or classes of acts, and in some cases (it is said) a specific physical inability to recognise the difference between moral good and evil as a motive for doing good and avoiding evil."

That being the statement by, I suppose, the most eminent and recent authority upon the legal view of what insanity is, so far as it is material to the question now in hand, namely, responsibility for criminal acts, I turn to the question of responsibility according to the law. Amos says:

"This topic which in many criminal cases excites an interest often-times of the most strained and afflictive sort is one surrounded with peculiar difficulties of its own, due to the complexity and variety of the facts which it brings into consideration. These facts are partly physical or belonging to that indistinctly marked region which lies between physical and psychological science; partly ethical or dependent on a given person's apprehensions of right and wrong under abnormal or exceptional conditions, partly legal or political or dependent upon the amount of legal responsibility attributable to various degrees of mental health, in view of the protection claimed by individual persons, and of a due regard to the general safety of the whole community. It is probably rather in the first of these regions, that is the physical or psychological one, that the main practical difficulty is experienced. It is generally admitted in all systems of law that sufficient and satisfactory grounds for exculpation are found in an actual mental incapacity, whether fixed or transient, of knowing at the moment of doing an act that it is forbidden by law, or at any rate that it is morally reprehensible according to some moral notions in the agent's own mind—or in a physical incapacity to abstain from doing the act. The difficulty is presented at the moment at which it is attempted to establish the fact of either of these sorts of incapacity, and it is greatly exaggerated in cases where a legal system instead of exculpating all insane persons as a class affects to attach different degrees of punishment to different measures of presumed moral responsibility. . . . The records of criminal trials are full of an almost endless diversity of conditions of medical and moral theories to account for them."

Then Stephen's notion of the law, as it probably is, is given at page 149; extracted from the Digest:

"No act is a crime if the person who does it is at the time when it is prevented (either by defective mental power—or) by any disease affecting his mind:

"(a) From knowing the nature or quality of his act, or

"(b) From knowing that the act is wrong, or

"(c) From controlling his own conduct unless the absence of the power of control has been produced by his own default. But an act may be a crime although the mind of the person who does it is affected by disease, if such disease does not, in fact, produce upon his mind one or other of the effects above mentioned in reference to that act."

Then, in answer to the question: What is the meaning of a maniac laboring under such a defect of reason that he does not know that he is doing what is wrong? He says:

"It may be said that this description would apply only to a person in whom madness took the form of ignorance of the opinions of mankind in general as to the wickedness of particular crimes—murder, for instance—and such a state of mind would, I suppose, be so rare as to be practically unknown. This seems to me a narrow view of the subject, not supported by the language of the judges.

"I think that any one would fall within the description in question who was deprived by diseases affecting the mind of the power of passing a rational judgment on the moral character of the act which he meant to do.

"Suppose, for instance, that by reason of disease of the brain, a man's mind is filled with delusions, which, if true, would not justify his proposed act, but which in themselves are so wild and astonishing as to make it impossible for him to reason about them calmly or to reason on matters connected with them, &c., &c."

He quotes Bucknill and Tuke as follows:—

"It is of the highest importance to distinguish between that part of wrong conduct which patients are able and that which they are unable to control.

"Clinical experience alone gives the power of distinguishing between the controllable wrong conduct which is amenable to moral influences, and that violence utterly beyond the command of the will which yields only to physiological remedies."

Then Sir James Stephen shows very clearly that the language of the judges is doubtful and capable of different interpretations. He adds this:

"I understand by the power of self control the power of attending to general principles of conduct and distant motives and comparing them calmly and steadily with immediate motives and with the special pleasure or other advantage of particular proposed actions.

"Will consists in an exertion of this power of attention and comparison up to the moment when the conflict of motives issues in a volition or act.

"Diseases of the brain and the nervous system may in any one of many ways interfere more or less with will so understood. They may cause definite intellectual error, and if they do so their legal effect is that of other innocent mistakes of fact.

"Far more frequently they affect the will by either destroying altogether, or weakening to a greater or less extent, the power of steady, calm attention to any train of thought and especially to general principles and their relation to particular acts. They may weaken all the mental faculties so as to reduce life to a dream. They may act like a convulsion fit. They may operate as resistible motives to an act known to be wrong. In other words they may destroy, they may weaken or they may have unaffected power of self control.

"The practical inference from this seems to me that the law ought to recognise these various effects of madness. It ought, where madness is proved, to allow the jury to return any one of these verdicts:

"(1) Guilty;

"(2) Guilty; but his power of control was weakened by insanity;

"(3) Not guilty on the ground of insanity."

I once again call the attention of the House to the suggestion as to what the law ought to be, and I call attention to it because I shall point out before I have done that this practical result of dealing with the second class of cases, namely: "guilty but his power of control was weakened by insanity," is achieved by other means to-day, namely, by the action of the Executive. Again, Stephen says:

"As to the verdict of not guilty on the ground of insanity, the foregoing observations show in what cases, in my opinion, it ought to be returned, that is to say in those cases in which it is proved that the power of self-control in respect of the particular act is so much weakened that it may be regarded as practically destroyed, either by general weakening of the mental powers, or by morbid excitement, or by delusions which throw the whole mind into disorder or which are evident that it had been thrown into disorder by diseases of which they are symptoms, or by impulses which are irresistible and not merely unresisted."

"The position for which lawyers have always contended as to insanity is that parts of the conduct of mad people may not be affected by their madness, and that if such parts of their conduct are criminal they ought to be punished for it. It may, however, be asked how ought they

to be punished? Ought they to be punished in all respects like sane people? To this I should certainly answer, yes, as far as severity goes; no, as far as the manner of punishment goes. The man who, though mad, was found guilty without any qualification of murder would hang, but if the jury qualified their verdict in the manner suggested in respect of any offender I think he should be sentenced, if the case were murder, to penal servitude for life, or not less than, say 14 years, and in cases not capital to any punishment which might be inflicted on sane man.

"The question what are the mental elements of responsibility is, and must be, a legal question.

"I believe that by the existing law of England, those elements, so far as madness is concerned, are knowledge that an act is wrong and power to abstain from doing it, and I think it is the province of judges to declare and explain this to the jury.

"I think it is the province of medical men to state, for the information of the court, such facts as experience has taught them, bearing upon the question whether any given form of madness affects, and in what manner, and to what extent it affects either of these elements of responsibility; and I see no reason why, under the law as it stands, this division of labor should not be fully carried out."

In the case of the commission to which I have already referred, Baron Bramwell sends a letter to the commissioners stating the results of his murder trials, from which I extract this:

"Six persons in six cases were acquitted on the ground of insanity, and rightly. I do not mean that the prisoners were as insane as the law requires, but the cases were those of real madness."

Now, Sir, having thus attempted to state, not in my own words, but in words which I think will be taken as those of the greatest authority, what are the doctrines of the law upon this subject, I propose to address myself for a brief space to what was the evidence in this particular case adduced at the trial as distinguished from other circumstances which might have been adduced. And first of all, the most important point in the case is this: The man had been insane. Unquestionably he had been insane. I say that is a most important point, and therefore it is first to be taken up. Dr. Roy, the medical superintendent of the Beauport Lunatic Asylum, was examined, and the substance of his testimony was:

"The prisoner was put in the asylum by the Quebec Government in June, 1876, and discharged January, 1878.

"Dr. Roy, in discharge of his duty, studied his case and attended him. He was unquestionably insane at that time. The type was megalomania. The symptoms or prominent features connected with religion, or power, pride and egotism. The patient cannot bear contradiction, and becomes irritated. These are delusions.

"On ordinary subjects, and where not affected by the delusions, the patient seems to reason well, and may be clever. Riel had these symptoms, and was at that time of unsound mind, and incapable of controlling his acts.

"The disease may disappear, or intermit and recur.

"Riel was of sound mind when released.

"The witness heard the evidence given by the witnesses as to Riel's words and conduct during his visit to the North-West.

"The symptoms were the same as he had witnessed himself in the asylum at Beauport; and he believed Riel was insane at the time in question."

Now, according to this statement, if we were to assume that that was to conclude the case according to the opinion of Dr. Roy as to what his condition was during the rebellion, it would infer the right to acquit him on the ground of insanity. But what is undisputed and indisputable, is that the man was insane from 1876 to 1878, and that the symptoms had recurred in the year 1885—the same symptoms which occurred when he was unquestionably insane, from 1876 to 1878. Now, there was more evidence on this subject which I want to refer to at another period; but I may say that what has been made very plain, though it was not proved on the trial, is that he had been in two other asylums, and I now refer to the probabilities of a recurrence of insanity. Brown, in the "Medical Jurisprudence of Insanity," says:

"One circumstance must not be overlooked in connection with the durability of insanity, and that is that there is a tendency to recurrence even after complete restoration to health. Perhaps of 100 persons who have an attack of mania and recover from it, fifty will, after such recovery, again become insane. After insanity has passed away there seems to exist a hyper-sensitive condition of mind which is ill-suited to carry on the rough intercourse of the world and its society. The man who has recovered is not so well as he was before he was taken ill. Disease always chooses the weak for its victims. Disease, like water,

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will take the easiest way, and as the individual who has recovered from insanity is weak, in that he labors under this hyper-sensitive condition of mind, he a second time falls under the wheels of some Juggernaut catastrophe. Any great events in the world's history cause insanity; but the events are seeds which have fallen by the way-side, they require to fall on ground well suited before they can spring up and blossom in insanity—and the good ground is weakness.

"Thus we have insanity connected with child-birth, we have it connected with the weakness of childhood, with the weakness of age, with the change of life and various bodily diseases, and finally, we find it in connection with previous attacks of mental disease. The result then of these researches, which have been made into the intricacies of this subject, are these: that of twelve persons attacked with insanity, six recover and six die sooner or later; that of the six who recover three only will remain sane during the rest of their lives, and that the recovery of the other three will not be permanent."

The result of that is, that once it is found that a man is unquestionably insane, the chances are three out of four either that he will continue insane till he dies, or if he recovers, that the recovery will be but temporary and he will once again become insane. Brown says again:

"With regard to the one, when it does take place, it is to be remembered that health no more than Rome, is to be built up in a day. Health returns very gradually. In some cases it is true that a man is sane to-day and insane to-morrow, and that the change from insanity to sanity may be as rapid; but it is certainly exceptional. It is easy to jump over a precipice, but if one wants to get to the top from the bottom he must be content to clamber up the hill. It need scarcely be added that as recovery of health is gradual so must the recovery of responsibility, or civil ability be also a matter of time. But as the law cannot recognise the minute distinctions which exist between to-day and to-morrow, it cannot recognise graduated responsibility, and it is only necessary to remember that this recovery of mental strength is gradual, that due allowance may be made for those persons who have recently suffered from an attack of mental disease, and that it is safe to regard such persons as still irresponsible for criminal acts and incapable of civil privileges, even although the recovery may seem very complete, unless the contrary can be proved. Let the presumption be in favor of their want of capacity and their irresponsibility, and no injustice is likely to arise. At the same time this presumption is liable to be rebutted by proof of its opposite."

In the commission to which I have already referred, Dr. Tuke, being examined, made these answers:

"The fact is certain that insanity constantly exists with long lucid intervals, and that it is more or less patent at different times

"Q. And that the patient fluctuates in a condition between what may be termed sanity and insanity, the line between which is not easily definable?—A. Yes; that is a constant form of what we call insanity with lucid intervals, or insanity with remissions, or recurrent insanity."

Then Clouston gives one example, that of a patient "C.Y." of whom he says:

"His mental condition was at that time exactly that intense exaltation, that morbid mental 'expansion,' that 'ambitious delirium,' or 'mania of grandeur' which we find so commonly in general paralysis, and which some physicians suppose to be characteristic of that disease. * * In three months he had become quiet in manner, self composed and rational, but had just a suggestion of his former state of mind in being too pleased with things and too grateful for little kindnesses. His friends thought him well and he was removed home.

In seventeen days he was back again. He would come up and be most pleased to see you, and in a moment, sometimes with some little provocation, such as your not agreeing at once with him that he was an earl and sometimes without he would strike you suddenly, very often going down on his knees immediately after and in a theatrical manner begging your pardon and hoping he had not offended you. * * He labored under chronic maniacal exaltation."

Then comes the instance of "D.J.," who was admitted, October, 1866, discharged, January, 1867; admitted April, 1870, discharged May, 1870; admitted, August, 1871, discharged, September, 1871; admitted, December, 1872 discharged, February 1873; admitted, February, 1875, discharged, May, 1875; admitted, August, 1877, discharged, September, 1877; admitted, November, 1880, discharged, January, 1881; admitted, December, 1881, discharged, March, 1882, and he gives several other instances showing the constant recurrence of insanity. I do not think that too much importance can be attached to the circumstances of the unquestioned and unquestionable insanity of Louis Riel, as proved by the facts to which I refer at this precedent time, and to the character of his alleged illusions or delusions, as you please to call them, at the later date, having regard to the knowledge and experience we have with reference to the probability of recurrent insanity. It seems

to me the circumstances show that he was laboring under insane delusions on religion and politics, prior to, and during the outbreak, and that these delusions were directly connected with the crime with which he was charged. He believed himself a prophet, a priest, a religious potentate; he had visions; he had irrational ideas as to foreign policy, as to the lands and the division of them, as to other nationalities, as to religion, as to politics, as to his influence, as to his mission, and as to the Metis nation. Of these facts I think the evidence taken at the trial afforded abundant testimony. I think it affords abundant testimony as to his condition anterior to the outbreak, and I have taken the evidence chronologically. Now, the evidence which was given by the priests as to his condition is to be accepted, with this observation—that if it were possible for any one to suppose that any course of conduct on his part could have influenced them to swerve from the accurate, honest truth—if it were possible, which I am the last to suggest, that such a thing could be, it is clear that they would not have been swerved in favor of this man, from whom they had suffered so much, who had cast aside their religion, who had profaned their churches, who had insulted themselves, who had assumed their position, who had led away their flocks, who they thought was instrumental, directly or indirectly, for the murder of two of their order, who had caused all the misery of the people in benefiting whom their whole lives had been spent—I say it is impossible to suppose that they could have been swerved in favor of this man by anything in the way of feeling; and at that time he had not recanted his religious errors. But they state not only opinions, but facts, and facts of the most important character. Father André says on religion and politics he and Riel frequently conversed, against his will; because on these subjects Riel was no longer the same man; it seemed as if there were two men in him; he lost all control of himself on those questions. Twenty times he told Riel he would not speak on those subjects, because Riel was a fool, did not have his intelligence of mind; that was the witness' experience; he had the principle that he was an autocrat in religion and politics, and he changed his opinions as he wished; his ideas changed; to-day he admitted this, and to-morrow he denied it; he believed himself infallible; he would not allow the least opposition: at all; immediately his physiognomy changed and he became a different man. Then comes a most important act. All the priests met and they discussed whether it was possible to allow Riel to continue in his religious duties, and they unanimously decided that he was not responsible on these questions; that he could not suffer any contradiction; that he was completely a fool in discussing these questions; it was like showing a red flag to a bull. Now, remember that these statements of Riel to Father André were made and these conclusions reached long before the outbreak, and before, as he says, he had actually risen against the priests. These erroneous ideas, and these manifestations of irregularity of mind, were during the latter part of 1884, and the early part of 1885, before the rebellion. Father Fourmond says that he was present at this meeting of the priests, that it was he who raised the question; and he states the facts on which his view rested. He says: Before the rebellion it seemed as if there were two men in the prisoner; in private conversation he was affable, polite, pleasant and charitable; if contradicted on religion and politics he became a different man and would be carried away with his feelings; he would use violent expressions. As soon as the outbreak began he lost all control of himself; he often threatened to destroy all the churches. He had extraordinary ideas on the subject of the Trinity; according to his ideas it was not God who was present in the Host but an ordinary man six feet high. As to politics he wanted first to go to Winnipeg and Lower Canada and the United States, and even to France; and he said "We

will take your country even," and then he was to go to Italy and overthrow the Pope, and then he would choose another Pope of his own making; he said something to the effect that he would appoint himself as Pope. As the agitation was progressing he became a great deal more excitable; at the time of the rebellion Father Fourmond thought him insane. At one time when there was a gathering he kept following the witness into the tents and compelled him to leave the place and cross the water. There was a very extraordinary expression on his face; he was excited by the opinions he had expressed on religion. He said to the women: "Woe unto you if you go to the priests, because you will all be killed by the priests." All of a sudden, when the witness came to the boat, Riel came up with great politeness and said: "Look out, Father; I will help you to get on the boat." In an instant he passed from rage to great politeness. Once again at the Council the witness was brought up for trial; Riel was enraged, and called him a little tiger; but when the witness was leaving, he passed again from rage to extraordinary politeness, offered a carriage and took the witness' parcel and carried it for him. Then Charles Nolin (whose conduct seems to have been inconsistent and certainly unfriendly) says, that about a month after prisoner arrived, say the end of July, he showed him a book he had written in the States. The first thing there was to destroy England and Canada, and also to destroy Rome and the Pope. He said he had a divine mission to fulfil, and showed Bishop Bourget's letter, eleven years old, as proof. Riel showed him a book written with buffalo blood, the plan in which that was, after taking England and Canada, he would divide Canada, and give Quebec to the Prussians, Ontario to the Irish and the North-West Territories he divided between the European nations. The Jews were to have a part, and the Hungarians and Bavarians. As to the money he wanted from the Government, he said if he got the money he wanted from the Government, he would go wherever the Government wished to send him. He told Father André, if he was an embarrassment to the Government by remaining in the North-West, he would even go to the Province of Quebec. He said also if he got the money he would go to the United States and start a paper and raise the other nationalities in the States. He said: "Before the grass is that high in this country, you will see foreign armies in this country." He said: "I will commence by destroying Manitoba, and then I will come and destroy the North-West and take possession of the North-West." He told the witness that he considered himself a prophet; one evening there was a noise in Riel's bowels, and Riel told him that it was his liver, and that he had inspirations which worked through every part of his body. He wrote his inspirations on a sheet of paper, and said he was inspired. Whenever the word "police" was pronounced, he became very excited. He proposed a plan to the witness, and said he had decided to take up arms, and the first thing was to fight for the glory of God, for the honor of religion, and for the salvation of our souls. Before the Duck Lake fight, he was going about with a crucifix a foot and a half long, taken out of the church. Now, all these things save the last are before the rebellion, and a great portion of them in the year before the rebellion, the year 1884. Then, P. Garnot proves that about the beginning of the outbreak, Riel talked to him about changing the Pope, wanting to name Bishop Bourget Pope of the new world; he said that the spirit of Elias was with him; he wanted the people to acknowledge him as a prophet, and said he had the spirit of Elias in him and was prophesying. Another time he declared that he was representing St. Peter. Almost every morning he would come in front of the people and say such and such a thing would happen. When he slept at the witness' house he was praying loud all night; there was no one else there. He would not stand

any contradiction by anyone. He several times said how this country was to be divided into seven Provinces, one for the French, Germans, Irish, and others; he mentioned Italians; he expected the assistance of an army of several nationalities; he mentioned the Jews, he expected their assistance and money, and he was going to give them a Province as a reward for their help. He had no doubt of his success, or that any obstacle could prevent him from succeeding; he always mentioned that he was going to succeed, that he had a divine mission, and was an instrument in the hands of God. The witness thought the man was crazy, because he acted very foolish, and communicated to others at the time this impression of him. George Ness says that at the beginning of the outbreak he witnessed a difficulty between Riel and Father Moulin, in which Riel accused Bishop Grandin and Bishop Taché of being thieves and rogues; Father Moulin wished to speak to the people, Riel refused and said: "No, we won't let him speak; take him away, take him away, we will tie him." Riel said he would take possession of the church, Father Moulin said he protested. "Look at him," said Riel, "he is a Protestant." He said that the Spirit of God was in him. Father Moulin said he was making a schism in the church. Riel said Rome had fallen. "*Rome est tombée*," and that the Pope was no longer legally Pope; that the Spirit of God was in him (Riel), and that he could tell future events. Dr. Willoughby says: At the commencement he saw Riel. He said his proclamation was at Pembina, that it was going forth, and he would be joined by Indians and half-breeds, and that the United States was at his back. He intended to divide the country into seven portions; he mentioned as parties, Bavarians, Poles, Italians, Germans and Irish. There was to be a New Ireland in the North-West. These nationalities were going to assist him in the rebellion, before the war was over, and they would have their portion. He mentioned the Irish of the United States, the Germans, the Germans, Italians, Bavarians and Poles. He put Germany and Ireland twice; first, the Irish and Germans of the United States, then Germany and Ireland themselves. The proposition did not appear rational to the witness, who also proves the excitement of Riel. Saunderson says: Riel told him that he was going to divide the country into sevenths, one-seventh for Canadians or white settlers, one for the Indians, one for the half-breeds, three-sevenths to remain to support the Government. He said he had cut himself loose from Rome altogether, and would have nothing more to do with the Pope. Walters says: Riel told him that the land was to be divided—one-seventh to the pioneer whites, one-seventh to the French half-breeds, one-seventh to the church and schools, and the balance was to be Government lands. He said that if the whites struck a blow, a thunderbolt from heaven would strike them, that God was with their people. Lash says: He mentioned that he was going to give one-seventh to the Indians and one-seventh to the half-breeds. He had been waiting fifteen years, and at last his opportunity had come. Astley proposed an exchange of prisoners, but Riel came up and said he could not see it in that light, but that he would exchange them for Hon. L. Clarke, Registrar Sproat and McKay. We know what an exchange of prisoners is, but Riel proposed that the most important personages on the other side should be given up to him in lieu of inferior prisoners on the same side whom he had in his hands. Jackson says Riel told him his brother's mind was affected; that it was a judgment on him for opposing Riel. He talked of giving one-seventh of the proceeds of the land to the Poles, one-seventh to the half-breeds, and one-seventh to the Indians, and some to the Hungarians, and so on. I was surprised to hear it stated that it was a mark of sanity in Riel that he should have thought Jackson insane, while we know that inmates of the insane asylums know that their neighbors are insane and discuss the question of

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their insanity. Mackay had a conversation with Riel. He appeared very excited and said:—

"It was blood, and the first blood they wanted was mine. There were some little dishes on the table, and he got hold of a spoon and said: You have no blood—you are a traitor to your people. Your blood is frozen, and all the little blood you have will be there in five minutes, putting the spoon up to my face and pointing to it. I said: If you think you are benefiting your cause by taking my blood you are quite welcome to it. He called his people and the committee, and wanted to put me on trial for my life, and Garnot got up and went to the table with a sheet of paper, and Gabriel Dumont took a chair on a syrup keg, and Riel called up the witnesses against me. He said I was a liar, and he told them that I had said all the people in that section of the country had risen against them. He said it was not so, that it was only the people in this town. He said he could prove that I was a liar by Thomas Scott."

Then goes on the account of the trial during which Riel was up stairs. And then

"When he came down, he, Riel, apologised to me for what he had said, that he did not mean it to me personally, that he had the greatest respect for me personally, but that it was my cause he was speaking against and he wished to show he entertained great respect for me, he also apologised in French to the people there, and he said as I was going out that he was very sorry I was against him. That he would be glad to have me with them, and it was not too late for me to join them yet."

Young says:

"Riel explained that at Duck Lake he gave three commands to fire.

1. In the name of God who made us reply to that.
2. Then they fired and Orozier's men replied: and Riel said: In the name of God the Son who saved us reply to that.
3. In the name of God the Holy Ghost who sanctifies us reply to that."

He gives a like account in less detail to half a dozen witnesses of his actions at that time; and General Middleton says:

"Of course I had heard constantly before about reports of his insanity. I heard for instance one or two of the people that escaped from him, scouts, half-breeds. One man, I remember, told me 'Oh! Riel is mad, he is a fool.' He told me what he was doing at Batoche. So that I really had heard it, but I came to the conclusion he was very far from being mad or a fool."

To that is to be added the prisoner's own conduct at the trial the statements he made, even in the course of his interruptions during the trial, with reference to these points, and then in his addresses. In them, you find him declare that he does not plead insanity, and you find him saying he was showing that calmness which they said he could not show. He obviously, in the address he made to the jury, was doing his best to restrain himself in respect to those matters which had been presented as proofs of his insanity, with the view and in the hope, so far as was consistent with his assumed position, that he might prevent the jury from coming to the conclusion that he was insane. For instance, this extraordinary division of the territory into sevenths among different nationalities was pressed very much. What does he say to that? He says:

"A good deal has been said about the settlement and division of lands, a good deal had been said about that. I do not think my dignity to-day here would allow me to mention the foreign policy, but if I was to explain to you or if I had been allowed to make the questions to witnesses, those questions would have appeared in an altogether different light."

A little after, when the verdict had been given and he was showing his reasons against the sentence, you will find he developed the policy which, at this time he preferred not to do, and restrained himself, as these people often do under similar circumstances, in order to obtain that which he desired, a verdict which would not find him insane. He speaks in the same way, thanking General Middleton and Captain Young for proving him as he believes he is sane. Having touched the question of foreign policy, as he calls it, in the lands, he feels called upon to deal with this question of inspiration, and he attempts to explain that matter. He says:

"It is not to be supposed that the half-breeds acknowledge me as a prophet if they had not seen that I could see something into the future. If I am blessed without measure I can see something into the future, we

all see into the future more or less. As what kind of a prophet would I come? Would it be a prophet who could all the time have a stick in his hand and threatening, a prophet of evil? If the half-breeds have acknowledged me as a prophet, if on the other side priests come and say that I am polite, if there are general officers, good men, come into this box and prove that I am polite, prove that I am decent in my manners, in combining all together you have a decent prophet. An insane man cannot withhold his insanity, if I am insane my heart will tell what is in me. Last night while I was taking exercise the spirit who guides and assists me and consoles me, told me that to-morrow somebody will come 't'asider,' and help me. I am consoled by that. While I was recurring to my God, to Our God, I said: But woe to me if you not help me, and those words came to me in the morning: 'In the morning some one will come t'asider, that is to-day.' I said that to my two guards and you can go for the two guards. I told them that if the spirit that directs me is the spirit of truth it is to-day that I expect help. This morning the good doctor who has care of me came to me and said: 'You will speak to-day before the court,' I thought I would not be allowed to speak, those words were given to me to tell me that I would have the liberty to speak. There was one French word in it, it meant, I believe, that there was to be some French influence in it, but the most part English. It is true that my good lawyers from the Province of Quebec have given me good advice. Mr. Nolin came into the box and said that Mr. Riel said that he heard a noise in his bowels and that I told him that it meant something. I wish that he had said what I said, what I wrote on the paper of which he speaks, perhaps he can yet be put in the box. I said to Nolin "Do you hear?" Yes, I said there will be trouble in the North-West and was it so or not, has there been no trouble in the North-West? Besides Nolin knows that among his nationality which is mine, he knows that the half-breeds as hunters can foretell many things perhaps some of you have a special knowledge of it. I have seen half-breeds who say: 'My hand is shaking, this part of my hand is shaking, you will see such a thing to-day,' and it happens. Others will say: 'I feel the flesh of my leg move in such a way, it is a sign of such a thing, and it happens.' They are men who know that I speak right. If the witness spoke of that fact with which he mentioned to show that I was insane he did not remember that perhaps on that point he is insane himself, because the half-breed by the movement of his hand, sometimes of his shoulders, sometimes his leg, can have certain knowledge of what will happen. To bring Sir John to my feet, it was well reported it would appear far more reasonable than it has been made to appear. Mr. Blake, the leader of the Opposition, is trying to bring Sir John to his feet in one way. He never had as much at stake as I had, although the Province of Ontario is great it is not as great as the North-West.

"I am glad that the Crown have proved that I am the leader of the half-breeds in the North-West, I will perhaps be one day acknowledged as more than a leader of the half-breeds, and if I am I will have an opportunity of being acknowledged as a leader of good in this great country.

"One of the witnesses said that I intended to give Upper Canada to the Irish, if he had no mystery he would have seen that Upper Canada could not be given to the Irish without being given to England, he rested only upon his imagination.

"There is another thing about the partition of the lands into seven. I do not know if I am prepared to speak of it here because it would become public information, there is so much at stake that if I explained that theory Canada would not very long remain quiet."

Then, he says about the delegations:

"The half-breeds also know that I told them that I would be punished, that I did not say it of my own responsibility but that I said it in the same way as I had told them other things. It was said to me that the nation would be punished. Why? Because she had consented to leave Rome too quick. What is the meaning of that? There was a discussion about it too quick. They said that they should do it at once. Too quick do's not mean too soon. If we say yes, it shows no consideration to the man. If God wants something and if we say yes, that is not the way to answer him; He wants the conscience to say yes: Oh my God I do thy will; and because the half-breeds quickly separated from Rome in such a quick manner it was disagreeable to God and they were punished, and I told them it would happen—fifty of those who are there can prove it. But you will say: 'You did not put yourself as a prophet.' The nineteenth century is to be treated in certain ways, and it is probably for that reason I have found the word 'Exovede' I prefer to be called one of the flock. I am no more than you are, I am simply one of the flock, equal to the rest. If it is any satisfaction to the doctor to know what kind of insanity I have, if they are going to call my pretensions insanity, I say humbly, through the grace of God I believe I am the prophet of the new world.

"I wish you to believe that I am not trying to play insanity; there is in the manner, in the standing of a man, the proof that he is sincere, not playing. You will say 'What have you got to say?' I have to attend to practical results. Is it practical that you be acknowledged as a prophet? Is it practical to say it? I think if the half-breeds have acknowledged me, as a community, to be a prophet, I have reason to believe that it is beginning to become practical. I do not wish for my satisfaction the name of prophet. Generally the title is accompanied with such a burden, that if there is satisfaction for your vanity there is a check to it."

Then, the moment the verdict was given and the prisoner was called to speak in respect of sentence, he congratulates himself, and thanks the jury for having found him sane, and

says: "At least, if I were going to be executed, I would not be executed as an insane man." Then he goes on to say:

"Must not I take advantage of the situation to show that they are right and that I am reasonable, and yesterday, when I said by repeating the evidence which has been given against me, when I said in conclusion that you had a decent prophet, I have just to-day the great opportunity of proving it is so, besides clearing me of the stain of insanity, clearing my career of the stain of insanity. I think the verdict that has been given against me is a proof that I am more than ordinary myself, but that the circumstances and the help that is given is more than ordinary, are more than ordinary, and although I consider myself only as others, yet by the will of God, by his Providence, by the circumstances which have surrounded me for fifteen years, I think that I have been called to do something which at least in the North-West nobody has done yet, and in some way I think that to a certain number of people the verdict against me to-day is a proof that may be I am a prophet, may be Riel is a prophet. He suffers for it. Now, I have been hunted as an elk for fifteen years. David has been seventeen, I think. I would have to be about two years still; if the misfortunes that I have had to go through were to be as long as those of the old David, I would have two years still, but I hope it will come sooner."

Then he proceeds to describe what he had kept concealed in the earlier speech—the question of the lands. He says:

"The half-breeds had a million and the land grant of 1,400,000 acres owned about 9,500,000, if I mistake not, which is about one-seventh of the land of Manitoba. You will see the origin of my insanity and of my foreign policy. One-seventh of the land was granted to the people, to the half-breeds of Manitoba, English and French, Protestant and Catholic. There was no distinction whatever, but in the sub-division, in the allotment of those lands between the half-breeds of Manitoba, it came that they had 240 acres of land. Now, the Canadian Government say, that we will give to the half-breeds of the North-West, 240 acres. If I was insane I would say yes, but as I have had, thank God, all the time, the conscientiousness that I had a certain degree of reason, I have made up my mind to make use of it, and to say that one-seventh of the lands in Manitoba, as the inauguration of a principle in the North-West, had to bring to the half-breeds of the North-West, at least as soon as possible, the guarantee for the future that a seventh of the lands will also be given to them. And seeing and yourself understanding how it is difficult for a small population as the half-breed population to have their voice heard, I said what belongs to us ought to be ours. Our right to the North-West is acknowledged, our co-proprietorship with the Indians is acknowledged, since one-seventh of the lands is given us, but we have not the means to be heard, what will we do? I said to some of my friends: If there is no other way, we will make the people who have no country understand that we have a country here which we have ceded on condition, we want the seventh of the land, and if the bargain is not kept, it is null and void, and we have no right to retreat again, and if we cannot have our seventh of the lands from Canada, we will ask the people of the States, the Italians to come and help us as immigrants, the Irish I will count them."

"Now, it is my turn, I thank you. I count them and I will show you if I made an insane enumeration of the parties. I say, we will invite the Italians of the States, the Irish of the States, the Bavarians of the States, Poles of the States, Belgians of the States, and if they come and help us here to have the seventh, we will give them each a seventh; and to show that we are not fanatics, that we are not partisans, that we do not wish only for the Catholics, but that we have a consideration for those who are not Catholics, I said, we will invite the Danes. We will invite the Swedes, who are numerous in the States, and the Norwegians, to come around, and as there are Indians and half-breeds in British Columbia, and as British Columbia is a part of the immense North-West, we said, not only for ourselves, but speaking for our children, we will make the proposition that if they help us to have our seventh on the two sides of the Rocky Mountains, they will each have a seventh; and if the Jews will help us, and on the condition that they acknowledge Jesus Christ as the Son of God and the only Saviour of human kind, if they help us with their money, we will give them one-seventh. And I said, also, if the principle of giving one-seventh of the lands is good in the North-West, if the principle of giving one-seventh of the lands to the half-breeds in the North-West is good, it ought to be good in the east also, and I said, if it is not possible that our views should be heard, we will—I, as an American citizen—I will invite the Germans of the States and I will say: If you ever have an opportunity of crossing the line in the east, do it, and help the Indians and the half-breeds of the east to have a revenue equivalent to about one-seventh. And what would be the reward of the Germans? The reward of the Germans would be, if they were successful, to take a part of the country and make a new German-Indian world somewhere in British North America. But that is the last resort, and if I had not had a verdict of guilt against me I would have never said it. Yesterday it was just those things that I have avoided to say, when I said, I have a reason not to mention them. And when I said, as one of the witnesses said, that my proclamation was in Pembina, I think I am right, because of this trial. You see that my pretensions is that I can speak a little of the future events: My trial has brought out the question of the seventh, and although no one has explained the things as I do now, still there is enough said about the sevenths of the lands and the division of the lands into sevenths, seven nationalities, while it ought to have been said between ten nationalities, that by telegraph to-day my proclamation is in Pembina truly, and the States have my ideas. They have

my ideas. . . . And Gabriel Dumont, on the other side of the line, is that Gabriel Dumont inactive? I believe not. He is trying to save me from this box. This is no threat. I have written it. I have written a document of that kind, and put it in the hands of Captain Dean, three weeks ago. This is not an inspiration of the moment. I have the right to thank God for the prevision of what happens to-day. But there is another means. I don't wish these means."

Then he reverts to it again, and says :

"My heart will never abandon the idea of having a new Ireland in the North-West, by constitutional means, inviting the Irish of the other side of the sea to come and have a share here ; a new Poland in the North-West, by the same way ; a new Bavaria by the same way ; a new Italy in the same way. And on the other side in Manitoba—and since Manitoba has been erected it has been increased since 1870, at least by 9,600,000 acres of land, now it is 86,000,000, say there is about 86,000,000 acres of land to which the half-breeds title has not been extinguished. One seventh gives 12,000,000 of those lands—and I want French Canadians to come and help us there to-day, to-morrow, I don't know when I am called here to answer for my life to have time that I should make my testimony. And on the other side of the mountain there are Indians, as I have said, and half-breeds, and there is a beautiful island, Vancouver, and I think the Belgians will be happy there, and the Jews who are looking for a country for 1,800 years, the knowledge of which the nations have not been able to attain yet, while they are rich and the lords of finance. Perhaps will they hear my voice one day and on the other side of the mountains while the waves of the Pacific will chaunt sweet music for them to console their hearts for the mourning of 1,800 years, perhaps will they say : He is the one thought of us in the whole Oree world, and if they help us there on the other side between the great Pacific and the great Rockies to have a share, the Jews from the States."

Then he says :

"The Scandinavians, if possible, they will have a share. It is my plan, it is one of the illusions of my insanity, if I am insane, that they should have on the other side of the mountain a new Norway, a new Denmark, and a new Sweden, so that those who spoke of the lands of the great North-West to be divided in seven forgot that it was in ten, the French in Manitoba, the Bavarians, the Italians, the Poles and the Irish in the North-West, and then five on the other side too."

Then again he says :

"Not insanity, because it is disposed of, but whether I am a deceiver or an imposter. I have said to my lawyers : 'I have written things which were said to me last night, and which have taken place to-day.' I said that before the court opened last night the spirit that guides and assists me told me : 'The court will make an effort.' Your honor, allow me to speak of your charge, which appeared to me to go on one side. The court, made an effort, and I think that word was justified. At the same time there was another thing said to me : 'A commission will sit; there will be a commission.' I did not hear yet that a commission is to take place. I asked for it. You will see if I am an imposter thereby."

"In Batoche many things which I said have already happened. It was said to me : 'Not far from here.' And that is why I never wanted to send the half-breeds far. I wanted to keep them, and it was said to me : 'I will not begin to work before 12 o'clock' and when the first battle opened I was taking my dinner at Duck Lake. When the battle began it was a little after 12 o'clock. 'I will not begin to work before 12 o'clock.' And what has happened? And it was said to me : 'If you don't meet the troops on such a road you will have to meet them at the foot of a hill, and the half-breeds facing it.' It is said my papers have been published. If they have been published examine what took place, and you will see we had to meet General Middleton at the foot of the hill. It was also told me that men would stay in the *belle prairie*, and the spirit spoke of those who would remain on the *belle prairie*, and there were men who remained on the *belle prairie*."

Now, these were the events of the trial itself, and apart altogether from the evidence which is before us, although not official. There was, besides, the evidence of the other medical witnesses. Dr. Clark was called and examined. He had examined Riel three times, had heard the evidence, and if he was not feigning, he was insane to the limit of irresponsibility. But it takes long to find out that a man is insane. Dr. Wallace, who, I believe, is the Superintendent of the Hamilton Lunatic Asylum, examined him once and heard the evidence. He could only say that he did not find out—he might be insane. It takes long to find out whether a man is insane. Dr. Jukes, who was a specialist, and was the police surgeon in charge of the prisoner, had never examined or tested him at all. He also says it takes a long time to find out, though he had not found out anything to show his insanity. Now I do not, myself, believe that it can be at all seriously contended that this man was feigning. The old insanity had recurred. They were the same sort of views which he had expressed during the old insanity. He was most anxious to avoid the imputation of insanity,

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and to this end he restrained himself at the trial, to a considerable extent in his expressions. He was artful in his insanity, as often happens, and what he wanted was to show that he was a genuine prophet. All the symptoms which are stated in cases of feigned insanity are symptoms which indicate that this man's insanity was not feigned. Taylor says :

"Insanity is frequently feigned by persons accused of criminal offences in order to procure an acquittal or discharge. In the first place, when this is suspected, it will be proper to enquire whether the party had any motive for feigning the malady. It is necessary to remember that insanity is never assumed until after the commission of a crime and the actual detention of a criminal. No one feigns insanity merely to avoid suspicion. In general, as in most cases of imposition, the part is over-acted—the person does either too much or too little, and he betrays himself by inconsistencies of conduct and language which are never met with in cases of real insanity. There is commonly some probable cause to which real insanity may be traced, but when the malady is feigned there is no apparent cause; in this case the appearance of the assumed insanity is always sudden; in the real malady the progress of the attack is generally gradual, and when the attack is really sudden, then it will be found to be due to some great moral shock, or other very obvious cause."

"We should observe whether there has been any marked change of character in the individual, or whether his conduct, when he had no interest to feign, was such as it is now observed to be."

The same learned author says :

"I am indebted to a learned judge for the following note on feigned insanity:—'It may be safely held that a person feigning insanity will rarely if ever try to prove himself to be sane—for he runs the great risk of satisfying others that he is sane—the conclusion he desires to avoid. There is no better proof in general that the insanity (supposing other evidence of it to be strong) is real than in the keen and eager attempts by the accused to prove that he is sane, and strong and indignant remonstrances against being held to be insane, though that would protect himself against trial and punishment. In one case, at Edinburgh, some doubt existed whether a party was feigning insanity, and some of those about him, and in charge of him in gaol, from his clearness and coherence, were satisfied that he was quite sane, and that what he exhibited was merely eccentricity, or simulated attempts to act as a mad man. Insane he certainly was beyond all doubt; but he fought the point of his sanity most bravely in court. He made very clear and quick remarks upon the evidence of the medical men, who had no doubt of his entire insanity; and when one physician of great experience with insane persons stated that he thought him quite incapable of giving information to counsel and agents for conducting his defence, he said instantly: 'Then, why did you advise me to apply to see counsel and agents?'"

Now, Sir, my clear conclusion from this evidence is that in the evidence at the trial there was overwhelming proof of great disorder of intellect, of insane delusions on religious and political topics, those very topics out of which the acts grew. Now it is unnecessary to enquire for the purpose of the issue before us whether those disorders were so great as, by our law, to justify a verdict of not guilty on the ground of insanity. On that point minds will differ as to whether it was great enough or not. Assume, if you please—and I think there is great force in the proposition—that, dealing with the verdict of the jury and with the judgment of the court in Manitoba, you may not unfairly argue that it was indicated strongly so far as the evidence at the trial went—that the conclusion was that he was not so irresponsible within the meaning of the law so as to have a verdict of not guilty returned—though that conclusion would not accord with my own individual opinion—but assume that. Give the verdict all its just weight, omit the very strong point to which my hon. friend from East Quebec alluded, the evidence in the case of Jackson which I have read in the imperfect report we got in the newspapers, in which Dr. Jukes seems to have sworn that, with the exception of something said about his not speaking rationally all the while, his delusions were much the same as Riel's and on which evidence he was found insane—I say that assuming, if you please, that the disorder was not so serious as to render the prisoner wholly irresponsible, so deciding you justify the verdict of guilty and having justified the verdict of guilty you by no means rid the Executive from very grave duties. Now, upon this question there are very serious errors largely prevailing in the public mind. It is common talk, and this House has not

been wholly free from that common talk, that there should be no interference with the verdict or sentence in capital cases—talk which, if it were acted on, would render it impossible to maintain capital punishment on the Statute-book for twelve months in any civilised country. Now, I shall prove the errors of this view by statistics. By the statistics of the administration of justice in England and Wales, during ten years before 1863, the proportion of convictions to committals for all classes of crimes taken together, was 70 to 71 per cent.; and I may say that there is a curious run of similarity in many years in both England and Canada in that regard. But for murder during those ten years the proportion of convictions to committals was only $23\frac{1}{2}$ per cent., or one-third of the number of convictions and committals for all cases. While thus you find, in the first place, that a much smaller proportion of persons in proportion to those charged were convicted of murder than in the general run, you find the proportion of executions to the convictions for murder was but 60 per cent., and that 40 per cent. were commuted. In the 20 years from 1861 to 1880 there were 512 capital sentences for murder. Out of those there were only 79 executions, or $54\frac{1}{2}$ per cent., and 233 not executed, or $45\frac{1}{2}$ per cent. In the 5 years from 1880 to 1884 there were 168 capital sentences. Out of these only 80 executions took place, or 48 per cent., 88 were not executed, or 52 per cent. Thus there are now fewer executions in proportion to sentences than there were. In the first period I gave you there were something more than half, during the second period there were fewer but still a little more than half, but for the last available period less than half those sentenced were executed. Let me give you the individual cases which came before Mr. Justice Stephen in three years. He sentenced ten persons to death; four were executed, six commuted, four because the means by which they caused death were neither intended nor in themselves likely to cause death. In these cases, under an improved definition, the prisoners would have been found guilty of manslaughter; one, because after the conviction it appeared probable that he had received provocation, and to reduce the offence to manslaughter; one because the convict was subject to epileptic fits, which rendered her frequently unconscious and had permanently impaired her powers, though she was probably not insane at the moment. Judge Stephen had not the least doubt when he passed sentence as to the cases in which there would be commutation and execution. In France, by the evidence taken in 1864, the persons found guilty of murder in four years, from 1859 to 1862 were 1,368; of these 1,228, or nine-tenths, were found guilty with extenuating circumstances, leaving only 140 or one-tenth guilty, and liable to death. These were the very worst cases, yet of these about one-half only were executed and the rest were commuted. The English Commission on Capital Punishment state the custom in France as follows:—

“Whether the convict has or has not sued for pardon or commutation of penalty, the case is always examined by a commission at the Ministry of Justice, and by the advice of this commission the execution either takes place or the penalty is commuted, unless the Emperor should take the initiative; his right of pardon has no limit.”

Now take Ontario and Quebec, in the four years, 1880 to 1883, according to the criminal statistics brought down by the hon. gentleman opposite, there were ninety-six persons charged with murder; twenty-six only were convicted or twenty-seven per cent., thirteen only were left for execution; every second sentence was commuted. During the same four years seventy per cent. of those charged with all crimes were convicted; and the commutations (including murder and second commutations in capital cases) were only one in 350, and of these many were due to ill-health. The result is that of 500 charged with all crimes 350 are convicted, and of these 349 or more suffer the sentence of the law, so that practically the sentence is executed in all

these cases. But of the 500 charged with murder only 135 are convicted instead of 350, the general average; of the 135 only 67 or 68 suffer the sentence of the law, or one out of two, instead of 349 out of 350 the general average. Of the 500 charged with murder only sixty-seven are convicted and suffer the sentence of the law, or less than twelve per cent. of the committals; while out of 500 charged with all crimes 349 or more are convicted and suffer the sentence of the law, or seventy per cent. of the committals—nearly six times as many as in capital cases. What is the general result? The general result of these statistics is that in England, in France, in Ontario and Quebec there is a more careful sifting in the preliminary process before verdict in the capital cases than there is in the general average of crime. There is a greater reluctance to convict, there is a greater tendency to acquit, and so there is a very much smaller proportion of persons charged with that particular offence, the capital offence, who are convicted, than of those who are charged with other offences. What follows? It is that it is in the residuum, the worst cases, the plainest cases, the most obvious cases alone that conviction takes place, and after that preliminary sifting which results in the most obvious and plainest cases only, leading to conviction in cases of charges of murder, yet, while only one in 350 of all classes of sentences is commuted, in capital cases in Ontario and Quebec one out of every two is commuted or 175 out of 350. Why is it that we do not interfere with other sentences, and yet we interfere to such an enormous extent with these particular sentences, capital sentences? The reason is perfectly obvious. It is because there are various classes and degrees of moral guilt in the same legal offence having the same legal definition, and because in all other cases than cases of capital sentence the judge has a discretion to apportion the punishment to the particular circumstances of the case. He does so. He tempers justice with mercy himself; he considers the palliating circumstances; he considers among other things the state of mind and degree of responsibility; he exercises a wide discretion, he may have a right to commit a man for life or for one hour, for a long term of years or a month. The law gives it to him because the law feels that in all these classes of cases, of larceny, of intent to commit murder, of assault, or of what crime you will, it is impossible to predicate the same degree of moral guilt, and therefore that it is essential to provide some machinery by which, to some extent, the punishment awarded shall be proportionate to the degree of guilt in the specific case. But in capital cases there are not less—there are even more—shades of guilt than there are in other cases. No one will dispute that; no one who has read the interesting but harrowing accounts of murder trials but must agree that there are all sorts and shades of guilt in the commission of that which, according to the law of the land, is yet always murder. And yet, in that particular case, the judge has not any discretion at all. He must pronounce the only sentence, the ultimate sentence, the maximum sentence, the sentence which is the worst and severest sentence now applied, not to all murderers, but to the worst murderers. But there is a discretion notwithstanding. There is no reason why, in this particular case, there should not be somewhere that discretion which exists in other cases—not as the part of mercy, not as a part of the prerogative of mercy, but as part of the administration of criminal justice which in other cases is vested in the judge. It is impossible to say that you should not find in the case of murder the discretion to apportion the punishment to the moral guilt, when you give it by your Statute books in all the other cases in the land. For reasons which I need not discuss, the discretion is not in capital cases vested in the judge. The reasons may be satisfactory or unsatisfactory, it is no matter; but, in fact, that discretion rests in capital cases, not with the judge, but with the Executive, and in this case the Ministers

discharge under the law of the land a duty which is part of the administration of criminal justice, and which in all other cases is, under the law of the land, discharged by the judge who tries the case and awards the sentence. They have combined and commingled also the prerogative of mercy strictly so called, as distinguished from this part of the administration of justice, the prerogative which they exercise with reference to all cases. If they think the judge's sentence is too severe, they may—though I am glad to say the power is rarely exercised—commute a severe sentence by the judge. That is a distinct exercise of the prerogative of mercy, and in the capital cases they have, as a matter of course, to consider the two positions, and they are commonly and properly considered together; the whole case and the circumstances are considered together. Now, I think I have shown you perfectly plainly and perfectly clearly that there is the most marked distinction that can be conceived between the capital sentence and its execution and all other sentences and their execution. I might put it to you in another point of view, in this way: the case would be the same in kind, though not in degree, if your law, for all other crimes than the capital crimes, obliged the judge to award the maximum sentence which the law now awards for the particular crime. Then you would immediately have the Executive necessarily invaded with applications, as a branch of the administration of criminal justice. They would say: Your law has made no distinction at all, yet the moral guilt and the degree of responsibility varies, and in this case it is very light, and yet there is a twenty years' sentence; you must mitigate. You accomplish this result by another operation in all cases of capital sentence. You do it by the operation of the Executive in the case of a capital sentence. Thus the capital sentence is not in the sense which has been applied to it, the sentence of the law with reference to the capital crime. It is the extreme sentence of the law. It is not the rule to execute that sentence. In Ontario and Quebec, as many sentences are commuted as are executed, and in England and Wales, more. There it is the exception to execute, and why? Because it is not fitting there any more than in other cases to apply as a rule the extreme, the maximum penalty of the law to this class of crimes. Now, Sir, I have spoken up to this point of the capital offence of murder, because it is in practice—or was in practice until the 16th of November, in modern times—the only capital offence. The old law as to high treason, of course, remains, but milder views have long prevailed with reference to political offences. Since June, 1848, in England, and since a later period here, the same offences precisely, the same character of offences may be, and since that time, as far as I know, have always been in England, tried under the milder Act as treason-felony in respect of which the maximum sentence is imprisonment for life. I do not mean that this observation applies to isolated acts of murder which are generally excluded from amnesties and are tried as such. If, therefore, there be any distinction with reference to the application of the general principles of the administration of criminal justice to which I have adverted and which I have established, if there be any distinction between murder and treason, it is not what has been intimated from the other side. It is not that your law is more severe in the case of treason; it is that your law is milder in the case of treason. It is that while you continue in the case of murder to provide only the machinery under which the sentence must be capital, yet you have provided in the case of treason, and you have used in every case in the North-West except one, a milder procedure, another law in respect to which the maximum penalty is imprisonment for life for the same offence. There is the distinction as it is enshrined in the Statute-book in England and in Canada, and you cannot from that make out this con-

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clusion which hon. gentlemen opposite have made of treason as the highest crime. I know there is a sense in which it may be so regarded. You may talk about the life of the State, the body politic, the corporation, and so on; but I think I shall show before I sit down how much there is in all that. The distinction, then, is that. Now, Sir, I ask what more is to be said, after this statement, of its being a duty on the part of the Executive to carry out the sentence of the law? I maintain that there is no duty on the part of the Executive, to leave the law to take its course, when, in this particular case, it is the maximum punishment which the law obliges the judge to award, and when as I have shown, as often as not, that maximum punishment is not inflicted. In truth and in fact, disguise it how you will, in England, in France, in Canada, it is the Executive that awards the real sentence of the law in capital cases; and in this particular case the duty of the Executive was emphasised and enlarged by the special provision in the North-West Territories Act, which having a due regard, or some regard, to the comparative weakness of the tribunal and the circumstances of the case, made a special provision under which the sentence was not to be executed until the pleasure of the Executive was known; which the learned Chief Justice of Manitoba described as providing, in fact, three trials: First, before the judge and jury; secondly, before the court in Manitoba; and thirdly, before the court in Ottawa—the Executive of the country. Now, Sir, I propose to reinforce the position which I have taken as flowing inevitably from the statistics and the reasoning which I have given you, as to the principles and the practice of the exercise of what is called the prerogative of mercy; and first of all, let me deal with it in capital cases generally. I quote from the same learned authority to which I before referred, Sir James Stephen's work:

"The subject of the discretion exercised by the judges in common cases, and by the Executive Government (practically the Home Secretary) in capital cases appears to me to be little understood. As to this it must be remembered that it is practically impossible to lay down an inflexible rule by which the same punishment must in every case be inflicted in respect of every crime falling within a given definition, because the degrees of moral guilt and public danger involved in offences which bear the same name and fall under the same definition must of necessity vary. There must therefore be a discretion in all cases as to the punishment to be inflicted. This discretion must from the nature of the case be vested either in the judge who tries the case or in the Executive Government or in the two acting together.

"From the earliest period of our history to the present day the discretion in misdemeanor at common law has been vested in the judge. The cases which still continue to be capital—practically murder and treason—supply the only instances worth noticing in which the judge has no discretion. The discretion in such cases is vested in the Secretary of State.

"It was never intended that capital punishment should be inflicted whenever sentence of death was passed. Even when the criminal law was most severe the power of pardon was always regarded as supplementary to it, and as supplying that power of mitigating sentences of death which the words of the law refused.

"The power of pardon, in the exercise of which Her Majesty, advised by the Home Secretary, still remains unaltered, and in respect of capital sentences, it answers the purpose fulfilled in other cases by the discretionary power entrusted to the judges. The fact that the punishment or death is not inflicted in every case in which sentence of death is inflicted, proves nothing more than that murder, as well as other crimes, has its degrees, and that the extreme punishment which the law awards ought not to be carried out in all cases."

He says further:

"I am strongly of opinion that capital punishments should be retained and that they should be extended to some cases in which offenders are at present liable to them; but I am also of opinion that no definition which can ever be formed, will include all murders, for which the offender ought to be put to death and exclude all those for which secondary punishment would be sufficient.

"The most careful definition will cover crimes involving many different degrees, both of moral guilt and of public danger; moreover, those murders which involve the greatest public danger, may involve far less moral guilt than those which involve little public danger."

"The question of the necessary disproportion between gradations of crime and gradations of punishment is brought to the most perplexing issue in the case of the punishment of death. This punishment has the following characteristics as distinguished from all others: It admits in itself of no gradation; it is irrevocable; and it is more different in

kind from all other punishments than they are from each other. * * * Murder is the offense to which the punishment of death is now almost universally restricted."

Then the Commission on Capital Punishment declared :

"There is one point upon which the witnesses whom we have examined are almost unanimous, viz., that the power of directing sentence of death to be recorded should be restored to the judges. We think this change desirable."

What was that? There was a power for some time allowed the judge, instead of passing the sentence of death, to permit it to be recorded, which was equivalent to a reprieve, and was invariably followed by a commutation, thus granting to the judge some measure of that judicial discretion, which here is applied wholly by the Executive. Then, if you deal with cases of political offence, as has already been pointed out, the severity of the law has been mitigated in France by the constitution of 1848, which abolished the punishment of death *en matière politique*. Now, let me come to the mode and extent of the exercise of this prerogative in these cases. The Commission on Capital Punishment examined, among others, Mr. Walpole, the Home Secretary. Mr. Hardy asks him :

"Q. You have the Chancellor and other judges ; in addition to that, I think you will remember that in your own time there was one case in which it became very important to ascertain the facts with regard to the locality?—A. Certainly.

"Q. And do you remember that you there authorised an intelligent person upon the spot to have the distances measured to show whether they were in conformity with the evidence, which was impugned upon that ground?—A. Certainly, I did."

So that you find that examinations of that kind took place where evidence given at the trial was impugned in order to test whether it was really accurate or not. Again, the Royal Commission on Indictable Offences, composed of the learned Judges Blackburn, Barry, Lush, and Stephen, report thus :

"Cases in which, under some peculiar state of facts, a miscarriage of justice takes place, may sometimes though rarely occur; but when they occur it is under circumstances for which fixed rule of procedure cannot provide.

"Experience has shown that the Secretary of State is a better judge of the existence of such circumstances than a court of justice can be. He has every facility for enquiring into the special circumstances; he can and does, if necessary, avail himself of the assistance of the judge who tried the case, and of the law officers. The position which he occupies is a guarantee of his known fitness to form an opinion. He is fettered by no rule, and his decision does not form a precedent for subsequent cases. We do not see how a better means could be provided for inquiry into the circumstances of the exceptional cases in question. The powers of the Secretary of State, however, as to disposing of the cases which come before him are not as satisfactory as his power of inquiring into their circumstances. He can advise Her Majesty to remit or commute a sentence; but, to say nothing of the inconsistency of pardoning a man for an offence on the ground that he did not commit it, such a course may be unsatisfactory. The result of the inquiries of the Secretary of State may be to show, not that the convict is clearly innocent, but that the propriety of the conviction is doubtful; that matters were left out of account which ought to have been considered; or that too little importance was attached to a view of the case, the bearing of which was not sufficiently apprehended at the trial."

Rather extensive powers, Sir. Then, I refer to a series of authorities of the highest character, being the explanations which have been given by successive Home Secretaries in the British Parliament, with reference to the discharge of their functions. In 1835, with regard to the Dorchester laborers, Lord Russell, then Home Secretary, said :

"What I have to say is, that in this case, as in any other that may be brought before me, whether in the House or out of it, I do not hold myself precluded from entering upon the consideration of any facts or circumstances that may come to my knowledge, or from forming a judgment upon them without reserve."

Lord Loughborough, who was at one time Chief Justice, said in the House of Lords :

"That he had tried prisoners who had been capitally convicted, and he had carefully examined and revised all the circumstances of their cases without being able to find a single reason which would justify his recommending mercy to be extended to them, and he had reported to the Government that he did not think himself warranted in saying that they were entitled to favorable consideration, and yet mercy had been

extended to them more than once, and, he verily believed, on fair and just principles."

Sir Geo. Grey, Home Secretary, said :

"I cannot accept the doctrine of the hon. member, that the Secretary of State is bound to consider the verdict of a jury in a capital case as absolutely final, and to refuse to investigate any alleged facts which may be stated to him tending to alter the view of the case submitted to the judge and jury. The duty of a Secretary of State would be easy if in all cases he refused to receive any appeal for mercy founded upon facts not stated at the trial. But he cannot shrink from the performance of the duty which is now imposed upon him however painful it may be; if he did his conduct would meet with universal condemnation."

Mr. Home Secretary Walpole said, that a murder referred to was one of aggravated enormity and barbarity; yet the sentence was commuted. Again Mr. Gathorne Hardy, Home Secretary, said :

"After the trial and condemnation facts might come out which it would be desirable to sift; and however long it might be after a man's conviction, if circumstances transpired showing that the conviction was unjust, or throwing such a doubt on it as to make it clear that there ought to be some interference, there must necessarily be some authority to exercise the prerogative of mercy."

Mr. Secretary Walpole, said :

"Do not it be supposed that I think that the Home Secretary has not a very large power vested in him of advising the Crown to exercise its prerogative of mercy. I think there is such a power vested in him, not for the purpose of re-hearing a case which can only be properly reheard before a judge and jury, but for the purpose of taking into consideration not only the facts proved at the trial, but any other facts and circumstances that may be brought to light subsequently, of weighing them, and of determining whether, under all the circumstances, it is his duty to recommend the Crown to exercise its prerogative of mercy, and to mitigate the severity of punishment. In no case, however, should he interfere against the decision both of judge and jury, unless the case is so plain as to leave no reasonable doubt on the mind of any intelligent man that a great injustice had been done."

Mr. Gathorne Hardy, Home Secretary, said :

"Certainly, in this instance, the jury did not neglect their duty, but found a verdict of 'wilful murder' in a case which was undoubtedly one of wilful murder according to the law of this country. As far as I am concerned in this transaction, I have no hesitation in explaining all that has taken place in regard to it. * * * The memorial was sent down to the judge, and by return of post I received an answer in which the judge recommended that the sentence of death should be commuted to penal servitude."

And it was commuted. On the Bill to abolish capital punishment which came up in 1869, Mr. Secretary Bruce, said :

"He would undertake to say that the law (as to capital punishment) could not exist at all were it not for the large discretionary power entrusted to the Home Secretary, which devolved upon him duties, not only of the most difficult, but of the most painful character. * * *

"It was hard, for instance, to justify the continued existence of a law under which it was not merely in the power, but became absolutely the duty of the Secretary of State to remit sentences of death solemnly passed by a judge after verdict found by the jury. In accordance with long tradition in his office, it was the duty of the Home Secretary to remit the extreme sentence in all cases of infanticide. Another custom which had grown to be invariable—at least he had not been able to find a single exception—was that no sentence of death was ever inflicted in a case where, in the opinion of the judge, it ought not to be inflicted. Everybody acquainted with the subject, must be aware that after every assize there were judges who hastened to inform the Home Secretary, that although, according to the definition of law, the jury had been right in finding the prisoner guilty of murder, and although the judge was himself bound to pass sentence of death, yet, in his opinion, that sentence ought not to be carried into execution. Then no inconsiderable number of cases arose where the judge passed sentence of death, himself disagreeing with the jury. In the two latter classes of cases, the Home Secretary, whether he agreed with the opinion of the judge or not, was bound, according to the practice, to abandon his own opinion and act upon that of the judge—morally bound, he meant; of course, for there was no legal obligation resting upon him beyond the precedents invariably recognised by his predecessors."

Mr. Bruce again said :

"A third class of cases, extremely difficult to deal with, and exposing the holder of the office to comments, harsh and very frequently unjust, was when fresh evidence arose after the conviction of the offender, and he must say that, in his opinion, this was the weakest part of our present system, and one deserving the most serious consideration of the Legislature. The case was that of a very poor class of persons, who either were unable to obtain legal assistance, or, from their position or perhaps from their previous character, excited but little sympathy in the neighborhood, and facts which might have told in their favor were not brought out till the consciences of those acquainted with those facts were aroused by the impending death of the convicts. Cases such as

these were by no means infrequent. In his short experience he had already had two or three signal instances in which evidence of the most unbounded importance had been kept back, either from want of means on the part of the prisoner to have his case properly investigated, or from want of interest on the part of those by whom the evidence could be given."

Then on the remission of capital punishment Mr. Bruce said :

"It is well that the House and country should understand how in these cases, which so often offend the honest opinion of the public, there is apparent discrepancy between the opinion of judge and jury on the one hand and that of the Home Secretary on the other. It arises from this—that the jury is obliged to find, from the direction of the judge, a verdict of wilful murder, and that the judge is constantly required to pass a sentence of death, when it is quite certain it will not, cannot, ought not, to be executed. Such is the state of the law, and so long as it is the state of the law it is absolutely impossible but that the decision of the Secretary of State must occasionally be in discord with the finding of the jury and the sentence of the judge."

On another occasion, he said :

"I may here mention another case which was brought under my notice more recently. A prisoner was entirely undefended, not a palliative circumstance was adduced on his trial for murder, and he was consequently convicted and sentenced to death; but other evidence was afterwards brought forward which, in the opinion of the judge, would, if laid before the jury, have turned the scale in favor of the prisoner and shown that he was guilty of manslaughter instead of murder."

Mr. Bruce says again :

"While the law respecting murder remains as it is, and while the spectacle is so often seen of judges and juries dissenting—the one from the verdict and the other from the sentence which, in accordance with law, they are obliged to pass—there must be lodged somewhere the power of administering the prerogative of mercy."

Lord Penzance says :

"Now, independently of the cases in which the punishment of death has been commuted, it has, I believe, been the practice for many years of the Home Office to mitigate severe sentences."

Mr. Trevelyan, Irish Secretary, said :

"I am glad to have an opportunity of saying a word about the Kilmartin case. If His Excellency erred at all in that case, he erred on the right side. In the last paragraph of his letter it is stated :

"His Excellency has determined to release Kilmartin. He does so without impeaching the correctness of the original conviction, or the *bona fides* of Heron; but, subsequent information having created some doubt as to the identification of Kilmartin, His Excellency feels himself enabled to exercise the prerogative of mercy on Kilmartin's behalf."

So late as 1884, Mr. Gladstone, in a great debate to which I shall have occasion subsequently to allude, said this :

"The constitution of this country knows nothing of criminal appeal, properly so called, nothing of the retrial of cases, as was explained by the Home Secretary last night. It knows of the reference to the responsible Minister, who, surrounded by the very best advisers, and acting under the deepest sense of responsibility, is entitled to exercise the prerogative of mercy. That mode of operation you begin by excluding, because what you are asking for is not a further investigation of the question by the responsible officer of the Queen, but it is a full and public enquiry, a description to which his operation could not correspond."

I think I have sufficiently established the accuracy of my statement, and enlarged even my own statement by these proofs of the extensive powers and consequential duties of the Executive in exercising this branch of the administration of criminal justice, particularly in capital cases, but before I pass to the question of what should be done in cases of insanity and the specialties of those cases, I wish to make an allusion, at this point, to the effect of the recommendation to mercy. The hon. member from Ottawa, quoted a portion of a passage, which I deem it my duty to read, from Sir James Stephens' book :

"There is one other point on which the English and French systems are strongly contrasted. This is the French system of *circumstances atténuantes* and the English system of recommendations to mercy. The finding of *circumstances atténuantes* by a French jury ties the hands of the court and compels them to pass a lighter sentence than they otherwise would be entitled to pass. It gives a permanent legal effect to the first impressions of seven out of twelve altogether irresponsible persons upon the most delicate of all questions connected with the administration of justice—the amount of punishment which, having regard to its moral enormity and also to its political and social danger, ought to be awarded to a given offence. These are I think matters which require mature and deliberate considerations by the persons best qualified by

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their position and their previous training to decide upon them. In all cases not capital the discretion is by our law vested in the judges. In capital cases it is practically vested in the Secretary for the Home Department advised by the judge, and inasmuch as such questions always attract great public interest and attention and are often widely discussed by the press, there is little fear that full justice will not be done. To put such a power into the hands of seven jurymen to be exercised irrevocably upon a first impression is not only to place a most important power in most improper hands, but is also to deprive the public of any opportunity to influence a decision in which it is deeply interested.

"Jurymen having given their decision disappear from public notice, their very names being unknown. A Secretary of State or a judge is known to every one, and may be made the mark of the most searching criticism, to say nothing of the political consequences which in the case of a Secretary of State may arise from mistakes in the discharge of his duty. On the other hand one English system allows the jury to exercise at least as much influence on the degree of punishment to be inflicted on those whom they may convict as they ought to have. It is true that the recommendation to mercy of an English jury has no legal effect and is no part of their verdict, but it is invariably considered with attention and is generally effective."

"In cases where the judge has a discretion as to the sentence, he always makes it lighter when the jury recommend the prisoner to mercy. In capital cases, where he has no discretion, he invariably in practice informs the Home Secretary at once of the recommendation, and it is frequently, perhaps generally, followed by a commutation of the sentence. This seems to me infinitely preferable to the system of *circumstances atténuantes*. Though the impression of a jury ought always to be respectfully considered, it is often founded on mistaken grounds, and is sometimes a compromise. It is usual to ask the reason of the recommendation, and I have known at least one case in which this was followed first by silence and then by withdrawal of the recommendation. I have also known cases in which the judge has said: 'Gentlemen, you would hardly have recommended this man to mercy if you had known as I do that he has been repeatedly convicted of similar offences.' There are also cases in which the recommendation is obviously founded on a doubt of the prisoner's guilt, and in such cases I have known the judge tell the jury that they ought to reconsider the matter, and either acquit or convict simply, the prisoner being entitled to an acquittal if the doubt seems to the jury reasonable. This will often lead to an acquittal."

Then I refer to two cases in which Home Secretaries have expressed their views on the subject. In the case of the convict Wager, Mr. Walpole said :

"His first impression was that it was a case of such barbarity and cruelty that it was proper that the law should take its course. On the other hand, he found that the jury recommended the criminal to mercy. Moreover, he felt that in this, as in all similar cases, it was his duty to appeal to the judge who tried the criminal, and he did so without intimating any opinion one way or the other. The learned judge had twice favored him with his opinion, and he would read a portion of the report. It was as follows :—

"The murder was not premeditated, and I do not think that when he commenced the pursuit after his wife he intended that act of violence which he afterwards made use of. I am, therefore, of opinion that the case is not an unfit one for the exercise of the prerogative of mercy."

"After the recommendation of the jury, expressed not only at the time when the verdict was given, but since conveyed to him in stronger language than the original recommendation was couched in; and after the deliberate opinion of the judge that the case was, in his opinion, not unfit for the exercise of the prerogative of mercy, he did not think that he could have taken any other course than the one he adopted, and the sentence was commuted to penal servitude for life."

In another case, the case of John Toomer, the same Home Secretary said :

"Perhaps, upon this point, I shall not transgress my duty by saying that from the very beginning I thought the punishment to which Toomer was sentenced was so severe that it ought not to stand. I never had the slightest hesitation upon that point, but that question has never been brought before me. The reason why I thought the punishment ought not to stand was, because I felt that the jury's recommendation to mercy, founded probably upon some indiscretion of the prosecutrix, should have been attended to."

Now, I ventured to observe, on the only occasion on which I have spoken in public on this case until to-day, that it was a matter of regret that the jury were not asked to state what their reason was for the recommendation—I do not mean by the Executive, of course, but by the judge at the trial, as it was fitting that he should have done. We had some public information given to us from a source which I suppose hon. gentleman will not challenge as distinctly unfriendly to them or as being biassed in any way against them. At the time of the trial, the *Mail* correspondent at that trial telegraphed to the *Mail* newspaper as follows :—

"RÉGINA, N.W.T., 3rd August.—Three of the jurors in Riel's case tell me that the meaning of that recommendation to mercy is that in their

opinion Riel should not be hanged, as they think that, while he is not absolutely insane in the ordinary accepted meaning of the word, he is a very decided 'crank.' The other three jurors I have not been able to see, but this is their view also. Most of the witnesses for the Crown admitted on cross-examination that Riel, in their estimation, was 'not all there'; and this, with the testimony of the experts and that of Rev. Father André, of Prince Albert, who fought with might and main against Riel during the agitation which culminated in the rebellion, produced a profound impression upon the minds of the jury. Lastly, the jury saw and heard the prisoner in the box."

That was the only information which, at the time I spoke, I had as to the meaning of the recommendation. A gentleman residing in the North-West, with whom I had no acquaintance, wrote to me, stating that he had seen the statement made that it was not known what the meaning of the recommendation was, and he enclosed to me a letter addressed to himself from one of the jury, which I think it necessary to give to the House as the only information I have had since on the subject, given to me without any solicitation on my part, and simply coming in the way I have stated. That letter is as follows:—

"MY DEAR SIR,—In answer to your enquiries regarding our verdict, &c., in the Riel trial, I would say that as a friend I have no objections whatever to giving you our reasons for recommending the prisoner to the mercy of the Crown, but I would ask you as a favor not to make public my name or residence.

"The judge, in his charge, told us distinctly that we must take into consideration these two points, the prisoner's implication in the rebellion and the state of his mind at the time. He said: 'If you are perfectly satisfied in your own mind that the prisoner was implicated in the rebellion, directly or indirectly, and at the same time able to distinguish between right and wrong, you must bring him in guilty; if, on the other hand, you find him implicated in the rebellion, but of unsound mind, you must bring him in not guilty, and state, on account of his insanity.' This was the purport of the charge, although by no means the whole of it.

"After we had retired to consider the verdict, our foreman asked each and every one of us the following questions:—'Is the prisoner guilty or not guilty? and, is he sane or insane?' We each answered in our turn. Guilty and perfectly sane."

"In recommending him to the mercy of the court, we did so because we considered that while the prisoner was guilty and we could not by any means justify him in his acts of rebellion, at the same time we felt that had the Government done their duty and redressed the grievances of the half-breeds of the Saskatchewan, as they had been requested time and again to do, there never would have been a second Riel rebellion, and consequently no prisoner to try and condemn. We did not but condemn in the strongest terms possible the extraordinary dilatoriness of Sir John Macdonald, Sir David McPherson and Lieutenant-Governor Dewdney, and I firmly believe that had these three been on trial as accessories, very little mercy, if any, would have been shown them by the jury.

"Although I say we, in nearly every case in the above, it may possibly be that not everyone held the same views as myself, but I certainly thought at the time that they did so, and am still of the same opinion.

"You are at perfect liberty to make use of this letter in any way you see fit, provided anything therein relating to myself is not made public."

I have given everything which does not relate to himself, and which bears upon this case at all. I thought it my duty to read that letter particularly, because, having in my hand the statement from one of the jury that the jury thought the prisoner sane, I did not think it would be consistent with the frankness I owe to the House to withhold that, inasmuch as they will see it is not a view which I myself share. I repeat that I do not at all contend that a recommendation to mercy is necessarily to be yielded to. I have never said so or thought so. I think that would be a still more unsatisfactory mode of dealing with the case than the French system. But I do argue that the statement given in the author whom I have quoted is a fair statement of the general results and of the degree of attention which is proper to be given to a recommendation to mercy; and, if the hon. member for Ottawa (Mr. Mackintosh), who seems to have had special opportunities of investigating the cases of the exercise of the prerogative of mercy for several years past, opportunities not vouchsafed to other hon. gentlemen, had extended his enquiries and had gone into those cases in which the recommendation to mercy was effectual, instead of confining himself to those in which it was ineffectual, I think he would have given us an array of facts more important and more satisfactory than the representation of only

one side which he has given us. The question is in what cases, and in what classes of cases the recommendation has been made, and what degree of weight has been given to it. I turn to the question, so far as it may be specially illustrated by authority, of the exercise of mercy in those cases in which the defence of insanity arises, and upon that subject no less a learned judge than Lord Cranworth was examined by the Capital Punishment Commission, in 1865, and the Attorney General for Ireland put to him this statement:

"I happen to know a recent case where a man was tried, and the defence was insanity—incapacity to judge of his actions. The jury convicted this man, not believing that he was insane. The Executive subsequently received information from various doctors which had not been produced, showing that the man really was insane, and in that case the prerogative of mercy was exercised, the man being retained in prison?"

And the answer was:

"That would be the reasonable mode of dealing with him."

So you see that where the question of insanity was raised at the trial, and where the jury decided against it, and where the Executive, upon the evidence given at the trial and before them, did not think they were wrong—and where, of course, the judge was not dissatisfied with the verdict either—yet, where subsequent medical testimony was brought forward, it was acted upon by the Executive, and they commuted upon the score of the subsequent medical testimony, and therefore they received it. Now then, on the Bill to abolish capital punishment in 1869, the Home Secretary, Bruce, said:

"One of the first cases he had to adjudicate upon was that of the convict Siegrove, the circumstances of the murder being such as in themselves to excite suspicion of insanity. No evidence was adduced before the court as to the previous life of this unhappy man; but after sentence had been passed the conscience of the neighborhood was aroused, and information was given which led to the discovery of what the facts really were, viz., that for three years he had been subject to fits of epilepsy, and while quite peaceable at other times, under the influence of these he was dangerous, so much so that he had been dismissed from one employment. With a knowledge of these facts, it was impossible to allow the sentence of death to be carried out, and the result of two medical examinations since instituted at different places, and conducted by most competent persons, established that the prisoner was actually insane."

So you see subsequent evidence of the facts was received by the Executive and upon that subsequent evidence they started separate medical examinations, conducted at different places, to test the condition. Their report was accepted, and upon it the prisoner's sentence was commuted. Then Mr Gilpin said, in the same debate:

"The Home Secretary himself stated, only a few weeks ago, that at the last spring assizes two persons were sentenced to death who were entirely innocent. Mr. Bruce, Home Secretary said, the one was innocent and the other insane."

So that the innocent person had been sentenced to death, but his sentence had been afterwards commuted on the ground that he was insane. Then Mr. Bruce, in 1870, in the case of Jacob Spinassa, said:

"A murder was committed, for which no motive could be assigned, by a person who was apparently laboring under some temporary and violent hallucination. The judge and jury, however, thought there was not sufficient evidence of this state of mind, and therefore they treated the prisoner as a man who had committed a murder, with a full knowledge of what he was doing. After the trial evidence was given upon oath in Switzerland by a surgeon who had repeatedly attended Spinassa while he was in a militia regiment, and who had seen him in a state of hallucination similar to that described at the trial, and accompanied by acts of violence, of which he was unconscious. Then it was proved that persons in a German hospital in London had seen him under similar circumstances."

Thus the sentence was commuted on the score of these subsequent enquiries, in a case in which proof of hallucination had been given at the trial, after which proof both judge and jury agreed that the prisoner was, within the law, responsible and properly convicted. Then, on the motion by Lord Penzance, the Lord Chancellor, speaking of the character of the enquiries which were made by the Home Secretary, said this:

"In particular cases other matters are inquired into, but those cases are extremely few. In some of them the delicate and difficult question of the state of the criminal's mind is raised, in which experience proves there is obviously a large margin for difference of opinion; but this would not be improved by requiring all evidence to be on oath, for on matters of opinion there will always be great variety of opinion, and the oath is no security, because a man giving his opinion may honestly swear that he believes so and so. Certificates, therefore, are just as valuable whether they are on oath or not; and the only other evidence is that occasionally given by friends and relatives, as to the convict's state of mind at former periods—matters which are not of such difficult solution as may at first sight appear. * * * At present the functionary to whom this duty is confided, having ample assistance, is able to consider this subject without delay. He is, moreover, a responsible Minister of the Crown, and is, therefore, accountable to Parliament for the manner in which he discharges his duties."

There you find the responsibility of the Government declared by the Lord Chancellor, the head of the judiciary and the legal official of the Government, who explains what is done in criminal cases where a man has been convicted and sentenced; and a question exists as to the state of his mind. You find that an enquiry is made, that medical opinions are taken, and evidence is taken as to the facts from which conclusions are to be drawn. Then the Royal Commission on Indictable Offences in 1878 composed as I said before, of Judges Blackburn, Barry, Lush and Stephen, said:

"It must be borne in mind, that, although insanity is a defence which is applicable to any criminal charge, it is most frequently put forward in trials for murder, and for this offence the law—and we think wisely—awards upon conviction a fixed punishment which the judge has no power to mitigate. In the case of any other offence, if it should appear that the offender was afflicted with some unsoundness of mind, but not to such a degree as to render him irresponsible—in other words where the criminal element predominates, though mixed in a greater or less degree with the insane element—the judge can apportion the punishment to the degree of criminality, making allowance for the weakened or disordered intellect. But in a case of murder this can only be done by an appeal to the Executive; and we are of opinion that this difficulty cannot be successfully avoided by any definition of insanity which would be both safe and practicable, and that many cases must occur which cannot be satisfactorily dealt with otherwise than by such an appeal."

Now, this is stated at a late day by men of the highest authority, having had the advantage of the evidence of many learned men engaged in the actual administration of the criminal law, declaring the theory and practice of that administration in cases in which there is a weak or disordered intellect, though not so weak or disordered as to justify a verdict of not guilty on the ground of insanity; and in language in which I would only weaken by attempting to restate the argument, they point out, what common sense and common humanity approve, that a weak and disordered intellect, although there may be enough to leave a man responsible, leaves him not responsible to the same degree as to the severity of punishment as if he were of perfectly sound mind; and that which, in all other cases, by the law, the precise sentence proper to be awarded as proportioned to the moral guilt and to the palliative circumstances, is to be fixed by the judge, in the particular case in which the sentence is that of death, that duty is to be discharged by the Executive. Sir James Stephen, in his book to which I have so frequently alluded, alluding to the provision of recording sentence, which, as I have said, had the effect of a reprieve, says:

"I remember a case in which Mr. Justice Wightman ordered sentence of death to be recorded upon a conviction for murder. The prisoner, though not quite mad enough to be acquitted, was obviously too mad to be hanged. I have met with cases in which I wished I had a similar power."

Sir James also says:

"These considerations appear to me to show that murder, however accurately defined, must always admit of degrees of guilt, and it seems to me to follow that some discretion in regard to punishment ought to be provided in this and in nearly every other case. This discretion does in fact exist at present and is exercised by the Home Secretary, though on every conviction of murder sentence of death is passed by the judge."

Then he gives cases affecting the guilt of such an offence:

- (1) Absence of positive intention to kill, &c.
- (2) Provocation, &c.
- (3) There are many cases in which a man's mind is more or less affected by disease, but in which it cannot be said that he is entitled to be altogether acquitted on the ground of insanity."

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And then he gives a long series of other cases, the precise case to which I allude being number 3, and proving demonstratively that this case was recognised by our law, which else would be a barbarous and inhuman law, and that it justifies the principle of dealing with the case according to the circumstances. Then Lord Penzance, during a debate in the House of Lords in 1870, said:

"Well, the Home Secretary does as much as any man can do, under the circumstances. He makes his inquiry. It very often happens that the crime is one which depends on scientific evidence, as in the case of poisoning, and then he has often a very delicate task. In other cases new and additional facts are alleged; but there are no authorised sources of information. I believe, indeed, that he sometimes sends down persons to make inquiries on the spot."

Again, Sir James Stephen in his book, speaking as to the doubts thrown on the justice of a verdict, or the accuracy of the evidence, and the course of the Home Secretary in Smethurst's case, shows that:

"Sir George Lewis, Home Secretary, says: * * * I have come to the conclusion that there is sufficient doubt of the prisoner's guilt to render it my duty to advise the grant to him of a free pardon. * * * The necessity which I have felt for advising Her Majesty to grant a free pardon in this case has not, as it appears to me, arisen from any defect in the constitution or proceedings of our criminal tribunals; it has risen from the imperfections of medical science, and from fallibility of the judgment in an obscure malady, even of skilful and experienced practitioners."

I am unable to deal with some of the cases in our own country as fully as the hon. member for Ottawa (Mr. Mackintosh), but I observe a report in the *Mail* newspaper of a trial which took place in October, 1882, at Napanee. One Lee was tried for murder and the defence was insanity. The medical evidence was conflicting. One doctor proved that he had examined the prisoner and in his opinion he was insane, and insanity was not feigned. Another doctor was called and said he had come to the same conclusion. The gaol surgeon thought the examination disclosed delusions, and he saw indications of insanity. Another doctor thought the prisoner was acting a part and knew quite well what he was doing. The judge charged that the evidence showed that his mind was, perhaps, not very strong, although some years ago he had labored under delusions. At and about the date of the crime, persons who were in frequent intercourse with him discovered nothing to lead them to suppose him of unsound mind. A person taking revenge is not acting under delusion; he is doing it with some degree of knowledge of the difference between right and wrong. There was a verdict of guilty rendered, and there is no report of a recommendation for mercy. The judge in passing sentence said that after hearing all the evidence he was quite of opinion that at the time the prisoner committed the crime he knew what he was doing and was perfectly accountable for his action. He was sentenced to death. That sentence was commuted. It was commuted by hon. gentlemen opposite. I am not able to speak with authority as to the circumstances of the commutation; and I state simply that I received a letter on the case this morning, and therefore too late to enable me to apply to the hon. gentleman as I otherwise would have done to bring down the papers, but I now make the application. The letter is written by a respectable person who ought to know and who professes to know as to the circumstances which preceded that commutation. But before I refer further to that letter, I should like to give the reporter's account of the prisoner as published in the *Mail*:

"The prisoner whose appearance is not such as to give the unprofessional eye much, if any, indication of insanity has watched the case apparently with much interest throughout. He seemed to understand about what evidence each witness called would give, and it could be noticed as some of the more important ones came to the stand that he placed himself in an attitude of close attention as if to catch every word said. He did not at any time display indifference, and toward the close though showing signs of weariness seemed to take, if possible, more interest than at first and to be in a measure impressed with a sense of his peril. In this respect there was a visible change in his countenance after he heard the address of the Crown counsel and the judge's charge, and a very marked one when the verdict was rendered."

The information communicated to me by letter this morning is as follows:—When the trial of Michael Lee for murder took place at Napanee some time ago, Dr. Metcalf, of Rockwood, Dr. Clark, of Toronto, Dr. Lavell, of Kingston, examined him. Drs. Metcalf and Clark pronounced him insane; Dr. Lavell pronounced him perfectly sane. His sentence was commuted and he was sent to the penitentiary, where he was transferred to the criminal insane ward as insanity became marked. Whether he still remains there or not I do not know. I know, having had some reason to learn, that a very great number of those whose minds are disordered are kept, and perhaps not unwisely so, out of the insane ward and mix with the other prisoners. That is the statement given to me; and I think, considering the circumstances and the names I have given, it would have been fortunate if the hon. member for Ottawa had so far perfected his investigation as to be able to state all the facts respecting the case of Lee. I think it is established beyond all contradiction that the practice accords with reason, that a disordered condition of the intellect, which in the view rightly or wrongly of the law is not sufficiently disordered to entitle the prisoner to immunity from crime, is yet to be regarded in dealing with the quantity of punishment awarded; that in all other cases than the capital cases that regard is paid by the judge, and in the capital cases it is to be paid by the Executive, whose duty is, not as a matter of clemency or mercy simply, but as part of the administration of criminal justice, as part of that justice which we declare in our Statute-books we seek to accomplish by the apportionment of the punishment to the moral guilt, to have regard to what surely must be an element of the moral guilt, the degree of the disordered intellect, the degree of the insane impulses, of the insane delusions of the unbalanced mind. Even although this degree may be not enough to entitle him to acquittal, though the verdict may be right and the judge's sentence under the law may be right, there is not a mere discretion but a sacred, solemn and imperative duty to have regard to the circumstances disclosed on the trial, and all other circumstances which may be made known; and if upon the whole of the circumstances, you find, as was said by Mr. Justice Stephen, that the man was not mad enough to be acquitted but too mad to be hanged, you cannot shelter yourself under the proposition that it was your duty to carry out the sentence of the law, and that the verdict of the jury had settled all that matter. The verdict of the jury settled no more than this; the prisoner was not so completely insane as to be entitled to be absolutely acquitted on the ground of insanity. Consistently with that finding, his intellect might be seriously disordered. He might be seriously disordered mentally though not sufficiently disordered to give him immunity. Is not that question to be decided? Was that question settled by the verdict? No, it was left unsettled. It was to be settled by the Executive. Has it been settled? If not, they did not discharge their duty. If they settled it, and decided that it did not apply in this case, then I humbly say that I wholly disagree from them in opinion. Now, Sir, to come to the other branch of this case, the question of political offences, that has also to be considered on the question of the award of punishment, and in this matter I am obliged to differ very much from the spirit of a good deal that has been said by hon. gentlemen opposite. The prerogative of pardon is dealt with by Mr. Amos, as applied to these cases, thus:

"There are other cases in which the faculty of granting a remission or diminution of the penalty may also properly belong to the Executive. Thus in cases of what are sometimes called 'political crimes' in which the perpetrators of them are as often as not persons of virtuous habits and tendencies, and even in some cases of a heroic spirit of self-sacrifice, it must depend entirely upon the danger to the community to be apprehended from a repetition of such particular offences whether any and what penalty should be exacted. It may not be wise to leave to the judge the supreme decision of a question more of political circum-
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speculation than of simple moral insight. The usual if not necessary rule

is to leave a considerable amount of choice of penalties to the judge, but to reserve to the Executive the opportunity of entirely rebutting, or as political sagacity prompts from time to time the penalty exacted by the strict letter of the law. These remarks while justifying the institution of the prerogative of pardon, none the less point to the essential importance of hedging round the exercise of this prerogative with all the safeguards which a vigilant legislature and an active public opinion can devise."

With reference to the exercise of the prerogative in case of political offences, an instructive statement was made on the application in the case of certain Fenian convicts in 1869, when Sir Frederick Heygate said:

"He would beg to ask the Chief Secretary for Ireland, whether, in the selection of those Fenian convicts now proposed to be released, the course had been adopted usual in the remission of sentences of obtaining the approval of the judge who tried each case.

"Mr. Chichester Fortescue, in reply, said, that in ordinary cases when a memorial was presented from a prisoner for a mitigation of punishment or a free pardon, that memorial was referred to the judge who had tried the case. But in the present instance no such memorial had been received by the Government and the question was not considered as one respecting a mitigation of an ordinary sentence. On the contrary, it was regarded by the Government as a question to be decided by themselves and by the Lord Lieutenant of Ireland. What they did was to institute a most rigid examination into the case of each prisoner, and in conducting that examination they had the assistance of the law officers of the Crown, and more especially of the Attorney-General. The examination was conducted in every case in reference to the character of the person and the circumstances of the case, and to all that came out of the trial. Having done that, Her Majesty's Government and the Lord Lieutenant were of opinion that it was their duty to decide the question solely on their own responsibility, and without inviting the judges to share that responsibility."

Then, Sir, there is a most interesting and instructive discussion on Mr. O'Connor Power's motion, in 1877, with reference to certain Fenian convicts, notably the Manchester murderers, of whom three suffered the extreme sentence of the law, and the others sentences of imprisonment for considerable terms; and after a period, an agitation took place for a remission of these sentences. Mr. Gathorne Hardy said:

"He would admit that this question came very near the hearts of a great many of the Irish people; but they were not the Irish nation, and the Irish nation was not the whole people of the empire. This was an empire and not an aggregate of separate kingdoms, and the Government had to consider the interests of the whole of this great empire. It was also a free empire. Every man who was wronged had an opportunity of bringing his wrong to light, and there was no man who suffered an injury who had not an opportunity of obtaining redress in a constitutional manner. Therefore, the man who took up arms had to vindicate himself from a charge of the deepest dye. Where there was no necessity—not even an excuse—for shedding blood, the man who raised his arm to shed blood, committed a crime; and for that crime the country had a right to demand, he would not say vengeance, but the utmost punishment the law allowed. Much more when men who had taken upon themselves the character of defenders of the country, violated the oaths they had taken and conspired to destroy the country, no punishment could be inflicted upon them which they did not deserve."

Then the Attorney-General of England, in the same debate, describing the offences, used these words:

"When the van emerged from under a railway arch, about half-a-mile from Bellevue, a large number of persons were seen upon some vacant ground, slightly elevated above the road. They were armed with revolvers, and had evidently been waiting for the approach of the van, determined to all hazards to rescue the prisoners. It was proved afterwards that messages had been sent in order that they might be prepared. They discharged their revolvers at the policemen, stopped and surrounded the van, and some of them got on the roof and attempted to break it in by means of hammers, while others handed up large stones to aid them. Others, again, tried to break open the door. It was the duty of Sergeant Brett to guard the door. He was a brave officer, and he did his duty. He positively refused to admit the assailants. When he was in the act of closing a ventilator—which was something in the shape of a small venetian blind—for the purpose probably of preventing them from getting a hold there, one of the conspirators pointed a revolver at the aperture, and, deliberately discharging it, shot the officer. Sergeant Brett fell in the van, the door was then broken open, and the prisoners were released. Hon. members might, if they liked, call that accidental shooting, but he (Attorney-General) called it deliberate homicide.

"* * * They might call it a technical crime; he called it vulgar murder. They might call it a political offence; he called it deliberate and atrocious assassination. It was a deliberate planned attack, carried out by the prisoners who were afterwards convicted, regardless whether they committed murder or not, but determined to do murder rather than fail in their object."

Mr. Pease, the member, I think, for South Durham, said :

"Well, they had had a real rebellion some years ago in Ireland, headed by a gentleman who sat for many years in that House, and was highly respected by all who knew him—he alluded to Mr. Smith O'Brien. He was taken while in arms, holding a cottage for some hours against the Queen's soldiers; and, in that extreme case, when the offender was actually convicted of treason, and formally sentenced to be hanged, drawn and quartered, the dread sentence was afterwards commuted to 14 years' banishment, and was afterwards again commuted, and Mr. Smith O'Brien was brought home to his country. Had any of the men whose fate was now before the House of Commons been guilty of such a great crime as Mr. Smith O'Brien? He had signed the roll of Parliament, had taken the oath of allegiance, was in the Queen's commission of the peace, and yet it was felt consistent with public safety to commute his punishment twice after he had been sentenced to death, and had been transported to mark the turpitude of his crime."

Mr. Gladstone said :

"The question which we have to determine is, what constitutes a political offence. It is quite clear that an act does not become a political offence because there is a political motive in the mind of the offender. The man who shot Mr. Percival, and the man who intended to shoot Sir Robert Peel did not become political offenders merely on this ground. By a political offence, I, at least, understand an offence committed under circumstances approaching to the character of civil war. Whenever there is a great popular movement, the offences committed in giving effect to the intentions of the people partake of the character of civil war. Reference has been made to the action of the President of the French Republic in pardoning offences committed by communists; but it must not be forgotten that the offences—though darker than the crimes for which the Irish prisoners are under punishment—were committed in the progress of a civil war. But the riot committed at Manchester by a crowd locally gathered together was a proceeding totally of a different character, and must be considered as in the main belonging to the category of ordinary crime, though it is not on the ground that the offence is a political offence, that I think the prisoners in question can be recommended for consideration. But if these offences be not political offences in a strict sense, yet they were undertaken for a political motive, and in so far partake of that character as to affect, in a material degree, the moral guilt of the persons concerned."

That was the observation made by the most eminent of Englishmen as to the ingredients of a political offence, even in a case so obviously gross and, as many of us would regard it so totally alien from the ordinary category of political offences as the case of the Manchester murder. Well, Sir, let us come to our own country. History repeats itself in a wonderful way. I remember when we brought this case first on the *tapis* last Session, amongst other things, we enquired of the Government what they had done with certain persons who were very active, apparently, in stirring up discontent, in the latter half of the year 1884—Schmidt, Dumas and others; and after a while we found out that the Government had been giving them little offices, contracts, and one thing or another, and that they had been thus either marking their sense of their worthiness, or attempting to isolate them from the popular movement. And that is an old plan. I was looking awhile ago into the earlier history of Lower Canada, and I found an account of what used to go on in the long agitation which culminated in the rebellion of 1837. As long before that time as, I think, a quarter of a century, Governor Craig sent home Mr. Ryland as his secretary, to communicate with the Home Government with reference to the affairs of the colony, which he was endeavoring to carry on with large assertions of prerogative and limited local rights; and Mr. Ryland gives an amusing account of an interview with Lord Liverpool, then Prime Minister, on the subject of agitators :

"Lord Liverpool then adverted to the particular character of the persons who edited the"—

Blank, I will say, for the moment—

"and asked whether they might not be brought over. I observed that, unfortunately, this system had hitherto been acted on in Canada, and that I considered the late proceedings of these individuals as the natural consequence of it, men of desperate fortunes with some talents, but destitute of principle, having been thereby encouraged to oppose Government for the purpose of forcing themselves into place."

Sir, the paper of which that was written was the *Quebec Canadian*. The *Canadian* still lives. Now the signatories of the response in 1837 by the committee of the county of

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Montreal to the Workingmen's Association of London made this representation :

"Our grievances are not of new characters or of recent date. They have been publicly and distinctly stated, and the mode and measures of redress have been plainly defined. Our citizens have at public meetings reiterated them for years past. They have founded upon them humble petitions to your Parliament, which turning a deaf ear, now adds aggression to contempt."

That was signed among others, by Papineau, O'Callaghan, Nelson, Duchesnois and Cartier; and then comes also something which shows us how power generally acts under circumstances like these. We remember the events—so widely differing in many particulars—of the Lower Canadian revolt. But see how power treated it in the proclamation of Sir John Colborne on the 29th of November, 1837 :

"Whereas, in divers counties of the district of Montreal, disaffection with the Government of Her Gracious Majesty Queen Victoria, has unequivocally declared itself and divers outrages upon the persons and properties of Her Majesty's loyal subjects have been recently perpetrated therein; and whereas, prisoners arrested on charge of high treason have been rescued from the hands of justice, and the troops of Her Majesty, in the lawful discharge of their duty, which aiding the civil authorities have been assailed and fired on by the hands of an armed peasantry :

"And whereas, it is notorious that the present blind and fatal excitement in that district is to be attributed to the machinations of a few evil minded and designing men, who have imposed upon the credulity of an unsuspecting peasantry, and by plausible misrepresentations and wilful calumny, by practising upon their fears and inflaming their passions, by appealing to national distinctions and exciting political prejudices, which it has been the unabated endeavor of the British Government to extinguish, have at length succeeded in implicating a part of a peaceable and loyal population in the first excess of a reckless and hopeless revolt."

You would almost think I was repeating a speech we heard the other day. Then, we find how power acted again in the proclamation of Lord Gosford :

"Whereas, L. J. Papineau is charged with the crime of high treason, and there is reason to believe he has fled from justice; and whereas, it is expedient and necessary for the due administration of justice, and for the security of Her Majesty's Government in this province, that so great an offence should not escape unpunished :

"I do hereby require and command all subjects to discover, take and apprehend the said L. J. Papineau and carry him before a justice; and for the encouragement of all persons to be diligent, a reward of £1,000."

A similar proclamation was issued against Wolfred Nelson, E. B. O'Callaghan, J. T. Drolet, M.P., W. H. Scott, M.P., A. Girod, T. S. Brown, C. H. O. Côté, M.P., J. J. Girouard, M.P., E. E. Rodier, M.P., and Jean O. Cherrier, offering £500 reward, and others at the lesser price of £400. Then the ordinance of Lord Durham, who assumed to banish Wolfred Nelson, R. S. M. Bouchette, B. Viger, S. Marchessault, H. A. Gauvin, T. Goddu, R. Desrivieres and L. H. Masson, to Bermuda, also provided :

"If any of them, or if L. J. Papineau, O. H. O. Côté, J. Gagnon, R. Nelson, E. B. O'Callaghan, E. E. Rodier, T. S. Brown, L. Duvernay, E. Cartier, G. E. Cartier, J. Ryan, sen., J. Ryan, jun., L. Perrault, P. P. Demaray, Jos. F. Davignon and Louis Gaudier, against whom warrants for high treason have been issued, shall hereafter without permission come into the Province they shall be deemed guilty of high treason and suffer death."

"Nothing in any proclamation shall extend to the cases of certain named persons, or if any other person charged with the murder of Lieut. Weir, or with the murder of the late J. Chartraud, and they shall derive no advantage from such proclamations."

The case of these persons was raised in the English House, and Lord John Russell says :

"The Government has not neglected to let Sir J. Colborne know its opinion of the inexpediency of inflicting capital punishment on occasions of this nature."

Sir Robert Peel argued that an exception should be made in the case of the murderers of Lieut. Wier. As soon after as 1841, the following resolution was passed in the House of Assembly by a vote of 39 to 9 :

"Resolved, That it is the opinion of this committee that an humble Address be presented to His Excellency the Governor General, as representing the Crown in this Province, praying for the exercise of the royal prerogative for granting a free pardon, indemnity and oblivion, of all crimes, offences and misdemeanors, connected with the late

unhappy troubles in the late Provinces of Upper and Lower Canada, to such of Her Majesty's misguided subjects, in so far as may be compatible with the safety of the Crown and the security of the Province, and of all attainders and outlawries during the period of four years."

In 1842, Mr. Lafontaine proposed to Sir Charles Bagot an amnesty, to which he agreed for all except Papineau. Mr. Lafontaine declined, and threatened to resign. The Government yielded, and a *nolle prosequi* was ordered as to Papineau whereon he was able to return, as he did in 1845. It is unnecessary, Sir, for me to refer to the Upper Canadian rebellion, in respect of which, one might almost go through a similar history. I have gone so far, in order to show the language which is used in events of this description while they are going on, as contrasted with the language used a few years afterwards, as illustrating the view taken when passions have subsided and the mists of prejudice have disappeared. It is to that view that the Executive should look in their determination of cases of this description; it is not the view of the moment; it is the view of the future they should look to. Then I turn to another case of a more recent date—the case of the Fenian invasions of Canada. These Fenian invasions harassed us for a number of years. On the 9th of March, 1866, Lord Monck reports to the Secretary of the Colonies:

"These reports, taken in connection with the open avowals at their public meetings, held in the United States, of the leaders of a portion of the Fenian Society, that it was their intention to attack this Province, had induced a feeling of great uneasiness and insecurity amongst the people. * * * It will be satisfactory to you to learn that the order calling out the force was issued by telegraph from headquarters to the different stations, late in the afternoon of Wednesday, the 7th instant, and that by noon on Thursday, the 8th, answers had been received showing that at that time about 8,000 men were mustered and prepared to move on any points where they might be required."

Well, the advance did not come at that time. On the 4th June, 1866, Lord Monck says:

"The body of Fenian conspirators who crossed the frontier from Buffalo to Fort Erie, on the morning of Friday, 1st June, proved to be between 800 and 900 men, and seemed to have been well armed. Immediately on the receipt of the intelligence of the invasion, Major-General Napier pushed on by rail to Chippawa, a force consisting of artillery and regular troops, under Col. Pascocke, 16th Regiment. * * * They came upon the Fenians encamped in a bush, and immediately attacked them, but were outnumbered and compelled to retire to Port Colborne. This occurred some time on Saturday, 2nd June. * * * We have 65 prisoners in our possession, who have been, by my direction, committed to the common gaol, at Toronto, to await trial."

On the 8th June, 1866, Lord Monck writes thus:

"Immediately after the first news of the invasion reached me the whole volunteer force of the Province was placed on active duty. * * * I am sure I do not exaggerate when I say that within twenty-four hours after the issue of the order 20,000 men were under arms, and that within forty-eight hours after the same time they, in combination with the regular troops, were disposed, by the Lieutenant General commanding, in positions which rendered the Province secure from attack. * * * With the assistance of the officers and men of the ships of war now in the St. Lawrence, a flotilla of steamers has been chartered by the Provincial Government, and fitted up as temporary gun-boats for service, both on the river St. Lawrence and the lakes. * * * Parliament is to assemble this day, and it is intended at once to suspend the *Habeas Corpus* Act and to extend to Lower Canada the Act at present in operation in Upper Canada (Consolidated Statutes Upper Canada, chap. 89), providing for the trial by military courts martial of the prisoners."

Then on the 29th May, 1869, Sir George Cartier and Hon. Wm. McDougall, presenting the claims of Canada with regard to the Fenian invasion, made the following report to His Excellency Sir John Young, Governor General:—

"The undersigned * * * deemed it their duty to represent on behalf of the Government of Canada to the Right Hon. the Secretary of State for the Colonies, Earl Granville, that the Dominion of Canada; and the Provinces comprised in it had expended several millions of dollars in resisting the attacks of the so-called Fenians. That such invasion did take place, and that several of Her Majesty's subjects lost their lives in repelling their murderous attacks, and a large amount of property was destroyed, and heavy losses and damages were sustained by several of Her Majesty's subjects."

"GEO. E. CARTIER,
"WM. McDOUGALL."

The report of the Privy Council, 2nd June, 1870, calls the Fenian invaders "brigands." The despatch of Lord Granville expressly calls them "a body of conspirators" and declares that "it is not often in the history of civilised nations that a country has suffered from an attack so gratuitous and unjustifiable." The report of the Privy Council on 1st July, 1870, speaks of the Fenians as "the miscreants concerned in these outrages." The report of the Privy Council, 28th July, 1871, states that:

"The Fenian organisation has for nearly seven years been a source of irritation and expense to the people of Canada."

The memorandum of the Privy Council of 1871 declares that one of the principal objects of the organisation created in November, 1863, has been the conquest of Canada against the people of which it is not pretended it has had any cause of complaint. The report of the Privy Council of November, 1871, says of the expedition:

"These plundering and murdering expeditions were promptly repulsed, but not without the loss of valuable lives and great injury to the country."

So much with reference to the view that high political authorities took of the character of those expeditions. Listen also to the language of Judge J. Wilson in passing sentence on R. B. Lynch found guilty without any recommendation to mercy:

"You and those who were with you profess to have come here to redress the grievances of many centuries and to right the wrongs of an oppressed people. You allege that the iron heel of the Saxon was placed on the neck of the Celt hundreds of years ago, and that your object was to free your land from that oppression. If you had reflected you would have seen that you began to do this by attempting to inflict on us the very injuries under which you contemplated your native land as suffering. Why should your iron heel be placed on our necks? In what way did we hurt you that you should endeavor to do this grievous harm, and why should our homes be made desolate, our young men slain, and our farms pillaged by you? Will any man of sense answer these plain questions? Was it anything less than murder, was there any possible excuse for you to come here in the dead of night to kill our people, to ravage our homes, and to lay waste our farms and habitations, in order, as you say, to relieve the conditions of Ireland? What right had you, or who could have authorised any man to commit such a wrong as you perpetrated upon us? It is putting the matter in a very plain and clear light, just such a light as you must have perceived it in, if you had thought for a moment before going with this mad and wicked enterprise. You stand there surrounded by the friends and relations of the men you slew on that occasion."

You cannot be surprised that the law should be enforced, and that you should suffer its dread penalty, as I am very much afraid you will; for how could we permit the young unreflecting men who were brought here by you and others like you, who placed confidence in you, who put faith in what you said; how, I say, could we in justice punish them if we allowed you, the greater criminal, to escape."

And after that sentence and under those circumstances, that sentence was not executed. The prisoner's sentence was commuted, not even for life, but for twenty years' imprisonment, and as far as my knowledge goes he was pardoned not very long after the sentence was given. That was the case of a person who never had any pretension of being a Canadian citizen, who never had a pretence of having a grievance against Canada, and who cost us so much in time, money, anxiety and life. That indicates that the modern doctrine, as applied by ourselves in this case, is a doctrine which practically excludes from almost any conceivable case of a political offence a capital sentence. Now I turn to this case in hand, and I say that some language has been used before and in the course of this debate, which I, for my part, cannot approve of, language which seems to ignore as non-existent the right of resistance. I think here, and I have never disguised my opinion, that the half-breeds should not have risen, and that in that sense the rebellion was not justifiable, but the position which was taken by the Minister of Militia at Winnipeg, and the position he took the other evening, and the position which other hon. gentlemen have taken in this debate upon this general question, seems to me to be at variance with our understood constitutional rights in the larger sense. Always there is legal, but only generally is there moral guilt

in a rising; always legally, generally morally, is there guilt, but not always morally. I cannot approve of the spirit of those observations. God forbid that we Canadians should forget for a moment that the corner stone of our liberty is the sacred right of resistance. Some, through their blind zeal, forget this. They forget that the sacred right of resistance was exemplified in the events which preceded the great charter, and is enshrined in that instrument itself; they forget that the pious and immortal memory of William is the memory of an intruder who rose to the throne through the people's resistance to their king; they forget that the battle of the Boyne was the triumph of the insurgents over the monarchy; they forget that the glorious revolution was the consecration of the right to resist, and that the present settlement of the British Crown is the visible embodiment of that right. Let me read you just two passages on that point to show that I am not extreme in those views. Amos says:

"But as non-resisting tests were inconsistent with the resolution which was founded upon resistance, those of the acts of uniformity and militia were abolished at that epoch; and the non-resisting test in the Corporation Act was expunged from the Statute-book at the accession of the House of Brunswick."

"Thus there is no longer any obligation of conscience 'binding our soul in secular chains,' to regard the royal dignity merely as a descendible property, instead of viewing it as a trust for millions, subject to a right of resistance when rendered indispensably necessary by the *salus populi*."

And take Brougham's Political Philosophy:

"The national resistance was not only in point of historical fact the cause of the revolutionary settlement; it was the main foundation of that settlement. The structure of the Government was made to rest upon the people's right of resistance as upon its corner stone, and it is of incalculable importance that this never should be lost sight of; but it is of equal importance that we should bear in mind how essential to the preservation of the constitution, thus established and secured, this principle of resistance is; how necessary both for the Governors and the governed it ever must be to regard this recourse to that extremity as always possible—an extremity no doubt, and to be cautiously embraced as such, but still an extremity within the people's reach, a protection to which they can and will resort as often as their rulers make such a recourse necessary for self-defence."

I say I cannot, as a Liberal, permit sentiments which appear to me to be sentiments of retrogression to the ages of absolute government, sentiments which from time to time in the best eras of English liberty, have been repudiated, to pass without saying what I feel of the sacred right of resistance; and I think it came with a very ill grace from the hon. the Minister of Militia to throw taunts at this side of the House upon that subject, and to accuse us in effect of having stimulated by our views feelings of this description, when he ought to have remembered that the Minister of the Interior under whose reign this rebellion broke out was the very gentleman who, in 1849, signed the annexation manifesto, declaring that it was the object and intent of the signatories to agitate, peacefully, of course, for—and they set that up as their object—separation from England and annexation to the States. According to the high-flown views of loyalty which hon. gentlemen utter opposite, that would have been a treasonable act. I do not say it was a treasonable act. I shall not enquire into its motives and shall not ask how it was that the high-flying Tories suddenly turned round and advocated annexation. I believe there was a great deal to be said against the action of dismissing those who signed that statement from the militia, but for a gentleman who had for his colleague a Minister of the Interior who signed that declaration and set that great example to the half-breeds, to give us the high-toned notions which he expressed, was, I thought, a little out of place. Now, having said this as to the abstract right of resistance, I think it is important that we should remember also that the more representative and popular is our form of Government, the rarer are the occasions upon which resistance is necessary or justifiable for the redress of grievances; and, if, as stated in our Canadian charter, in that Colonial Secretary's despatch upon which our rights have chiefly depended

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for so many years, if, and so long as the spirit of our charter is observed, and the Government is administered according to the well-understood wishes of the people, there will be no grievances to redress, and consequently there will be no cause for agitation, moderate or extreme, resistant or otherwise; and, on the other hand, if the Government is not administered according to the wishes of the people, this Parliament is the field of battle and we members of Parliament and representatives of the people are the army, and it is in this peaceful way that our contests are conducted and our grievances are redressed, and that government according to the well understood wishes of the people is eventually obtained. We must remember as well, that whatever the form of government may be, whether you have a parliamentary form of government or not, there are two other conditions which are essential to the moral justification of the exercise of the right of resistance; first, that the grievances must be serious, must have been long endured, patiently represented, all peaceful means used and exhausted, so that there seems no hope of amendment by other means; and, secondly, that there may be some reasonable hope of success by this the last resort, not indeed without loss to those engaged, but of important practical results. Now, in the case before us, unfortunately, so far as the unhappy persons who rose are concerned, our constitution was lame and imperfect. There was no representative in Parliament for them, and therefore we had not that safety-valve, that opportunity, that means of averting difficulties which a representative government, applied to every part of the general body of the people, gives. My own opinion is that, if at an earlier date that representative government had been accorded, that circumstance would have prevented this rising. My opinion is, that if there had been a representative from the North-West, knowing what Mr. McDowell knew, what Mr. Lawrence Clarke knew, what the other persons who have made representations, some of which are before us, knew, a representative here in Parliament, speaking on the floor of this House the sense of this people, telling us what their difficulties were, calling for the papers, showing the grounds of their grievances and pointing out their neglect by the Government, each Session pointing out to the Government and to the House their remissness, and declaring the growing condition of discontent and difficulty, the Government would have been stimulated to action, and that which ought to have been done would have been done, if not as early as it ought to have been done, yet early enough to avoid the frightful results which have given rise to this debate; and the absence of that guide and safety-valve, of course, at once increase the responsibility of an autocratic and paternal Government such as ours was in reference to the North-West; a paternal Government which refused this assistance, and it also operated, more or less, inasmuch as they had not provided for them the representative machinery to diminish the moral guilt of the people. But, with regard to the other aspects and conditions to which I have referred, I have already said that, while I condemn as in the highest degree censurable the conduct of the Government, I myself have not been able to agree that this rising was justified, that the conditions remove, although they may, and in my opinion do, lighten the stain of moral guilt; and therefore the case had to be dealt with on the question of the degree of punishment, and by the Executive under their responsibility to us. Unhappily it was impossible in this case for the Government to judge this question fairly. They had precluded themselves from that possibility. They had made this their issue. They had declared that to admit the existence of grievances as a justification or a palliation for the insurgents, would be their own condemnation, and they, therefore, had declared that that death, which would be the indication that the extreme rigor of the law was the appropriate punishment, that death on the scaffold was

needful, in order to avert their own death here, and thus they had become disqualified for sound judgment.

An hon. MEMBER. That is your opinion?

Mr. BLAKE. That is my opinion. In this connection I desire to say a word, and a word only, with reference to a charge highly calculated, if true, to increase the guilt, so far as he was morally responsible, of Riel. I refer to the charge of venality. I have already read that portion of the evidence of Nolin which shows the purpose to which this man stated he would apply the money which he was about to get from the Government—that he would apply it in starting a newspaper and in raising other nationalities in the States, and in effecting the prosecution of his designs. I say that however plainly that may appear to be a violent, a wicked, or a mad sentiment, it is utterly inconsistent with the charge of venality; it shows that this was the mode which, in his disordered mind, he thought would be most efficacious in order to accomplish the design for his people and for himself, as part of his people, which he entertained. But the very circumstance that he made that statement to Nolin to my mind proves that it is impossible that he could have made the proposal for a venal purpose. I know perfectly the prejudices which exist. I know how many men would like to ease their consciences by saying: Oh, this was a base, and venal man. But it would be an act of humiliating cowardice on the part of one who has formed another conclusion on this subject, to bend to such prejudices, and to allow a name which must ever be deeply clouded and stained, to receive another cloud or stain which he, at any rate, in my judgment, does not deserve. But I will add this, that I had expected to hear ere now from an hon. gentleman who was very intimately associated with Louis Riel, who worked together with Louis Riel in the North-West, his appreciation of that portion of the case. I have been told a story—I was told it by one who knew—on this subject. When the first intelligence came, that he had asked the Government for money, that he was going to sell the cause, "Well," I said, "this is a most extraordinary thing; it entirely alters the whole complexion of the case." "Oh, do not believe it," said this gentleman who knew. "Well," I said, "I have every reason to believe that he has asked for the money." "Yes, that is quite possible, he is quite convinced he has a claim, but depend upon it, I know that it is impossible that he can have asked for money to deceive or to betray his people, or that he would betray their cause. I know all the events which occurred when he was in the provisional government. I know that at the time when he was in power there in 1869-70, when he had the resources of the Hudson Bay Company at his command, his own family was in a state of destitution, living down at their place, and he would not allow any portion of what he called public property to be sent to them at all, even to keep them in life, and that same provisional council was obliged secretly to send down a bag of flour or something of that kind to his mother, who had the charge of the family, in order to keep them alive."

An hon. MEMBER. Too thin.

Mr. BLAKE. Somebody says that is too thin. I refer the hon. gentleman to the hon. member for Provencher (Mr. Royal) on that subject. Now, Sir, with reference to the question of the Indian warfare. I think that if there was one thing above another that nerved us the very instant we heard of this rising, to press on the Administration in every way we could, to take all the steps which they with their greater knowledge of the conditions up there might themselves deem necessary, and not to make a single suggestion that they were doing too much, it was the possibility of an Indian rising, the thought which immediately engaged us all was that there could not be a rising created by Riel and the half-breeds without imminent danger of an

Indian rising, and the conviction that we owed it to ourselves and to our humanity, to the isolated settlers all through that country to take very large steps, to make very great preparations that if possible, we might anticipate, at any rate minimise, the terrible results that might flow from that rising. No man felt, no man feels, more strongly than myself, the dangers, the difficulties, and the probabilities of an Indian warfare, and therefore I am quite prepared to agree that if you are dealing with a man of perfectly sound intellect, this would be very important as imputing a very much deeper dye to the crime he was committing. But, Sir, I may say that I do not think that hon. gentlemen are entitled to rest the whole burden of this case upon that fact. In the first place we are to remember that the man himself was a half-breed, that he was partly of Indian blood, that those who were with him were half-breeds, that it was more natural, in fact, in view of so large a part of their, though not of his, training, that that warfare should be adopted. In the second place, we can hardly hold our heads high with reference to this question of Indian warfare. Why, you remember the great fight between Wolfe and Montcalm at Quebec, and you remember the monument which celebrates that event, and in which their names are joined. But Montcalm had amongst his forces a thousand Indian warriors, and an Indian warfare was going on in connection with these events. In the other part of the Province at the very same time the English were using the Indians in warfare; the Americans had used them in warfare. Why, Sir, it is but a few years ago that, at the instance of my hon. friend from Brant, we voted \$5,000 towards a monument to Joseph Brant. I suppose we all know something of the history of Joseph Brant, and what a remarkable man he was. But to the end of his life Joseph Brant defended, with his enlightened Christian views, the Indian system of warfare as, for their circumstances and under their circumstances, proper and necessary, barring the question of torture, as to which, I am glad to say, he took an entirely different view, as many remarkable persons among the Indians have done, from the ordinary line. So with reference to Tecumseh, a name, perhaps, hardly inferior to that of Joseph Brant. So, that while we honor and refer to those persons, we cannot altogether forget this past in the present. Nor need we go so very far back. Why, in the Lower Canadian rebellion there is a most interesting account of the feats of the Indians of Caughnawaga, who captured some 60 or 70 insurgents, but they were on the loyal side, and therefore it was a proper act. In the course of 1869-70, when Lieut.-Col. Dennis, as conservator of the peace, went into Manitoba and proposed to raise forces, he raised an Indian force. There were 50 Indians under Chief Prince enrolled as part of his forces, and they were doing garrison duty, which was all, fortunately, they were called upon to do at the time. The Government very properly disapproved of it, and they stopped it. They were thoroughly alive to the dangers and the improprieties of it. But it was not a crime of so deep a dye to engage the Indians and thus to create a great probability of an Indian warfare, as to prevent the late Lieut.-Col. Dennis from being raised immediately afterwards in the public service by those gentlemen, and being promoted in that service, and remaining in it until he was superannuated. Now, Sir, referring to another point, to the question of the old offence. It is said by the hon. gentlemen opposite, and has been said very loudly, that my attitude on that subject entirely precludes me from condemning this execution. Well, with reference to the old offence. We must remember that there was a general amnesty awarded by the Government by proclamation, on their responsibility, covering not that particular offence, but covering all the political offences and disturbances. That amnesty

was received with universal approbation. I do not remember a single voice or newspaper ever being raised against it. It was universally thought that the Government had done proper in issuing, and issuing early, that particular amnesty. It did not, however, cover this particular offence; but the rising, the political part of the whole affair, the raising of men in rebellion, the creation of a Government, the organisation of forces, all that was with the unanimous assent of the people of Canada amnestied. There remained, as I have said, the question of this particular offence. As to that, what was my attitude in 1871? It is the same as my attitude to-day. I thought then, I said then, that in my opinion the death of Scott was a cruel murder. There is just one point in respect of which the discussions which have gone on within the last few months have tended to modify my view, and that is the very point to which I have been drawing the attention of the House this evening. It is questionable, in my opinion, and those who read with the light which recent events and evidence have thrown upon these matters, will agree with it, will see in much that has occurred the reason of that question, it is questionable how far the mind of Riel may even at that early day have been thoroughly balanced. I do not intend to discuss it; I allude to it as the only thing in regard to which there is an observation to be made which differs in my attitude to-day from my attitude of 1870 with respect to that event. That being my attitude then and my attitude ever since, an attitude in which I was confirmed by Sir George E. Cartier, who called it a cruel murder, by Sir John A. Macdonald, who also stigmatised it as such and invoked his Maker to testify to his anxiety to catch the criminal—that being my attitude, I was exposed at that time to a storm of indignation, because I expressed the view that those who had been, as I conceived, guilty of cruel murder should be brought to justice.

Mr. HESSON. It was because you wanted to make political capital out of it?

Mr. BLAKE. The hon. gentleman, who is always charitable, says it was because I thought to make political capital. The hon. gentleman has been some time in Parliament, and he ought to know it is not parliamentary to impute motives. I wonder what the hon. gentleman thought of it himself? I wonder whether he thought it was a cruel murder, and whether he thought the murderer should be brought to justice or not?

Mr. HESSON. I have not changed my mind.

Mr. BLAKE. The hon. gentleman thought it then and thinks it now.

Mr. HESSON. You have, I have not.

Mr. BLAKE. We shall see. I have just said I have not changed my mind. I did my best to enforce that view. I am told that I did it without papers and I want papers now. I had papers; the Government had brought down the papers to the House; they had brought down the full account of the murder. I had Mr. Donald A. Smith's account and the account of other dignitaries—all the evidence on which a man might reasonably come to a conclusion in advance of a trial. What did I want? I wanted a trial; I wanted that the man should be brought to trial, and I thought then and I think now that I had quite ample evidence to justify me in stigmatising that event as a murder, and in calling that the perpetrator should be brought to trial. That being so, yet, in the year 1875, I think I was amongst those who—though not of the Government, but in our party councils, and subsequently in my place in Parliament—most strongly supported by voice and vote the proposition that there should be an amnesty in respect of that offence. I believed that the events which were revealed before the special committee on the North-West troubles proved that we were in duty bound to grant that amnesty, that we were

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in honor bound to grant that amnesty; and so believing I acted upon that belief and sustained, as I have said, by every force in my power the proposition that an amnesty should be granted. That amnesty was a very effectual and complete transaction. It was not granted simply upon the responsibility of the Crown without the approval of the people's representatives. The people's representatives were asked to take the initiative, at the instance, of course, of the responsible Ministers of the Crown, and they did so by an overwhelming majority, in which you are to count, not merely that very large majority that voted for the granting of that amnesty, but also all those who voted for the granting of an unconditional amnesty and may have recorded their votes against this one because it was conditional. There was not absolute unanimity. The Minister of Customs was, I have no doubt, Protestant, as Riel says, upon that subject, as some others were, and the First Minister declined to vote upon that occasion at all, so his opinions were left to be gathered from rather indefinite observations. But take it all round both as to political parties and as to the absolute majority, there was a very close approach to unanimity. The hon. member for Ottawa has made a discovery on the head of this and has found that because Riel was amnestied on the condition that he should absent himself from Canada for five years, and because for some sixteen months of those five years he was confined as a lunatic in a lunatic asylum by the authority of and at the instance of the Local Government of the Province of Quebec in Canada, he thus broke the condition and made himself liable, but for the leniency, kindness and consideration of this Government, to be executed forthwith upon his being found in the country and caught by the constables. Such is the view of the hon. member for Ottawa upon the criminal law. He has supported it by some extracts from a book upon contracts, dealing with civil rights, and with the somewhat complicated question of the voidable character of agreements when made by a person of insane mind. But I will tell the hon. member, without endeavoring to enlighten him upon these subjects, that my opinion is that the presence in this country of Riel in an insane state should not be taken as a breach of that condition in point of law, and that I little regard it, for I believe it would be considered even if it were a nominal, a technical breach, as nothing less in the literal sense of the term than a judicial murder if advantage had been taken of the presence of this lunatic to avert execution against him. I therefore pass from this essay of the hon. member for Ottawa, into the regions of criminal law. I am a little surprised that it should be said that I am not free to exercise my judgment now, and to decide as to the extent of Riel's responsibility, because, in common, I believe, with a very large majority of my fellow-countrymen, I came to a particular conclusion which I still retain, with reference to the events of 1869 and 1870, which had been amnestied in 1875. How of my critics? Was the Minister of Customs free to come to such a conclusion? Was he hampered by the views he held on that topic in the earlier days? Was he hampered by his declination to vote even for the amnesty? Was not he perfectly free to deal with this question in his executive capacity, entirely irrespective, as he was bound to do, of the view that he held that the death of Scott was in fact a cruel murder? How of the Secretary of State? As I have said, I was exposed to a storm of obloquy in certain portions of this Dominion because I had affirmed the proposition I have mentioned with reference to the death of Scott. Different views upon that subject were stated by many hon. gentlemen, and amongst them was the Secretary of State, who was of an entirely different opinion with reference to the question of the execution of Scott. My hon. friend from East Quebec, read the other day the resolutions which the hon. gentleman obtained to be passed by the Legislative

Assembly of Quebec upon that subject. I have here in addition an extract from a speech of the hon. gentleman, made in support of those resolutions on the 18th of December, 1874:

(Translation.)

"I now come to a burning point, to an unfortunate event which must have set ablaze the whole of Canada, to the only fault committed by the provisional Government of Manitoba.

"Attempts have been made to throw on a few individuals, the responsibility which ought to fall on the shoulders of all those who had entrusted Riel and his followers to protect and to lead them. This unfortunate act which I condemn and regret was committed by persons who believed in good faith that it was necessary to the safety of the community, and of the Government which they considered as legal because it emanated from the popular suffrage. All that can be said on the execution of Scott, has been often repeated. It is a subject which it is proper to leave in oblivion, in order to avoid arousing national feeling. I ask that it should be forgotten just as I desire that no more should be said about the murder of Goulet and the other half-breeds. Blood calls for blood, and there was enough spilled to satisfy both parties, even if we admit—a thing which I will not admit—that the two nationalities who are contending on this point should require this barbarous reparation."

Of course this statement made by the hon. gentleman, who in the remaining part of his speech pointed out that he knew something of this matter, who himself had been the counsel for Lépine upon his trial for that murder, naturally produced a great impression amongst his compatriots, and would have the effect of causing me to be regarded amongst them as a very cruel, hard-hearted and unjust man, who had proceeded so to deal with transactions which the hon. gentleman, *avec connaissance de cause*, has so described. I am relieved from those imputations, so far as those imputations may be due to any weight which his compatriots at that time placed in the words and statements of the Secretary of State, by his recent utterances. I am going at this moment to try another mode of arriving at the hon. gentleman's recent statement. I am afraid from the type that it is from the same unhappy paper, but it is a letter I am about to quote, and perhaps by some fortunate accident it may have been correctly copied. The letter of the hon. gentleman to his constituents contains these words:

"Riel was informed of it"—

That is, of the arrival or approaching arrival of Monsigneur Taché.—

"Riel was informed of it, and feeling that his reign was about to close, did not hesitate to throw a corpse between himself and the conciliation which was arriving with the holy missionary. Scott was immolated and his blood thrown as defiance at all efforts at reconciliation. Last winter was not Riel's debut in this course of high treason. His revolt in 1869 will be remembered—the useless murder of Scott, whom he caused to be executed when that poor unfortunate was in a position where it was impossible for him to injure his captor."

I am going to try another plan of being correct this time, and I shall take the *Montreal Gazette's* report of the Secretary's speech at Terrebonne, in which he said, with reference to his action in 1874, in the case of Lépine:

"I defended my client, and during that defence I had proof, and the best proof too, that the killing of the unfortunate Scott was one of the most atrocious murders ever committed. That atrocious murder was without the connivance and without the approval of Lépine, but it was the result of the selfish vengeance of the then dictator of the North-West—Louis Riel."

Now, Sir, perhaps the hon. member for North Perth (Mr. Hesson), with that accurate appreciation of motives and that Christian charity which animates him in the exercise of that appreciation, will discern on what principle it was that the Secretary of State in 1875 described, as I have read to you, the event to which I have referred, with the knowledge that he had of that event, as proved by the description of it which we got from the Secretary in the year 1886; and he will tell us how he came to treat it in one way in 1875, and in another way altogether in 1886. I do not occupy that position. I regard it now as I regarded it in 1871 and in 1875. I am fortunate enough not to have required a reversal of my opinion in the interval, though the Secretary of State seems to have required fifteen years to ascertain the facts and arrive at the truth at last.

Now, Sir, whatever was the guilt of 1870, whether the hon. Secretary of State of 1874, or the hon. Secretary of State of 1886, be right upon that subject, there was, as I have said, a solemn amnesty—an act of oblivion. What is the meaning of "amnesty?" It is a blotting out of remembrance. What is the meaning of "oblivion?" It is the same. It is the technical meaning expressing the reality of these transactions; and it is, in my opinion, contrary to the spirit of our law that we should, at this time and under these circumstances, bring up the event which was so solemnly amnestied, as a reason why the extreme penalty of the law should be inflicted if but for that event it should not be inflicted. Will you allow me to read a word or two that Sir Robert Peel used in the House of Commons when, at as early a period as 1825, he proposed a Bill for restoring the credit of criminals:

"By the spirit of the English Constitution, every man who had satisfied the justice of the country, by a pardon, ought to be restored to the same situation as he was in before he committed any offence.

The Bill would also go to place persons whose sentence had been commuted in the full enjoyment of all their rights as free citizens. So when a capital convict had fulfilled his commuted sentence of seven years' transportation, he was to be restored to all his credits and capacities."

In God's name, when parties had expiated their offence by fulfilling the sentence of the law, why should any exclusion remain against them? It was therefore provided by the Bill, that wherever a party had undergone the punishment awarded by the court for any offence, he was then restored to all his rights, credits and capacities, in as full a manner as if no offence had been committed."

Much more solemnly can we apply such language to the case of a parliamentary amnesty such as was granted here. Now, was he hanged for the old offence? If yes—if his sentence would have been commuted but for that, then he was in effect hanged for it; and this would be in effect to adopt the views of those who called for his blood, on the ground of the death of Scott. But, Sir, if his intellect were disordered, how could the old offence be taken into consideration in administering the extreme punishment for the new. Incarceration for life was required; pardon would not have been right. That is one of the observations hon. gentlemen opposite make: "You say he ought to have been pardoned." I have not said so. I say pardon would not have been right. The safety of the State and his punishment, taking the strongest view against him of his mental condition, demanded incarceration; but the amnestied offence should not have hanged him. It is said the execution was needed as a deterrent. Sir Alexander Campbell, in his report, has declared that there never was a rebellion of which it might be so truthfully said, that it was entirely the act of one man—that if he had not come there, or had been removed one day before it took place, the outbreak would not have taken place. Yet, he said that as a deterrent to others against rebelling, it was necessary that he should be executed. I do not think so, I have not so ill an opinion of the people of the North-West. Incarceration would have been quite enough to deter, with all the other results which have followed from their unjustifiable rising. Justice and mercy, redress of grievances, and a proper attention to the rights and interests of the people, are the best deterrents. We asked to-day, Sir, in our prayers, that peace and happiness, truth and justice, religion and piety, might be established amongst us through all generations, but I do not believe that it is by this man's blood that a step has been taken to accomplish that result. I do not see how, on the score of necessity to deter, you can justify hanging a man of a disordered intellect. That is a deterrent, it is true, but it is a deterrent to the continued existence of the principle of capital punishment. Now, Sir, one word with reference to the reprieves and the delays. We have not yet heard a satisfactory explanation of the last reprieve. I do not desire to detain you on that subject; but I wish to advert to one authority upon it. In 1869 the Home Secretary, Mr. Bruce, said this:

"In Windsor's case, again, although the enormity of the offence was undoubted, still the sentence having been postponed for six months, in order that important questions of law might be determined, the right hon. gentleman had thought that it would not be right, after that lapse of time, to permit the prisoner to be executed."

I will advert to one other case of which I happened to become personally cognisant when Minister of Justice. In the discharge of my duties I visited the Kingston penitentiary and conversed with the warden in reference to a number of prisoners. Amongst them was one whose sentence had been commuted a great many years ago. I enquired into his case. He was a navy, I think, living a little way out of Hamilton, on the Toronto and Hamilton Railway, perhaps during the time of its construction. He had been convicted of a cruel and brutal murder of his wife with a crowbar. She was found in a terribly mutilated state; he was tried, convicted and sentenced. At the last, the technical legal point was raised that the law required an associate on the bench when the sentence was pronounced, or at some stage of the trial. The associate had as little to do with the case as the magistrate in this case. Yet it was proved that the associate was off the bench. Upon that the man was reprieved until the question should be decided by the judges. The judges decided that the objection was fatal and the trial a mis-trial, and that the man must be tried again. He was tried at the next assizes, and of course convicted again, and upon the score of the time that had passed, though there was not the slightest ground otherwise, his sentence was commuted. Now, the hon. Minister of Militia referred to what he called the evidence with regard to the letter of General Middleton to Riel; yet he did not satisfy me that Riel did not surrender on that letter. The statement of Colonel Boulton was directly to the contrary, and if we remember the whole circumstances of the case—the time General Middleton wrote the letter, and the condition of things stated by the First Minister on one of the discussions last Session as to papers—I do not think that is a fair inference from the evidence. But the hon. Minister said he would prove the purpose for which that letter was given, and he proved it by reading a letter from the Major General, who, he said, had been told by someone that Riel was afraid of being killed in the camp. That was not very good evidence against Riel, as the hon. gentleman knows. The intent with which General Middleton sent the letter is of no consequence. The question is, what does the letter fairly import. The authority of General Middleton is not of any consequence, if that were disputed, though I do not suppose it is. Now, the question, to my mind, on this subject is just this: Is it for the honor and credit of the volunteers of Canada that it should be declared that that paper was sent in order to warrant the prisoner, if he surrendered himself, against lynch law? Is it to the credit and honor of the volunteers to say that it was necessary for a Major General in the British army to give assurance to Riel and his council that they would not be lynched if they surrendered themselves? I should be sorry to come to any such conclusion; and then, the question remains: Was it not reasonable to believe that the result of this statement was, you shall not, in fact, be exposed to the very worst that you can possibly be exposed to if you are caught, that is death. I think the liberal interpretation of that letter, in the sense and spirit in which such letters and assurances have been interpreted in all events of this description, would have led to that conclusion. I turn to the subsequent question, the promise of enquiry and the expectations of commutation. I turn to the very important statement by the hon. member for Hochelaga (Mr. Desjardins) on that subject, and to the language of the ministerial press, and I say that these expectations ought not to have been aroused, that that attitude ought not to have been taken unless they were to be acted upon truly, faithfully and loyally, because if they had not been aroused, other steps might have been

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taken, other evidence might have been brought forward, other facts might have been presented to the Executive, which naturally would not be brought forward if there was an understanding that there was to be an efficient enquiry. For my part, I always believed there would be in this case a commutation, having regard to the circumstances and the testimony as to the prisoner's mind, and, I believed that if there was doubt in the mind of the Government on the question of the mental condition of the prisoner, that doubt would have been attempted to be solved by an efficient and proper medical enquiry; particularly so when we find that Dr. Howard was not called. Now Dr. Howard said in Montreal he could do Riel no good, because, under the law, although he obviously implied he did not agree with the law, he would have been obliged to prove that Riel was responsible. Of course he would. He thought Riel was irresponsible and that the law was wrong. He could not have disturbed the verdict, but his evidence would have been important as to the state of Riel's mind with a view to the awarding of punishment afterwards. So with Archbishop Taché who, we see, in his letter declared that he had formed the conviction that for twenty years, with all his brilliant gifts, this unfortunate man was the victim of megalomania and theomania. So with reference to Bishop Grandin, whose letter the Minister of Militia read, dated June, in which the bishop characterises Riel as a miserable maniac. So with reference to a number of pieces of evidence I have collected and gathered from newspapers which were accessible to Ministers, but which I will not trouble the House with at this hour. So with reference to the diary which contains indubitable traces of a disordered mind. So with reference to the last effusion I have read, the prophecy of Regina, which no man can read without coming to the conclusion that he who wrote it was disordered in his mind. So with reference to the diaries not brought down. I have been told that of the Orders in Council of the provisional government, which are in the custody of this Government, the very first is an order declaring Riel a prophet, something after the fashion of John the Baptist. I have shown you he called himself Elias and Peter, and this order, I believe, represents him as John the Baptist. The next order was one altering the days of the week and so forth. All these things and many statements that were made, some of them at an earlier period, as to circumstances which had occurred, were worthy of attention. So were the letters written with reference to the trial. At the close of the trial, the correspondent of the *Mail* reported that Dr. Clark, after having heard the evidence which was called since Riel's examination, and after having heard the prisoner himself speak, was quite convinced he was insane. I say the case was one in which it was incumbent on the Administration, if they felt a doubt as to the propriety of commutation, to have a thorough medical examination and enquiry. The medical examination they caused was limited in scope. Sir John A. Macdonald's letter expressly points that out. We have not the instructions to these gentlemen, but Sir John's letter to the Minister of Militia pointed out that it was limited to the question whether Riel's condition had become so much worse since his trial that he was no longer capable of knowing right from wrong. It was not therefore such an enquiry as has been frequently made in cases infinitely weaker than this; it was not an enquiry which involved the real question: What was the condition of his mind at the time of the offence, which constituted the crime he committed? What was the condition of his mind before that time? So with reference to the very important point of hereditary insanity. I have read in the *Mail* the statement that his mother went into a state of absolute craziness during the rebellion, and a statement of her falling into the same condition at a subsequent period, when she heard of the conviction—a circumstance, the importance

of which, in considering what the real condition of this man's mind was, cannot be overstated, as must be extremely familiar to all those who have made mental alienation a study. These gentlemen were not specialists. Dr. Valade certainly was not; Dr. Lavell had very limited experience, having had, for a short number of years only, the charge of the criminal lunatics in the Kingston penitentiary, because up to a comparatively recent period the criminal lunatics were transferred to Rockwood which was under other orders. Dr. Lavell also, if I be rightly informed as to his views upon a late occasion, that of Lee's examination, was a very improper person to send to find Riel sane or insane, because upon that occasion, if I am rightly informed, his opinion was that the man was sane though the others found him insane. The experts, also, who had been examined at the trial, took no part in the subsequent examination, except, perhaps, Dr. Jukes, who did not take any real part in it. Then we have not the reports of the commission—we have only this edition of their reports which has been laid on the Table—and we do not know what their instructions were or what were the reports on which the Government acted. I say, however, that, for the purpose of a proper discharge of the duties of the Executive in cases of disordered intellect, though not amounting to irresponsibility, those reports, even such as they are, brought down, were of the highest importance. They prove the genuine existence of delusions and hallucinations on the subjects of religion and politics, on the very subjects, on which the delusions and hallucinations were proved, in respect of which the crime was committed. They show that these were persistent; and my conclusion is clear that Riel was so disordered in mind as not, within the accepted rule, to have been a proper subject for the capital sentence. It is impossible, in cases of serious delusion or so called monomania, to be sure how far the flaw has affected the conduct in question. It may not have affected it in some cases, though whether it did or not is very frequently a question beyond the wit of man to determine. But here we know it did, because we know that the flaw had regard to these very two points of religion and politics upon which this rising and these events turned. Criminal responsibility, then, for public security there may and must be, though there may be some mental disorder; but not responsibility unto death; and here again comes in the political nature of the offence, the general rules relating to these offences and the special circumstances of the conduct of the Government in this matter; and my belief, therefore, is, that the maximum sentence for the same crime of which Riel was convicted, had he been tried under the milder procedure of the modern law under which his colleagues were tried, namely imprisonment for life, would have been the proper and adequate disposition of his case. But if the Government doubted this, there was an imperative call for thorough and efficient enquiry, for an enquiry going far beyond what was possible at Regina, and extending to the condition of the criminal not only at that moment, but at other times; there was imperative ground for such an enquiry before a determination should be reached that the sentence should be executed. My own opinion is, then, that a great wrong has been done, and a great blow has been inflicted upon the administration of criminal justice; and for this the Executive is responsible to us. I know the atmosphere of prejudice and passion which surrounds this case; I know how difficult it will be for years to come to penetrate that dense atmosphere; I know how many people of my own race and of my own creed entertain sentiments and feelings hostile to the conclusion to which I have been driven; I know that many whom I esteem and in whose judgment I have confidence, after examination of this case, have been unable to reach my own conclusion. I blame no one. Each has the right and duty to examine

and judge for himself. But cries have been raised on both sides which are potent, most potent in preventing the public from coming to a just conclusion; yet we must not, by any such cries, be deterred from doing our duty. I have been threatened more than once by hon. gentlemen opposite during this debate with political annihilation in consequence of the attitude of the Liberal party which they projected on this question; and I so far agree with them as to admit that the vote I am about to give is an inexpedient vote, and that, if politics were a game, I should be making a false move. I should be glad to be able to reach a conclusion different from that which is said by the hon. gentleman to be likely to weaken my influence and imperil my position. But it can be said of none of us, least of all of the humble individual who now addresses you, that his continued possession of a share of public confidence, of the lead of a party, or of a seat in Parliament, is essential or even highly important to the public interest; while for all of us what is needful is not that we should retain but that we should deserve the public confidence; not that we should keep, but that while we do keep we should honestly use, our seats in Parliament. To act otherwise would be to grasp at the shadow and to lose the substance; *propter vitam vivendi perdere causas*. We may be wrong—we must be true—we should be ready to close, but resolved to keep unstained our public careers. I am unable honestly to differ from the view that it is deeply to be regretted that this execution should have been allowed to take place, and therefore in favor of that view I must record my vote.

Mr. THOMPSON (Antigonish) moved the adjournment of the debate.

Motion agreed to.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to, and House adjourned at 12:45 a. m., Saturday.

HOUSE OF COMMONS.

MONDAY, 22nd March, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

SECOND READINGS.

Bill (No. 44) to incorporate the Bow River Coal Mine and Transportation Company.—(Mr. Robertson, Hastings.)

Bill (No. 50) respecting the Pictou Bank.—(Mr. Tupper.)

Bill (No. 51) to amend the Act incorporating the Nova Scotia Steamship Company, Limited.—(Mr. Kinney.)

Bill (No. 52) to reduce the Capital Stock of the Union Bank of Halifax.—(Mr. Stairs.)

Bill (No. 53) to incorporate the Calvin Company, Limited.—(Mr. Small.)

Bill (No. 54) to incorporate the Medicine Hat Railway and Coal Company.—(Mr. Small.)

Bill (No. 55) to incorporate the Portage la Prairie and Lake of the Woods Railway and Navigation Company.—(Mr. Watson.)

BROOKLYN BREAKWATER, N.S.

Mr. FORBES asked, Is it the intention of the Government to repair the Brooklyn breakwater, Queen's County, N.S. ? If so, when ?

■ Sir HECTOR LANGEVIN. After looking into the reports that I have for this work, I find that the damage is very great, that it would cost for the mere repairs a large sum of money, and a much larger one to put the work in such a condition as not to be exposed to the accidents that have occurred lately. Therefore, I am not in a position to give the hon. gentleman an answer immediately; but the matter is being considered by my Department, in order to see whether we shall go on with the ordinary repairs or shall go into a new work altogether.

EXECUTION OF LOUIS RIEL.

Mr. AMYOT asked, Was there, before the execution of Riel, any document, report, memorandum or writing laid before the Executive Council, by any of the Ministers, against the execution, or in favor of mercy; and, if there was, 1. By whom? 2. At what date? 3. Will it be laid before the House? 4. And when?

Mr. THOMPSON (Antigonish). Documents and writings were from time to time laid before the Council, through the usual channel, the Secretary of State. They have been laid before the House.

LIQUOR LICENSE ACT, 1883.

Mr. SHAKESPEARE asked, Whether it is the intention of the Government to pay in full the commissioners and inspectors appointed under the Liquor License Act, 1883? If so, when?

Mr. COSTIGAN. Parliament will be asked to vote money to pay all sums actually due to these officers.

FEEs PAID UNDER LIQUOR LICENSE ACT, 1883.

Mr. SHAKESPEARE asked, Whether the Government intend to reimburse parties who paid a fee under Section 16 of the Liquor License Act, 1883?

Mr. COSTIGAN. I beg to state that Parliament will be asked to vote money to meet all such claims for refund as may be properly established.

RAILWAY ROUTES IN CAPE BRETON.

Mr. CAMPBELL (Victoria) asked, When will the Engineers' reports on the different railroad routes surveyed last year through the Island of Cape Breton be laid on the Table of the House of Commons?

Mr. POPE. The reports will be laid before the House as soon as they are received from the different engineers.

EXPLORATION OF HUDSON'S BAY.

Mr. ROSS asked, Whether it is the intention of the Government to again send out to Hudson's Bay, during the coming season, a sailing vessel with weak auxiliary power, as last season, or a strong steam vessel; and whom it is proposed to send out in charge of the expedition? Whether, in addition to bringing home the parties now stationed in Hudson's Straits, any attempt is to be made to add to our knowledge of the geography and resources of the northern parts of Hudson's Bay?

Mr. FOSTER. In answer to the hon. gentleman, I would say that it is the intention of the Government to send out to Hudson's Bay during the coming season the steamer *Alert*, the same that was sent out last year, which is considered one of the best vessels for that purpose in the United States, Great Britain, or Canada. Lieutenant Gordon is still in charge, as last year. Whether another winter's observations will be carried out is a question yet under the consideration of the Government. Lieutenant
Mr. FORBES,

Gordon will be asked to gather all possible knowledge of the geography and resources of all parts of Hudson's Bay, as far as he can, considering the nature of the expedition which he is carrying out.

NATIONAL PARKS IN THE NORTH-WEST.

Mr. ROSS asked, Is it the intention of the Government to establish one or more National Parks along the line of the Canadian Pacific Railway in the North-West Territories or British Columbia; and if so, what will be their extent?

Mr. WHITE (Cardwell). It is the intention of the Government to do so, but the points at which these parks are to be reserved and laid out, and their extent, have not yet been finally decided upon.

CHURCHILL AND NELSON RIVERS SURVEYS.

Mr. ROSS asked, Is it the intention of the Government to publish a Map showing the surveys of the Churchill and Nelson Rivers described in the report of the Geological Survey for 1879, as well as all that is known of the geography of the adjacent regions? If so, how soon?

Mr. WHITE (Cardwell). A map of the Nelson River and the boat route between Lake Winnipeg and Hudson's Bay, including an enlarged plan of Hayes River and vicinity of York Factory, was published in the Geological Report for 1877-78. Part of the explorations referred to in Dr. Bell's report of 1879 (Geol. Report, 1878-79) have not yet been published. A manuscript map embracing these surveys is in a state of partial preparation, and it is intended to complete and publish this as soon as the pressure of other work in the office will admit. I may say that, in completing this map for publication, it will now be necessary to take into consideration the instrumental survey of the Nelson River by Mr. Klotz, D.L.S.

EXPLORATION OF THE YUKON.

Mr. ROSS asked, Is it the intention of the Government to make an exploration or a geological survey of the upper waters of the Yukon, in the North-West Territories?

Mr. WHITE (Cardwell). It is not at present contemplated to make any exploration or geological survey of the upper waters of the Yukon.

CUSTOMS OFFICE ON THE YUKON.

Mr. ROSS asked, Do the Government intend to establish a Customs Office at Yukon?

Mr. BOWELL. Enquiry will be made as to the necessity of an officer there, and if it is in the interest of the Revenue, one will be placed there.

PETITIONS FOR THE HANGING OF LOUIS RIEL

Mr. AMYOT asked, Whether, in addition to the documents asking for the hanging of Riel, found in the Department of the Secretary of State and laid before this House, the Government, or any of its members, received any petitions, letters, telegrams or documents asking that Riel should not be pardoned, or that his sentence should not be commuted, or that he should be hanged, or anything in that sense? If so, will the said documents be laid before the House, and when?

Mr. THOMPSON (Antigonish). All the documents of that character, which were laid before the Government, have been brought down.

LAND IMPROVEMENT FUND.

Mr. LANDERKIN asked, What is the amount due the Province of Ontario out of the Land Improvement Fund?

What rate of interest has the Government allowed on said money, and when will it be paid to the Province ?

Mr. McLELAN. There are two amounts claimed by the Province of Ontario as due to it on account of the Land Improvement Fund:—1st. One-fourth of receipts from Common School Lands sold during the existence of the Upper Canada Improvement Fund, from the day of the abolition of the Fund to 1st July, 1867, less cost of collection, \$124,685.18. This amount was allowed by the arbitrators appointed in accordance with section 142 of the British North America Act, to determine the division and adjustment of the debts, etc., of Upper and Lower Canada, and in accordance with section 7 of their award, the amount will be credited to the Province of Ontario. 2nd. One-fifth of receipts from Crown lands so sold and moneys so received, \$101,771.68. This item is in abeyance pending the receipt of communications from the Province of Quebec as to whether that Province will allow the sum to be charged to the Province of Canada and credited to the Province of Ontario. The question of the method of calculating the interest will be taken up when the matter is settled.

EXECUTION OF LOUIS RIEL.

The House resumed the adjourned debate on the proposed motion of Mr. Landry (Montmagny): That this House feels it its duty to express its deep regret that the sentence of death passed upon Louis Riel, convicted of high treason, was allowed to be carried into execution; and the motion of Sir Hector Langevin: That this question be now put.

Mr. THOMPSON (Antigonish). Although so much has already been said in the course of this debate, as the hon. member for West Durham (Mr. Blake), on Friday evening, intimated that the time had come when the House should hear from the law officer of the Government, that the time had come when I should rise, if I intended to rise at all, it is becoming that I should accept the hon. member's challenge and make, at this stage of the debate, late though it may appear, and tedious though the debate has already been, such a statement of the facts immediately connected with the part that my Department has had in this transaction as it was proper to make before the debate should close. I regret, Sir, the more because I am a comparative stranger in this House, that my first duty in making such a statement is to express my regret at the manner in which this discussion has been carried on, and the way it has been brought before the House.

Some hon. MEMBERS. Hear, hear.

Mr. THOMPSON (Antigonish). It has been said, Sir, and the cheer that comes from hon. gentlemen opposite means a reaffirmation, I presume, of the statement, that the Government have chosen the mode and the time in which this question should be discussed and, as the hon. member stated, had framed the indictment. Even if that were true—as it is not, Mr. Speaker—I ask the hon. members who have just given that cheer, how they are to escape the responsibility for the manner in which they have carried on the discussion down to this moment? Mr. Speaker, it has been said from time to time in the course of this debate—it was generously admitted by the hon. member for Brockville (Mr. Wood) the other day—for the purpose of argument only, I presume,—but it was contended by the other side of the House most vehemently, that the right to discuss this matter at every step and every stage rested in Parliament precisely as if Parliament sat as a court of appeal.

Mr. MILLS. Hear, hear.

Mr. THOMPSON (Antigonish). I should like the hon. gentleman who says, "hear, hear," and those who follow

him, and any hon. gentleman who has engaged in this discussion or takes any interest in it, to point to a precedent which justifies the opposition. I should like them to point to a case in any Parliament in the British Empire, in which any man incurring the responsibility of a member of Parliament would say, "hear, hear," to such a proposition as that. We have had, not only the contention that Parliament is to be the court of appeal before which the whole evidence is to be discussed, and before which the whole evidence is to be sifted by lawyers on both sides of the House, but we have been entertained day after day by speeches for the defence. We have not merely had such a discussion as would take place in a court of appeal, but gentlemen have been speaking with carefully prepared briefs, analyses of evidence, and authorities, upon all of which this House is to be expected to pass an opinion and decision. I have only to state the case as it is to bring the House to the consciousness that this is not a suitable tribunal, that the temper which prevails in a Legislature composed of two actively hostile parties is not a place in which the administration of justice in any particular case can suitably be discussed. We have not only been told that Parliament is a court of appeal to try a question like this, but that, if Parliament comes to a wrong conclusion, the people at the polls are to decide it. If we have heated controversy and partisan feeling in this House which prevent the House coming to a judicial conclusion such as a court of appeal would arrive at, I should like to ask hon. gentlemen opposite how will it be when we go to the polls? Is partisanship, for the first time in the history of the country, to be eradicated there? Is a calm and cool consideration of the merits of a particular case—of the fate of a particular convict, to be made by the people of this country at the polls; and if so, will hon. gentlemen opposite pledge themselves that when the case is submitted for the determination of the electors we shall not have passions and partisan feeling appealed to on other issues, the National Policy, the Canadian Pacific Railway, and all the questions which have divided parties in this country for the last ten years? I need no better confirmation of the protest which I make against such a discussion on a motion of this kind in Parliament, as has taken place, than the attempts which hon. gentlemen opposite have made to prevent our bringing to the case a calm and deliberate judgment. The member for West Durham, himself, in the opening expressions of his speech, on Friday, condemned anything like feeling. He deplored the introduction into the debate of bygone issues and political considerations, and the sound of his voice had hardly died away in the expression of those sentiments, when he declared to the House, in tones that rang from end to end of this Chamber, that he intended to hold the Government responsible for every life that had been lost, for every pang that had been suffered, and for every dollar that had been expended.

Mr. BLAKE. Hear, hear.

Mr. THOMPSON (Antigonish). I should like the hon. gentleman to state how, after an assertion like that, how after the statement of the hon. member behind him who proclaimed three times in the course of this discussion that the men on the Treasury benches of this House are greater criminals than the man who died on the scaffold at Regina,—I should like to ask him how, after expressions like that have been bandied about in this debate, he expects this House to come to a conclusion in the manner in which a court of appeal would decide on any particular case? Not only has that attempt been made to prejudice the discussion, but hon. gentlemen have complained bitterly at a step which has been taken to preclude the introduction of other issues by which the judgment of the House might be

mised. The hon. member for West Durham (Mr. Blake), in addressing himself to an interlocutory resolution the other day, declared that it was contrary to sound policy and to fair play that the previous question should be moved. If this matter is to come before Parliament as before a court of appeal—if this House is to arrive at a just determination on this question, upon what ground should hon. members be allowed to introduce other issues? The hon. gentleman was so candid as to avow, before his speech on that motion was concluded, that he had no hope, even if such amendments were moved, of having them carried, because, he said, we must eventually come down to this resolution. Then he would simply have had the advantage of having the House come to a decision on this question with a clouded judgment and with partisan feelings, raised by the discussion of issues on which hon. gentlemen opposite seek to bring against the Government the charges which have been bandied across the House in this debate, of guilt in connection with other transactions altogether. I said, Sir, that I felt it my first duty to express this opinion to the House, and I am glad to know that some hon. gentlemen opposite feel as I do. The hon. member who addressed the House on Friday evening so long and so ably, has filled the office which I have the honor to hold at present. He is conscious of the great difficulties which beset a Minister of Justice in advising the dispensing of the clemency of the Crown, and within the last three months the hon. gentleman said, in a great public assembly:

"I know how much these difficulties are enhanced by heated partisan and popular discussion, in which distorted views and an imperfect appreciation of the facts are likely to prevail."

After that frank admission I would suppose that if this question was to be argued in this House, as it has been argued by the other side, as a question of confidence, we should at least not have had those "heated partisan and popular" appeals made in order that the judgment of this House might not be taken upon the real question that is before it. Let me turn the attention of the House for a moment to the manner in which, in the country to which this Parliament looks for a model, questions of this kind are considered. I am not venturing to dispute the right of any hon. member, much less of the whole House, to challenge the conduct of any Minister of Justice for the time being as to the way he should have advised the Crown upon the case of any convict; but I am challenging the propriety of exercising that right to such an extent as it has been exercised here. On 20th July, 1877, Mr. Gathorne Hardy, who held the office of Home Secretary, said:

"He hoped the time would not come at which the House would fail to rely on the Executive, either to exercise the prerogative of mercy, or to carry out the law to its fullest extent."

He also said:

"Suppose the records to be produced, were they to re-try the case upon them without seeing the witnesses? That would be a most unusual proceeding, only to be resorted to when there was some suspicion of corruption or partiality at the trial."

Mr. Gladstone, in the course of the same debate, said:

"It appears to me so desirable that in a matter of this kind the prerogative of mercy should be left in the hands of the Crown, to be exercised according to the advice the Crown may receive from those whose duty it is to give it, that only in the extreme cases should I wish to support a motion which strictly interposes the judgment of the House for the purpose of swaying the judgment of the Crown."

And Mr. Gladstone abstained from voting upon the question which was then before the House. In another case, in 1870, in the course of a debate, part of which the hon. member for West Durham (Mr. Blake) read to the House, Mr. R. N. Fowler said:

"Such cases ought to be left entirely in the hands of right hon. gentlemen opposite. This House was, in the nature of things, one of the worst places where the question of the comparative guilt of a murderer
Mr. THOMPSON (Antigonish).

could be properly considered, for it was a legislative assembly and not an executive body."

On the 3rd of July, 1884, Mr. Trevellyn said:

"I regret very much that that decision is come to"—

That is, the decision of the Executive not to commute the sentence.

"I regret very much that this decision has been come to, but we have felt ourselves bound to arrive at it, and I do not consider that the House of Commons is a place where cases can be tried over again."

Sir William Harcourt, who, we were told the other day, is a great statesman, said:

"It is a very serious thing to reconsider, in a matter of this description, the deliberate decision of a judicial tribunal. Although, of course, I do not deny for a moment the right of any member of Parliament to bring forward a matter of this kind, still I assert that it is most inconvenient and almost impossible for this House, upon *ex parte* statements, or even upon an argument of the case, to arrive at a proper decision of the matter. We cannot dispose of matters of this kind by a debate, even if it be most calmly and carefully conducted, in a popular assembly."

Mr. Trevellyn said again:

"The discussion has shown how inconvenient it is to try a case of that kind over again in the House of Commons, for the hon. member who has just spoken practically tried the case over again—"

I can repeat those words with emphasis, when I reflect upon the speech that we listened to last Friday.

"not from any new evidence he has brought forward in regard to the case itself, but upon an argument in connection with a case that occurred in Manchester some years ago in which it was shown that there was a case of mistaken identity. I think we should as far as possible recognise the principle that the question of dispensing the mercy of the Crown should not become a matter of debate in this House."

If this is to be done, if a political discussion is to follow the action of the Executive in every case in which clemency is given or refused, one can easily understand what confusion we shall introduce into the administration of criminal justice in this country. The greatest criminal who may be condemned by the tribunals will have some hope that if his case can only be thrown into the vortex of politics, to quote the language of Louis Riel on the day of Batoche, "politics will save me." He will point to the fact that, fifteen years ago, a political party in this country made a desperate effort to gain power by appealing to public passion about a great tragedy which took place, and that having failed in that enterprise, fifteen years afterwards they considered they could climb into power on the feeling provoked by another tragedy—first trying fortune upon the fate of the victim, and then trying it upon the fate of the murderer. It will result, Sir, that the Executive, especially if it be weakly supported in this House and in the country, must seek to do, not what is right merely, not what is justice merely, not what is a fulfilment of the law merely, but that which is most popular in the country, in view of the fact that the case is likely to be tried all over again in the House of Commons as a court of appeal, and in view of the fact that afterwards it will be tried all over again at the polls. More than this, we have had already indicated a still more serious result. It is not merely that the administration of justice is to be brought into disrepute, not merely that its just enforcement is to be endangered, but if the Executive shall attempt to carry out the law, then in relation not merely to the Executive itself, but in relation to the people who support its policy, and all people who believe that it was simply carrying out the law and discharging its duty, a cry of revenge, as my hon. friend from Kent (Mr. Laundy) said, is to go up, and be kept up, by one section against the other. We shall have, then, not merely the administration of justice degraded, but we shall have, as indeed we had in the month of November last, the cries of civil war raised in our own streets, when they had died away on the banks of the Saskatchewan. We

have heard, at each stage of the debate, the cry for more papers. I do not presume to discuss what was done in the House last Session, although I have had full access to its records, but I have noticed that this Session the cry became more urgent and more emphatic the more papers were brought down. We had first the cry that the record was not complete. We had issued to the public and laid on the Table of the House all that constitutes, technically, the record in criminal cases—all that would go before a court of appeal—all that should be asked for here if this Parliament is to be considered a court of appeal. There was even more than that in the blue book which we printed and circulated; but we had hardly met when we were told that we must have all the arguments upon the controversy about the postponement of the case, although that argument resulted in an agreement between the counsel which withdrew the matter from the consideration of the court altogether. Those papers were brought down, and the cry became louder and more urgent still for more papers. We were told there was a controversy on the trial as to whether Louis Riel should be allowed to defend himself, besides being defended by counsel—"bring that down." We brought that down to this House, and the cry became more urgent still. "We have not the judge's charge here," it was said, and one hon. member told the House that we were not even in a position to tell the House that the judge's charge was before the Court of Appeal in Manitoba, although the blue book which he held in his hand contained the judgment of that court, in which one of the judges said that he had great satisfaction in being able to say that he had read the whole charge and that he endorsed every word of it. Well, we brought down the judge's charge and the cry became more urgent still. One said all the papers that were asked for were not brought down, and another complained that we had brought down more than were asked for—simply for the reason that those which were brought down were not as satisfactory to them as some hon. gentlemen expected. Let me turn the attention of the House again to the practice which prevails in the British Parliament upon that question. I have looked, I think I may say, at every case which has come up for consideration in that Parliament for the last twenty-five years, and I have been unable to find a case in which the papers connected with a criminal case were laid before Parliament at all. The question has arisen there sometimes on a motion to go into Committee of Supply, sometimes on a question which the Home Secretary has to answer, but never upon a motion of want of confidence—never with the request that the papers should be brought down. But, while I have been unable to find a record produced to Parliament, in such a case, I am able to find that it was refused, for, on the 17th of May, 1878, in the discussion of the case of George Bromfield, reports touching the insanity of the prisoner were asked for, and Mr. Asheton Cross, the Home Secretary, said that "all the communications made to the Secretary of State in the matter were of a confidential character, and therefore he did not consent to produce them." I think, Sir, that as soon as the papers which remain to be brought down are laid upon the Table of the House, the desire of some of the hon. members for papers will be more urgent than ever. They will not like the papers which are yet to come down any more than they like those which have been brought already; and when they have seen them all, the hon. member for West Durham (Mr. Blake), will say: "These are not the papers at all," and he will ask for the papers which he said were lying 'mouldering unopened' in our offices. As an illustration of the unreasonableness with which some of these demands have been made upon us, let me call the attention of the House to a single instance. On the 17th of March an hon. member moved:

"That an Address to His Excellency the Governor General be presented for a full and complete report of the trial of Thomas Scott,

charged with "treason-felony" at Regina; giving the evidence for the Crown and defence, together with addresses of counsel and charge of the Stipendiary Magistrate. Report of the trial and sentence of the half-breed prisoners at Regina for "treason-felony," together with the evidence submitted to the Stipendiary Magistrate's Court in mitigation of sentence, and addresses of counsel for the prisoners."

These papers, connected with the trials that took place afterwards, had a very doubtful relevancy to the case; but the point I am making now is that when the Address of this House was asked for on the 17th of March for these papers, they had already been on the Table 48 hours. We have not the advantage on this side, perhaps, of hearing all that goes on in this House, but we can imagine, in view of that illustration and of some facts we do know, how true and appropriate this comment by a bystander is upon this cry for papers:

"I was amused to-day at Mr. ———. He was tearing the Government to tatters for not having the papers down. 'Where is the diary of Louis Riel?' he cried, and then aside to Laurier, 'Is that down?' 'No,' whispered back Laurier. Then Mr. ——— became furious in his denunciations because it wasn't down."

I think, Sir, that at an earlier stage of this discussion, the hon. member for Bellechasse (Mr. Amyot) saw the difficulty the House would meet in the discussion of a question of this kind, and in receiving and acting upon the doctrine that this House was to be a court of appeal; for the hon. member declared, almost in so many words, that he and his friends were justified in treating this case as an exceptional case, because it came from the North-West Territories; and the hon. member read to the House a section of the Act which provided that the report of a capital case tried in the North-West Territories should come to the Executive.

Mr. MILLS. Hear, hear.

Mr. THOMPSON (Antigonish). I shall read—especially as an hon. member of my own profession on the other side of the House says "hear, hear"—two sections of the law—the section bearing on cases in the North-West Territories, and the section bearing on cases in the various Provinces, and will ask what the difference is. The general law, taken from the Act of 1873, applying to every Province in this Dominion, is:

"The judge before whom such prisoner has been convicted shall forthwith make a report of the case, through the Secretary of State for Canada, for the information of the Governor, and the day to be appointed for carrying the sentence into execution shall be such as in the opinion of the Judge will allow sufficient time for a signification of the Governor's pleasure before such day."

Now, the provision relating to the North-West is this:

"When any person is convicted of a capital offence, and is sentenced to death, the stipendiary magistrate shall forward to the Minister of Justice full notes of the evidence, with his report upon the case, and the execution shall be postponed from time to time by the stipendiary magistrate, if found necessary, until such report is received, and the pleasure of the Governor General thereon is communicated to the Lieutenant-Governor."

Now, the only difference between the two sections is this: First, it is provided that the judge in a North-West case shall furnish full notes of the evidence—and the hon. member laid stress upon that point. I can only say to him that, full as the notes of the evidence are in this and in every capital case coming from the North-West, they are not one iota fuller than the reports of capital cases which we receive from the Provinces; and as regards the postponement of the day of the execution of the sentence, although the power is specifically conferred upon the stipendiary magistrate in the North-West Territories, it is still fully competent to the judges in the other Provinces to respite until the pleasure of the Governor is made known. The provision making it mandatory upon the stipendiary magistrate to postpone in the case of North-West trials was inserted, I believe, in consequence of the remoteness of the country and the difficulties of communication; but in practical working the two provisions are identical, and a case coming

from the North-West Territories has no more connection with the functions of this House or the politics of the country than a case coming from the Province of Quebec or the Province of Nova Scotia. Before I refer to the criticisms which were passed upon the trial of the case, and as one of the preliminary observations I wish to make, I desire to reply to a remark which was made by the hon. member for Hochelaga (Mr. Desjardins), the other evening. Replying to a remark of the Minister of Public Works, he asked how the Minister of Inland Revenue, and how the Minister of Justice could reconcile with truth the statement which had been made in this House that there had been a change in public opinion in the Province of Quebec? He referred to the meetings which had taken place at St. Jerome and St. Colombe, at which I had the honor of assisting, and at the latter of which my hon. colleague, the Minister of Inland Revenue, was with me. The hon. gentleman wanted to know what we had to say, after those meetings, of the state of feeling in the Province of Quebec? I answer that if we are to judge from what we saw, there had been a great change of feeling in the Province of Quebec. The people were disposed to listen to reason, to argument, and to truth, and there was no more passion evinced at those meetings than at any meetings of equal size called in any other part of the country, for the discussion of public questions. If I had to judge from the reports we saw in the press, I should have to give the hon. gentleman a different answer; but at present I shall testify from what I saw, not from what I read in the papers afterwards. I should think the hon. gentleman would have hesitated to ask me, in the presence of this House, what I thought of the change of public feeling in the Province of Quebec, when we have so many witnesses to cite on the floor of this House. We know that a few days after the execution, in the city of Montreal a set of resolutions were passed declaring that this execution was a base murder, and that the three Ministers representing that Province in the Cabinet were men who had degraded their race and were traitors to their country. Resolutions were passed declaring that this was a crime which should never be forgiven; and the hon. gentlemen in this House, some of whom have addressed it already and some of whom are to follow me, were the men who, in the presence of fifty thousand of their fellow-countrymen, secured the unanimous adoption of these resolutions. Yet those gentlemen, in the course of this debate, have risen and declared that the information before the House is not sufficient to enable them to vote, not for a resolution that the execution was a murder, not for a resolution that we are traitors, not for a resolution declaring that we shall never be forgiven, but for a resolution expressing in the mildest terms a regret that the law was allowed to take its course. In fact so mildly was the resolution worded that it excited the suspicion of the hon. member for West Durham (Mr. Blake), and he declared that the Government must have drawn this indictment. I wish to make one other preliminary observation, an observation with regard to the hon. member for Bellechasse (Mr. Amyot) in respect of a matter in which, I think, he did me, unconsciously, an injustice. About ten minutes before this debate began, when the hon. member for Montmagny (Mr. Landry) was about to take the floor, the hon. member for Bellechasse (Mr. Amyot), without having given any notice of his question, rose and asked a question involving a number of details, as to whether the medical reports from Regina had been received by telegraph, and if so, at what date, and would they be brought before the House, and involving other particulars as well. I stated that I was unable from memory to answer the question on the spot, presuming the hon. gentleman would, as he subsequently did, put it in writing, and give me an opportunity to furnish the particulars asked for. I thought that it was somewhat ungenerous on the part of the hon. gentleman (but it pro-

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ably was due to his misunderstanding my answer), when he said that members of the Government were so disposed to trifle with this great question and with the wishes of the House itself, that when they were asked a vital question the answer was that they could not remember. He forgot he was asking a question involving particulars which could not be stated without looking at the documents themselves, or the records of the Department, and of which he had not given any notice, and that therefore he could not expect the information to be at once supplied. The hon. gentleman had been in this House two weeks of the Session; he had already asked for papers of almost every description, and if it had occurred to him to put his question a little earlier than ten minutes before the debate began, I should have been in a position to say something more definite than that I was not able to answer from memory. We have had the point raised and pressed with great earnestness, that the trial was an unfair one, and we have heard it asserted by a member of the legal profession, that although it was a legal trial it was not a fair one. I confess, after having given that observation all the reflection I have since been able to give it, I am unable to understand it; I am unable to understand how the Executive can be condemned for not having given to the prisoner something more than the law gave him, as regards the procedure in this trial. We have generally understood, throughout this Empire, that a synonym for fair play as regards the administration of criminal justice was British law, and yet we are told now, for the first time, in a Parliament existing under British institutions, that the Government are to be condemned because their counsel conducted the trial in such a way, that although strictly in accordance with the law, it was an unfair trial. Now, let me ask the House to bear with me for a few moments while I address it upon those points in respect of which it was said the trial was unfair. We were told by the hon. member for West Durham (Mr. Blake), that the judges were inferior judges. I presume he meant, technically, that they were judges of an inferior court, and not that he meant to impugn their professional standing or abilities as members of the judicial bench. But that is an entirely irrelevant enquiry. The jurisdiction, whether the courts be superior or inferior, is plainly conferred upon them by law; the law of the country requires that, whether these be superior or inferior judges, they should take cognisance of cases like this. It has been said that the courts there were peculiar in their organisation. That criticism, pointing, as I suppose it did, to the conclusion that the trial was unfair and unsatisfactory, for otherwise it would be what the hon. gentleman distinctly said it was not, a purely theoretical objection, a purely theoretical criticism—his criticism pointing to such a conclusion, induced me to bring to the House the provisions of the law on that subject. In 1875, a case of this kind would not have been tried by the judges who, he says, are inferior. The provision of section 64 of the Act of 1875 gave the trial of capital cases to the Chief Justice or any Judge of the Court of Queen's Bench of the Province of Manitoba, and required the intervention of a jury not exceeding eight in number. In 1867, that Statute was altered; the jurisdiction of the chief justice and of the judges of Manitoba was taken away and given to stipendiary magistrates to be appointed in those territories, and the number of jurors was reduced from eight to six. It is true the hon. member might have pressed upon us one other consideration, and that is, that then there would have been present, even under the Act of 1877, upon the bench, not merely the stipendiary magistrate but two justices of the peace as well. I take it that that is an objection which the hon. gentleman himself and his followers lay very little stress upon; because we have not had, from the beginning to the end of this discussion, the complaint that there have been too few justices of the peace to try this man, but we have had only the com-

plaint that there were too few jurors. The Statute of 1877, creating this court, took away the jurisdiction of the judges who, in the Act of 1875, would have tried the case, and reduced the number of jurors, and that Act was introduced in this House by hon. gentlemen opposite, when the hon. member for West Durham (Mr. Blake) was himself Minister of Justice. I say this, not for the purpose merely of saying *tu quoque*, not for the purpose of making a political comparison between the legislation of one party and the legislation of another, but for the purpose of drawing, what I think is a legitimate conclusion from these facts, namely, that if both sides of the House had acquiesced in this legislation, confiding in the great abilities which the hon. member for West Durham was able to bring to the preparation of the Statute, the Government had no occasion to mistrust it, or to believe it was ill considered, and I had no occasion to expect that the hon. member would have raised, as one of the criticisms by which he sought to make this House believe the trial was unsatisfactory, that the trial took place before one of the very men into whose hands, by his own Statute, he had put the issues of life and death. It is said, Sir, that these judges are to some extent political officers, inasmuch as they are, by virtue of their offices, members of the North-West Council. When I turn again to the legislation on that subject, I find that that provision was inserted not by the gentlemen who sit on this side of the House, not by the gentlemen who had in this case to administer the law, but was put by gentlemen opposite into the Act of 1875. It was said that these judges are, to a certain extent, dependent upon the Executive. I fail to see any very broadly marked distinction in these days between judicial officers who hold their office during good behaviour and judicial officers who hold their offices during pleasure, considering that the state of public sentiment in regard to officers of that kind, and the disposition of Parliament, in dealing with a Government that would dare to exercise its pleasure unfairly and without due cause, would be such as to make a judge, even if appointed during pleasure, practically irremovable except for cause. But the tenure of office was established by those gentlemen; those travelling fees, for which it is said they depend upon the Executive, were allowed by these gentlemen themselves, and year after year those travelling fees and those allowances, which it is said made fallible the judgment of the judges there, or might have made their judgment fallible, were introduced and voted by hon. gentlemen opposite, and, after they went out of office, were voted for by them without a murmur or complaint. It was said likewise that a grave mistake had been made in the selection of the judge. It was said that Judge Richardson stands in the position of Attorney-General in the North-West. I think that that is hardly a correct statement of his position there. He acts, it is true, as law clerk to the North-West Council, as legal adviser in reference to the legal business that comes before that Council, and as such he receives a paltry, almost a nominal, emolument, which is likewise voted to him, not by the Executive, but by the Parliament, and can only be paid to him by virtue of an Act of Parliament. The criticism was likewise made that Judge Richardson was a member of that Council when it undertook to pass an expression of opinion upon the conduct of the Executive in this very case. In justice to Mr. Richardson, I must say that, when those resolutions came before the North-West Council for deliberation, he withdrew from the Board. I think that the choice of Judge Richardson was as wise a choice as could have been made. He was no appointee of ours; it could not be said that for any political services he had rendered to this Government or this party in the past he had received his judicial office, because he received his appointment at the hands of hon. gentlemen

opposite; and I presume he received it, as all judges are supposed to receive it, on account of qualifications for the duties he had to discharge, one of those duties being, by virtue of the very Statute which they passed themselves, the disposition of capital cases. Besides that, he was the senior judge in the North West, and, in that respect, as well as in regard to his professional qualifications—as to which I will say little, because it would be invidious to make a comparison between him and his colleagues—he seemed to be at the head of the list of those who had to be entrusted with the execution of this very serious duty. But when we were told that there is danger of any of these tribunals being corrupted by the circumstance that this Parliament votes them moneys from time to time for their travelling expenses or allowances for the discharge of any other public duties incidental to their office, or otherwise, the hon. gentleman raised, in my mind at least, the recollection that, in the great Province which he represents, a large portion of the judiciary receive a considerable augmentation of their salaries, from the Provincial Government. I should like to ask at what stage in the parliamentary existence of this country partisan strife became so hot that any hon. gentleman degraded himself by aspersing the judiciary of Ontario, even in regard to the questions which arose between the Government of the Dominion and that of Ontario, by suggesting that the minds of the judges were warped by the additions to their salaries which they received from the Provincial Government? I ask then whether the hon. gentleman's criticisms were quite fair to the Government or to the officer more particularly mentioned? If it was not intended to asperse the mode of conducting the trial, as being unfair, on account of these considerations, I ask why these criticisms were introduced at all? I ask why the public confidence in relation to the administration of justice by these tribunals should be weakened by such criticisms, unless to show Parliament that the trial was unfair? The hon. gentleman said that these difficulties ought to have been removed. I understood him to intimate—it was the conclusion, I admit, which I drew from his language more than the language itself—that it would have been better if, last Session, in view of the difficulties which had arisen in the North-West, the Government had created special tribunals there for the trial of these offenders. At any rate, he did express plainly that it was the duty of the Government to have provided some special legislation in regard to those tribunals. I ask the House if, after the crime had been committed, after Louis Kiel had come into this country and had stained his hands with the blood of our citizens, and after the rebellion had been suppressed, the Government had changed the law, had made new tribunals, and had put that criminal in a different position from that in which he stood when he came into the country, there would not have been a feeling from one end of Canada to the other that we had passed an *ex post facto* law, and had done an injustice which should not have been done to the vilest criminal in the land? That, Sir, is my own opinion on that point, but I am able to cite an authority for it too. Within the last two or three months, a gentleman who discussed public questions very ably, in a portion of this country not very remote from this place, undertook to discuss the various phases of this trial. He was a gentleman able to bring to the discussion of these questions long experience and high abilities, which are known to every section of this country. He had this to commend him too—I shall not say it was the hon. member for West Durham (Mr. Blake), I can hardly think it was, when I heard his speech, but it was at least a namesake of his, and that gentleman said in reference to this very trial, in reference to this very criticism which had then gone abroad, in reference to this very suggestion that it would have been better if the Government had taken special legislation in reference to these tribunals;

"But I do not say that the Government is censurable for having tried the prisoner by the tribunal provided by the standing laws, though I may regret that those laws did not provide a more satisfactory tribunal."

Now, Sir, there is another point in which the fairness of the trial has been challenged. It was said that Louis Riel, being of the Roman Catholic faith, it was suspicious that the only Roman Catholic juror called was challenged by the Crown. I have only to say this, Sir—and I say it upon the authority of the counsel who conducted this case on behalf of the Crown—that until that statement was made on the floors of this House the counsel for the Crown were not aware what that man's religion was. I am able to assure the House on their authority, which, I am sure, will not be impugned here, or anywhere else in this country, that there were other good reasons given why he should be challenged, and that the question of religion never entered into their consideration at all. The hon. member for West Durham thinks that that could hardly be so, because, he says, if it were so there would have been a challenge "for cause." Every person practising at the bar—and I appeal to all my professional brethren on both sides of the House to confirm the statement—knows that in the trial of causes there may be doubts as to the qualification, mental or otherwise, of jurors, doubts as to the soundness of the judgment which they may bring to the cause, doubts as to their partiality as jurors, which cannot be verified on a challenge "for cause," because, perhaps, the witnesses are at a distance who could prove the objections, and it is better and safer in the public interest, safer in the interests of justice, to challenge preemptorily. Although there were a number of jurors challenged on that occasion by the defence, this is the single instance in which a juror was challenged on the part of the Crown, and he was challenged, as I said, for reasons which it might be indelicate for me to communicate to this House—reasons, however, which affected the minds of the counsel for the Crown with doubts as to the partiality and wisdom with which he might discharge his duties as a juror, but not in any way in relation to his sect, his creed or his race. Then the criticism was made that the trial was an unfair one because other prisoners were not tried for high treason. They were charged with the offence, equally grave, perhaps, but not so severely punishable, of treason-felony. I fail to see how that could affect the regularity or the fairness of the trial, which took place before it was decided at all what these men should be brought to trial for. If the graver charge of high treason were not withdrawn then, as to these persons, how could any person, in the interest of Louis Riel, or of justice generally, say that the fairness of his trial was affected by something that took place afterwards? Then some criticism was made with regard to the non-trial of the so-called "white settlers" of Prince Albert. An investigation was then going on to ascertain which of the white settlers of Prince Albert, if any, should be brought to trial, and because they were not then brought to trial, I understand it is sought to draw the inference that Louis Riel's trial was an unfair one, or that some invidious distinctions were made with regard to it. Now, Sir, I come to the next point which was pressed, not so much by the hon. member for West Durham as by other hon. members, and I think very sincerely as well as very ardently pressed by some of our friends from the Province of Quebec, that a month's delay was asked to enable this man to prepare for his trial. Let me assure the House upon the authority of the papers which were brought down to this House days ago, that no application for a month's postponement was submitted for the judgment of the court at Regina. This is what took place:—Counsel for the defence, after the disposal of the preliminary question of an objection to the indictment, submitted affidavits asking for a postponement. They intimated that they would ask for a month's postponement. They made application for a month's adjournment. That application, before it could be ruled upon by

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the judge, was taken into consideration by the counsel for the Crown, and those counsel made to the counsel for the defence this proposition: "You are asking a month's delay; it is unreasonable, because in a week witnesses can be brought here from any part of Canada; we will consent to a week's delay, and as our own side of the case shall takethree days more, you will thus have ten days, beyond all doubt." They said: "That will be enough for you, because you shall not be put to the trouble of summoning witnesses in the ordinary way; we will join you in telegrams, as counsel for the Crown, telegraphing to those witnesses, wherever they are, not only asking them to come, but pledging ourselves for the Department of Justice to pay their expenses." The counsel for the Crown said: "We will do more than that. The practice in the administration of justice in the North-West Territories is to use the mounted police for the purpose of serving the summonses, and we will put our own officers at your disposal for the purpose of summoning your witnesses, as soon as possible." Now, Sir, let me take up the list and see who these witnesses were for whom this month's postponement was demanded, and let me see in what manner this application of the defence was treated. There were three witnesses in the territories of the United States adjoining the North-West Territory. Everybody knows that in the case of witnesses in a foreign country to whom no commission has been sent, and for whose attendance no process would be sufficient, no court of justice would grant an adjournment. But it was not an adjournment that was wanted with regard to those persons. Ten days would have been ample to bring them there. What the counsel for the defence asked in respect of Gabriel Dumont, Michel Dumas and Napoleon Nault, was not simply that they should have their expenses paid, which we would have assented to, not merely that they should have been summoned, which we would have assented to, but that we should pledge ourselves that if they came to testify, no proceedings would be taken against them in connection with the past. That was a pledge which counsel for the Crown were not authorised to give. It would never do, Sir, in the conduct of a trial for a rebellion of that kind, to give an amnesty for the worst actors in the rebellion, under the guise of a subpoena to attend court. There were three other witnesses, clergymen, "whom," said the counsel for the defence, "we require to have here—Father André, Father Fourmond, and Father Touse." The counsel for the prosecution said: "We will summon them for you." Now, as regards the medical witnesses, counsel for the defence asked for Dr. Roy, Dr. Clarke, Dr. Vallée and Dr. Howard, and every man of them was summoned by the Crown; every man of them received the assurance that his expenses would be paid by the Government. Then there were Mr. Vankoughnet and Mr. Burgess, who were wanted to bring the papers from the Department of the Interior. But everybody knows that papers to be produced for the purpose of showing that the half-breeds had grievances, or that there was delay in attending to their grievances, even if such papers were in existence, were absolutely inadmissible at that trial. I need not cite authorities for that. The hon. member for West Durham himself appreciated his position as a lawyer too well to urge that contention, and stated candidly to the House that evidence with regard to the grievances was properly rejected at the trial. No other decision could have been arrived at, and the expression of the law on the point could not have been better put than it was put by Mr. Richardson, who said:

"It is no justification, in the trial of a prisoner charged with an unconstitutional agitation, that he made a constitutional agitation at any other time."

For that reason only the Crown counsel declined to order the attendance of Mr. Vankoughnet and Mr. Burgess, and

we have the admission, which it was necessary for any professional man having a sense of honor to make to the House, of the hon. member for West Durham (Mr. Blake), who stated that evidence like that was inadmissible at the trial. I have shown that, with the exception of the two witnesses from the Departments to prove that which would not have been evidence, and with the exception of the three witnesses for whom an amnesty, and not a subpoena, was asked, Crown counsel pledged themselves to summon all the witnesses for the defence and pledged themselves to pay them. We shall now see how far they carried out that duty. For the purpose of showing the House that this matter, which is urged as an element of unfairness in relation to the trial, was never submitted to the tribunal at all, never came before Judge Richardson to pronounce judgment upon, I will read from the report in the *Globe* of July 30th what, as I have related, took place after counsel had arrived at that understanding. In regard to the proposed adjournment for a month, counsel for the Crown—Mr. Christopher Robinson, Q.C.—announced to the court the understanding that had been arrived at. He said :

"All those witnesses who are in this country can be got in a week just as well as in a month, or a year. The Crown will do more. The Crown will join with my learned friend in telegraphing to those three gentlemen who are at Quebec, and those three gentlemen who are at Prince Albert. I desire that to come from the Crown as well as from them and the Crown will pay their expenses."

"Mr. Fitzpatrick to the Justice.—I read the Order in Council as conferring very limited powers. However, that difficulty is all obviated by the offer made by the Crown."

The counsel for the defence withdrew this matter from the consideration of the Court, having arrived at an understanding with the counsel for the Crown; and I propose to state to the House what was done in the discharge of that agreement so arrived at, because the case, I admit, is all the worse if, after having withdrawn that application from the consideration of the court, they did not fairly and honorably fulfil the obligation they had undertaken. On 21st July, 1885, the Deputy Minister of Justice sent this telegram from Regina to Drs. Clark and Howard :

"You are required here on Wednesday next as witnesses for the defence on Riel's trial. Expenses will be paid by Crown."

Mr. Lemieux and Mr. Burbidge sent the following telegram to Dr. Roy :

"Yourself, Vallée and Charles Vincelette required here Tuesday, 28th, as witnesses for defence—Riel's trial. Accept this as a warning, and please warn Vallée and Vincelette. Expenses paid by Crown."

Dr. Roy telegraphed back on 22nd July, thus :

"Dr. Vallée sick; unable to go. Dr. Clark, Medical Superintendent of Toronto Asylum, will replace him under same conditions and go if asked. Tell Lemieux and answer immediately."

To which answer was made as follows :—

"Lemieux sorry that Vallée cannot come, but cannot help it. Clark has been summoned. Will expect yourself and Vincelette as warned."

On the same day, 22nd July, Dr. Howard, telegraphed to Sir John A. Macdonald for confirmation of the telegram, and said: "If all right will go up at once." But Dr. Howard, in consequence, as it is stated by the hon. member for Montreal (Mr. Curran), of infirmity of health, felt unable to undertake the long journey alone; and requested that a fee of \$500 should be paid him. The member for West Durham (Mr. Blake), says he regrets that, in consequence of that, the Crown refused to procure his testimony. The hon. gentleman was not aware, of course, of the explanation which I am about to give him, but I am sure he will withdraw, at least, that condemnation of the Government, after I make him acquainted with what was actually done. Although Dr. Howard declined to go unless he was paid \$500, and so notified the Department of Justice, the Minister, instead of declining to pay that fee, placed the matter before the counsel for the defence. This was my predecessor's telegram :

"Dr. Howard declines to go for less than \$500 cash down. Will prisoner's counsel be satisfied with anyone else, or shall I pay him the money and start him off."

"ALEXANDER CAMPBELL."

To Sir Alexander's telegram the following telegram was sent to Ottawa for the purpose of giving Dr. Howard his reply. It was sent after consultation with the counsel for the defence and with their full concurrence :

"Defence do not ask Crown to pay any such fee. Please let Howard know that if he will not come for the fees allowed by law he need not come."

So the House now has the information with respect to that demand for \$500—that we even offered to pay that fee, and start Dr. Howard off, if the counsel for the defence required him, and the answer was received that they did not desire the Crown to pay the fee. I shall not detain the House by reading a mass of correspondence for the purpose of showing what was done in relation to other witnesses. In regard to the witnesses in the North-West Territories, by a series of telegrams sent all over the country and summonses served by the mounted police, the attendance of all witnesses there, desired by the defence, was secured, and secured at the expense of the Crown; not merely were the expenses of the witnesses paid by the Crown, but the expense of having them summoned and telegraphed for, and every other expense in connection with the matter was defrayed by the Crown. All those witnesses, with the exception of Father Touse, who was unable to leave his parish for some reason, every witness in the North-West Territories desired by the counsel for the defence attended at the trial. If any person's attendance was not secured, it was not due to the slightest hesitation on the part of the Crown as regards expense or anything else. After making this statement I think we are not open to the imputation made by anyone, no matter how blinded he may be by prejudice, that the trial was unfairly conducted. I am glad to be able to say, with respect to the delay which was granted for procuring those witnesses that Mr. Fitzpatrick, in court, after this understanding was arrived at, made this statement :

"May it please your Honor.—I, on behalf of the defence, assume the responsibility of accepting the delay which, as stated by the Crown counsel, the Crown is prepared to offer us."

"Mr. Justice Richardson.—I think it is reasonable."

"Mr. Fitzpatrick—I think it is a reasonable time. I might, perhaps, have stretched a day or so, but not beyond that, because the means of communication are very quick now compared with what they were, and a witness can be got from Quebec, &c."

Yet, Sir, after that statement appeared in the public prints, a motion of censure has been advocated on the ground that it was dishonorable to refuse the prisoner a fair delay for the preparation of his trial, and one member said it was so base an outrage that men like Mr. Robinson, Mr. Osler, Mr. Casgrain and Mr. Burbidge would not have descended to such a cruelty unless they had received special instructions from the Government. I was curious to know what his real estimate of his professional brethren was, for whom he professed so high a respect. He thought they were Christian gentlemen, he thought them professional men of high honor, he thought they would not descend to an act of tyranny, an act of outrage against an unfortunate man struggling for his life, unless, forsooth, they had been told to do it by the Government. If those gentlemen were willing to do at the bidding of the Government, what would be so reprehensible, they could not deserve the high character which the hon. gentleman has given them. He must have entertained the opinion of his professional brethren which an English essayist did some time ago, when he said with regard to the tradition that counsel was bound, if he took a brief and was paid a fee, to do even dishonorable things for the benefit of his client, "it comes to this: that a man may do for a guinea what he would not do without it for the world." The next objection was that

there was no sufficient interpretation of the testimony. I have only to say that the report of the trial shows, and the answers which have been given me upon that point by the counsel for the Crown, show, that at every stage of the case there was the best interpretation that could be got in the country. It was not for the Crown to provide an interpreter for the defendant's witnesses; it was enough for the Crown to pay the expenses, and the Crown did so. It was not for the Crown to select the interpreter, the choice was left to the prisoner's counsel. But such interpreters as the counsel produced were used, and when there was a complaint made that the interpretation was not strictly accurate, our counsel said: "There is a gentleman retained on each side who speaks the French language; you interpret the evidence of our witnesses and we will interpret the evidence of yours." There could be no unfairness in the interpretation, because there was on both sides a gentleman speaking the French language, and the slightest inaccuracy of interpretation would have been checked. With the exception of one instance, there was not a complaint made about the interpreter, and then it was removed as well as was possible. Then we were told that it was unfair that the Batoche papers were kept back from the prisoner. Now, those papers were not kept back in the ordinary sense of the word. Any paper which was demanded by the counsel for the defence would have been produced, and none were asked for by either of them. The application which was made was for a mass of papers captured at Batoche—not Riel's papers alone, but papers affecting the interests of eighty prisoners who were then in custody on a charge of high treason, and the demand was: "Give us at the trial of the first of those prisoners, all these papers; let us ransack all the evidence against the eighty others." and I think the House will readily understand that for other reasons than the one which was insinuated—that those papers might have developed something against some Minister of the Crown—they were withheld from an indiscriminate search on the part of gentlemen representing the defence, who were not in a position to call for any particular document or any particular set of documents, but simply wanted to search all through the papers in the possession of the Crown. I would ask those who have had experience in the prosecution of cases for the Crown, whether they ever knew of such an application being granted at the instance of the counsel for the defence, who said to the prosecuting counsel: "Give me before the trial begins an inspection of the whole of your brief, all your documents, every paper of every kind representing your side of all your cases for the term?" Then, Sir, it was said—and I need hardly, after the observations of the hon. member for West Durham, have referred to this point, and will simply dwell on it for a moment—it was said that there was an unfair exclusion of testimony. It was said, when Judge Richardson remarked that the evidence of a constitutional agitation was no justification of an unconstitutional agitation, and when the question was decided in favor of the Government, the passage in the blue book was held up to observation and quoted loudly, that the objection of the counsel for the Crown was: "Why, you are putting the Government on its trial." The hon. member for West Huron, said: "Why should not the Government be put on trial?" Well, Sir, one at a time. The trial then going on was the trial of Louis Riel, and I should be ashamed to say a word or to cite a line of authority to show that evidence relating to the conduct of the Government in relation to the land grievances in the North-West would not be admissible evidence in the prisoner's favor. But the hon. gentleman, when he referred to page 110, and read the expression—(I see it was made by the judge)—"it would be trying the Government," unfortunately forgot to read to the House what followed. It was unfortunate for the confidence which we would feel in his quotations hereafter in regard to this question, for if he had read

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further he would have shown that the counsel for the Crown disclaimed any mere attempt to shield the Government by that objection. Mr. Osler said:

"It is, as it were, a counter claim against the Government, and that is not open to any person on a trial for high treason. We have no desire to unduly limit my learned friend, but I cannot consent to try such an issue as that here.

"Mr. Lemieux.—I do not want to justify the rebellion; I want to show the state of things in the country so as to show that the prisoner was justified in coming into the country, and to show the circumstances under which he came.

"His Honor Mr. Justice Richardson.—Have you not done that already?"

"Mr. Lemieux.—I have perhaps to the satisfaction of the Court, but perhaps others may not be so well satisfied.

"Mr. Osler.—If you do not go any further we will withdraw our objection.

"Mr. Lemieux.—I want to get further facts, not in justification of the rebellion, but to explain the circumstances under which the accused came into the country. If I had a right to prove what I have already proved a minute ago, I am entitled to prove other facts. If I was right a minute ago, I should be allowed to put similar questions now.

"His Honor Mr. Justice Richardson.—The objection is not urged until you had gone as far as the counsel for the Crown thought you ought to go.

"Mr. Lemieux.—It is rather late now to object.

"Mr. Osler.—I warned my learned friend quietly before.

"Mr. Lemieux.—Well, I will put the question and it can be objected to.

"Q.—Will you say if the state of things in the country, the actual state of things in the country, in 1882, 1883 and 1884, and if to-day the state of things is the same as in 1882, 1883 and 1884, if justice has been done to the claims and just rights of the people?"

"Mr. Osler.—That question must be objected to; it could not have had anything to do with bringing the prisoner here. I object first as a matter of opinion; second, that it is a leading question, and third, that it is irrelevant to the issue.

Mr. Lemieux.—The most important objection is that it is leading. As to the opinion of the witness, I should think his opinion is valuable; it is facts I want from the witness, I suppose he can give his opinion based on the facts. If he says no or yes, I will ask him why, and he will give me his reason why.

"His Honor Mr. Justice Richardson.—That will be a matter of opinion.

"Mr. Lemieux.—I will put the question and you can object to it.

"Q. Do you know if at any time the Dominion Government agreed to accede to the demands made by the half-breeds and clergy, relative to the claims and rights you have spoken of in the preceding answer?"

"Mr. Osler.—I do not object to the question, if confined to a date prior to the 1st July, 1884, the time he was asked to come into the country, although the question is really irregular. I am not going on strict lines, but I do object to his asking as regards the present state of things. I do not object if he confines his questions to the time prior to the prisoner's coming to the country.

"Mr. Lemieux.—My question will show that the prisoner had reason to come. If the people had confidence in him, he had a right to come and help them, to try and persuade the Federal Government to grant what had been refused them so far.

"His Honor Mr. Justice Richardson.—Your question is what, Mr. Lemieux?"

"Mr. Osler.—I am willing that the question should be allowed if limited to the time prior to July, 1884.

"His Honor Mr. Justice Richardson to Mr. Lemieux.—Is that the way you put it?"

"Mr. Lemieux.—Yes.

"Mr. Osler.—Then we withdraw the objection."

In view of the confidence which we may fairly feel in the tribunals of this country until a case is established on the other side against any of them, I am glad to say, for the purpose of answering a charge directed against the fairness of this tribunal and on such slight grounds, that these grounds are totally annihilated by the very page from which the hon. gentleman read. Let me call the attention of the House to one other point with regard to the fairness of the trial, which strikes me as absolutely conclusive. That is, that if there had been an unfair ruling in that trial from beginning to end, either on the application to postpone, or on a question of evidence, or on any part of the judge's charge, it would have been laid open by the prisoner's counsel on their appeal to the Court of Queen's Bench in Manitoba. The prisoner had an advantage which no man has who is tried in the older Provinces. He had a right to appeal to a bench of judges sitting in another Province, far removed from the agitation in his own country, an appeal on every question of law and fact involved. Every lawyer knows that a prisoner in the Provinces has only these chances of appeal:

He has his chance of a writ of error, to bring up defects shown by the record, and as regards any objections to the evidence or to the rulings of the judge, the judge may himself decide whether he shall have an appeal or not. Louis Riel was not in that position. He had the right to bring before the bench in Manitoba every question of law or fact that arose on his trial, and when he took that appeal he was represented by the best counsel, I suppose, that this Dominion could have given him, and yet not a single exception was taken to the fairness of the trial or the rulings of the judge. The prisoner took this additional step, which is a very rare one in connection with criminal justice in this country—he applied to Her Majesty to exercise the prerogative by which Her Majesty, by the advice of Her Privy Council, is able to entertain an appeal in a case connected with criminal jurisprudence from any one of Her subjects in the Empire; and how is it that in the petition that was prepared to enable the prisoner to take the judgment of that high tribunal, which had to make its report to the fountain of justice itself in the British dominions—how is it that neither the prisoner's counsel, nor himself, nor his petition, nor anything said or written in his favor, urged a single objection to the fairness of the trial, the rulings of the judge at that trial, or the way in which the judge had directed the jury? I should suppose, Sir, that that was exceedingly significant. We were told, the other night, that the judgment of the Privy Council said nothing about the procedure of the trial—that it was silent on that point. The significance of that silence is all we want. When a man has a full opportunity to appeal, and takes his appeal, and makes no complaint about the fairness of a ruling, which would have given him his liberty if he could establish its error, I want to know if we need any more than his silence and the silence of the able counsel by whom he was advised and represented, to satisfy us that exceptions were not taken in the highest court of appeal in the Empire for the simple reason that they did not exist. I have another piece of testimony with regard to that, if that were not conclusive, as I should suppose it would be, and that is this: The *Regina Leader* of August 13, contained this statement of what took place immediately after the trial:

"The counsel for the defence, Messrs. Fitzpatrick, Lemieux and Greenshields, waited on Judge Richardson before they went East, and thanked him for the fairness and consideration which had characterised his rulings."

Notwithstanding the statement which was made by an interviewer of a Montreal paper, and which was read to this House a few evenings ago, I hesitate to believe that Mr. Lemieux actually changed his mind when he got among his friends in the Province of Quebec, and did, either for the purpose of creating sympathy for his client or making capital against the Government, say anything that he would not have said at Regina about the fairness of the trial. Mr. Fitzpatrick has also spoken again. At a public meeting in Montreal, he said:

"It was unfair to arraign before the tribunal of public opinion the judge and jury who tried Riel. They were simply the outcome of the law as it was found in the Statute Book."

And yet, Sir, because we administered, in the case of Louis Riel, the judgment which the law pronounced, the confidence of this House is asked to be withdrawn from the Government. I must read from the *Winnipeg Free Press* an extract which was read to the House once or twice before, and which I am, therefore, almost ashamed to repeat, but which I must repeat, because it applies directly to the point in hand, and comes from a newspaper as hostile to this Government as any newspaper in the Dominion. It was published on the 17th of December, immediately after the execution. Some papers have been accused of inconsistency in advocating Riel's execution beforehand and taking the opposite ground afterwards; but after his execution the *Winnipeg Free Press* said:

"Riel was fairly tried, honestly convicted, laudably condemned, and justly executed."

But, Sir, if our confidence in the tribunals themselves be not sufficient, if the fact that the courts of appeal before which the case was taken, ruled that the trial was fair and that justice had been done, be not sufficient, I ask hon. gentlemen opposite if, with any sense of candor or fair play they can ask that this Government should be condemned for not changing the sentence on the ground that the trial had been unfair, when there has not been down to this hour a petition or request presented to the Government, either from Louis Riel, from his counsel, from his ecclesiastical superiors, or from any of the advisers and sympathisers he has had throughout this country, for the commutation of the sentence, on the ground that the trial was in any sense unfair. And yet, Sir, after the decision of the jury, after the decision of the judge, after the decision of the Court of Queen's Bench in Manitoba, where, as I have said, he had an extraordinary advantage; after the disposal of his case before the Judicial Committee of the Privy Council, and without a single utterance from anybody, either himself or any sympathiser, that anything was unfair, this House is asked to carry this resolution on the ground that his trial was unfair, and give what Riel never asked, redress on the ground that he had been unfairly tried. The condemnation of the prisoner having been arrived at, the duty of the Executive commenced. The first question we had to consider was the criminality of the prisoner, and with almost a certainty that I shall be exhausting your patience, I find it absolutely necessary to quote even extracts which have been read to the House before, for the purpose of showing what the criminality of this man was and how the Executive should have dealt with him, not only because it is in the regular course of my argument, but because this condemnation has been commented on by the other side for the purpose of drawing a very different conclusion from it. Dr. Willoughby, at page 12 of the report, referring to the prisoner, gave evidence as to what the latter told him:

"He said they had time and time again petitioned the Government for redress, and the only answer they received each time was an increase of police."

"Q. What next did he say?—A. He said, now I have my police, referring to men at the door."

"Q. Those 60 or 70 men?—A. Yes; he pointed to them and he said, 'You see now I have my police. In one little week that little Government police will be wiped out of existence.'"

This is the man who, we are told, was to be regarded as a loyal subject, because at some time he drank a glass of liquor to the health of the Queen. This is the man who, I understood the hon. member for Quebec East (Mr. Laurier) to say the other night, must have come to this country for the purpose of pressing a constitutional agitation, although one of the first things he said was that the force that supports Her Majesty's Government, and represents there the law of the country and the rights of the settlers, was to be absolutely wiped out of existence:

"Q. That was the reason why he said the settlers of Saskatoon had no right to protection?—A. He said: 'We will now show Saskatoon or the people of Saskatoon who will do the killing.'"

"Q. Anything else?—A. He said that the time had now come when he was to rule this country or perish in the attempt."

Shall it be said he came to this country under any mistake as to his position, under any idea that he was to be treated once again as a political offender, under any notion that he had a right to receive again the clemency of the Crown which, fifteen years before, he had trampled under foot and spat upon? No; he knew well the real issue.

"Q. You say he referred to the previous rebellion of 1870, what did he say in regard to that?—A. He referred to that and he said that that rebellion, the rebellion of fifteen years ago, would not be a patch upon this one."

"Q. Did he say anything further with regard to that?—A. He did; he spoke of the number that had been killed in that rebellion."

"Q. What did he say as to that?—A. I cannot state as to what he said, but it was to the effect that this rebellion was to be of far greater extent than the former."

This rebellion, carried on in the lines, hon. gentlemen opposite say, of a constitutional agitation, was to be of far greater extent than the former, with regard to the number killed. Thomas McKay, on page 18 of the report, gives this evidence:

"Q. Well?—A. He accused me of neglecting them. I told him it was simply a matter of opinion. That I had certainly taken an interest in them, and that my interest in the country was the same as theirs, and that I had advised them time and again, and that I had not neglected them. I also said that he had neglected them a long time, if he took as deep an interest as he professed to. He became very excited, and got up and said, 'You don't know what we are after'."

Constitutional agitation, hon. gentlemen opposite say; petitions, these gentlemen say; a newspaper enterprise, these gentlemen say, but Louis Riel said:

"It is blood! blood! We want blood! It is a war of extermination! Everybody that is against us is to be driven out of the country."

Driven out by a newspaper I suppose.

"Q. He used very violent language to you?—A. Yes; he finally said it was blood, and the first blood they wanted was mine."

Then follows the passage about the witness having so little blood in his miserable body that they could put it in a spoon.

"He also said: This was Crozier's last opportunity of averting bloodshed, that unless he surrendered Fort Carlton, an attack would be made at 12 o'clock."

Now, what was the summons he sent to Fort Carlton? What was the summons he sent to the officer who was in charge of the portion of the forces, which alone protected the lives and property of the settlers, the force which alone protected that Territory for the Queen and Canada. The summons was:

"In the case of non-acceptance, we intend to attack you when tomorrow, the Lord's Day, is over, and to commence without delay a war of extermination upon all those who have shown themselves hostile to our rights."

What was the feeling that went throughout this country then? What was the conviction that forced itself upon every man's mind when that piece of evidence got into print? Why even those papers, and I am willing to assume the *Toronto Globe* was one of them, which were anxious to keep public judgment in abeyance until the result of the trial was arrived at, came to the conclusion that for Louis Riel all was over. On the 3rd August, 1885, the *Globe* said:

"The moment Riel's letter was put in evidence it became clear that the prisoner had been not only a participator in but the actual instigator and leading mind of the rebellion. No shadow of a doubt remained that he was guilty as charged in the indictment. The testimony that followed only deepened the certainty of his guilt. There never was made out a clearer case, and the only doubt that remained was as to the extent of the prisoner's responsibility. As to this the medical experts differed, and it would have been natural that the jury too should have differed. But the jury seem to have brushed aside all the medical evidence, and dealing with facts only, they returned a verdict of guilty. They could do no less."

Mr. J. W. Astley said:

"Q. Did he speak to you of his personal safety?—A. He had very little to say about the half-breeds; as far as regards himself he seemed the principal object."

Mr. Tompkins said:

"Q. Can you give us anything of importance he said to you as to his intentions?—A. On one occasion he said that he had three enemies, and enumerated them as the Government, the Hudson Bay Company, and the Police. He also stated to me he would give the police every opportunity to surrender, and if they did not do so there would be bloodshed; on another occasion he told me he had heard the Lieutenant-Governor was on his way up and that he had sent an armed body to capture him.

"Q. Was there anything said as to the length of time he had been considering these matters?—A. Yes, he told me he had been waiting fifteen years and at last his opportunity had come.

"Q. Who was in charge of the church?—A. Rev. Father Moulin.

"Q. Did you see him on that occasion?—A. When the crowd got to the church he came out and he wished to speak to the people. Mr. Riel said: 'No we won't let him speak. Take him away, take him away, we will tie him.'"

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He was to have no constitutional agitation this time. He did not want any message of peace or mercy. He had waited fifteen years; his time had come, and he was to rule or perish in the attempt.

"Q. Did he say anything about taking possession of the church at the same time?—A. Yes, Riel said: 'I will take possession of the church.' Father Moulin said: 'I protest against you touching the church.' Riel said: 'Look at him; he is a Protestant.'"

Our hon. friends opposite say that that allusion to the priest as being a Protestant shows insanity—I say it shows the acuteness of his wit. A Catholic priest, standing on the threshold of his own church, addresses a protest to these men, and Riel brings down the laughter and derision of his people by saying: "He has protested, he is a protestant." Then we come to the evidence which I venture to say hon. gentlemen opposite would give a great deal to obliterate from this case, the evidence of his venality, the evidence that he offered to take \$35,000 and make the cause of the half-breeds his own in a special sense, and that he was even willing to come to such moderate terms as to take \$10,000. I venture to say that, when the excitement which exists in connection with this question is over, there will be no man, woman or child in this country who will accept the weak excuse that has been set up in this regard, that his object was to start a newspaper in the United States. I ask hon. gentlemen who wish to set up this excuse, how they consider the evidence which is given by Nolin, who says he was willing to take \$10,000—he had come down in his terms—but he was willing to do more; he was willing to take that money and go and live anywhere that the Government wanted him to go to. He was not particular about country; he was a cosmopolitan. Siberia was good enough for him if he could have \$10,000 of Canadian money in his pockets, and the half-breeds might suffer as long as they had before. It is in conversation with Nolin that he refers to the newspapers. Remark this, that although the same statement is made by Father André and by Jackson, to neither of these men did he set up this absurd pretence that he would use this money to start a newspaper. He knew that Father André, with whom he had a like conversation, and whom he expected to act as agent to procure this money for him, was not a man to be deceived by any humbug like that, and therefore he did not offer to him any such pretext. It was only when talking to a half-breed, a man more ignorant than himself, but a man to whom, for his shameful venality, he had to give some excuse, even if it was only humbug and imposture, that he put over his conduct that thin pretence that he was to set up a newspaper in the American territory. When he undertakes to discuss the question of a bribe, or of selling out the half-breeds, with any man of critical faculties or any man of information, he does not set up that pretence at all, but says boldly: "The cause of the half-breeds will be my cause, if I can get \$35,000 or even \$10,000, and I will go where you please." They tell us it must have been an indication of his madness when he proposed that we should give him \$35,000 and that he was going to the United States territory and start a newspaper. No, Sir, it had not even that excuse; it was a thin disguise put on for the purpose of deceiving the ignorant, and a disguise which he did not attempt to use when he was discussing the same thing with men of greater intelligence, who would have laughed in his face had he propounded such a miserable imposture. This man had come into the country on the assumption that the whole North West was like a barrel of gunpowder which only needed a spark to explode it; he said to the half-breeds: "You have been petitioning long enough, petition no longer;" and, with arms in his hands, and after he had declared that the day of petitioning was at an end, and the time was come for a war of extermination, he was willing to abandon the enterprise, was not only willing to abandon the petitions, because it was, he

said, a time for blood and petitions had failed, it was a time to succeed or perish in the attempt, he was willing to start for the United States and set up a newspaper! I envy the charity of the gentlemen who believe that excuse which has been offered. The hon. member for West Durham (Mr. Blake), could not believe that it was offered as an excuse, as his colleague beside him believed (Mr. Laurier), but he supposed it was evidence of insanity. When he comes to read the evidence again, he will see that it was used for the purpose of deceiving one of his own comrades in arms, a man who would probably have had enough nerve and courage to fell him to the earth if he had not used some such excuse to cover his baseness and venality. At page 94 I find this:

"He said: 'Before the grass is high in that country you will see foreign armies in that country. I will commence by destroying Manitoba, and then I will come and destroy the North-West and take possession of it.'"

Some hon. MEMBERS. Hear, hear.

Mr. THOMPSON (Antigonish). Some hon. gentlemen opposite say "hear, hear" in answer to that. The prospect at that time of foreigners being in arms in this country was not a subject of ridicule. If it was in this quarter of the country, it was regarded more gravely in ours, and I know that, when our own volunteers were leaving for the North-West, and the mind and heart of every man thrilled as he saw them go, there was a sense of pain and horror at the report which was heard that an armed force of Fenians had actually invaded the North-West for the purpose of co-operating against them; and yet, before twelve months are passed, hon. members of this House, who must have been informed of these reports and aware of the sensation they made in this country from end to end, and of the probability that existed of invaders coming again upon the territory of Canada to assist in this enterprise, think that this House and this country have so far forgotten the circumstance that they can say "hear, hear" in derision, and can read this report as simply an evidence of the man's insanity. There is a feature of the case which I shall have to come to now, and which, in my humble opinion, stained this man's character with the deepest dye with which the conduct of any convict in the country was ever stained, and that is the feature of his inciting the Indians of the country, not merely to be allies of his in the sense in which the Indians were allies in some of the cases cited by the hon. member for West Durham (Mr. Blake), not simply to co-operate with him, and to act under his command, but to rise and to attack peaceful settlements, to attack weak garrisons—"rise, plunder, burn and destroy." We know that they obeyed his command, and we know that the lives not only of peaceful settlers but of Government officers, lives of missionaries precious in the sight of God and man, were laid down upon that prairie as the result of the behest he scattered to the Indians of the North-West. Well might the hon. gentleman have said, not in this Parliament, when surrounded by allies who will vote for them on this motion for the first time perhaps, not in this House where he can get sympathy by sounding another note, but in the great Province of Ontario, surrounded by his own party and his own followers, well might he then say:

"I have always held that both parties might be deeply guilty—Government for neglect, delay, and mismanagement; and the insurgents for rising in rebellion—always a grave offence against the State, and in this case aggravated by the incitement to the Indians to revolt."

But when we come to Parliament what we hear is: "We cannot hold our heads very high about the Indians. There was a time when Wolfe and Montcalm had Indians for allies; there was a time when Brant led our Indian allies, and Tecumseh was a very great man in the opinion of a great many people. Brant showed that Indian allies might be employed and might be very successfully employed—barring the torture, of course."

I have read in times past some speeches of the hon. gentleman on the subject of the effect which the policy of the Government of this country would have upon prospective immigration into the North-West; I have read some speeches in which he made eloquent denunciations of the policy of the Government now in power on the ground that they were placing such burdens upon our people that intending European immigrants would be unwilling to share the fortunes of this country, were unwilling to become partners in the great enterprise which we had undertaken in the settlement of the North-West. If we adopt the hon. gentleman's view of Friday night about the Indians of the North-West Territories, I wonder what the immigrants will say before coming to Canada to enter into a co-partnership with us; I wonder what our agents would have to say in reply to intending immigrants who would tell them: "You in Canada have 20,000 or 30,000 Indians, many of them in a savage state, many of them pagans; let us know what your laws are for the protection of settlers in the North-West, and let us know what the policy of your Government is as to the enforcement of those laws." I think our agents would have to tell them: "Our laws are excellent, our laws make it murder, make it treason, to incite these Indians to revolt, but the policy of the Government, in view of what has been propounded on the floors of Parliament, must be that as regards the Indians we don't hold our heads very high; although we have some objections to torture." I think, Sir, that after a declaration of that kind immigration into the North-West will be very scanty indeed, notwithstanding the strong inducement that we would not permit the Indians to torture. I think, Sir, that the settlers in the North West now, to whom the faith of this country is pledged that we will honestly enforce the laws—would be very much jeopardised if we allowed the idea to go abroad that to incite the Indians to revolt could be treated as any thing but a heinous crime, to be visited by the severest punishment of the law. I think, Sir, that it would be prejudicial to the safety of the people who are there now, with whom, as I have said, we have made a contract, if we do not hold our heads high on this question now. There may have been times in the past, on which differences of opinion existed upon this question. The hon. gentleman knows that when Indian allies were co-operating with the forces of Great Britain over one hundred years ago—not co-operating as these men were, not set on the war path to kill, burn and destroy—the action was defended upon the ground that they were co-operating under command of British officers, and that it would be far safer to have them so employed than to leave them to make war in their own fashion. The hon. gentleman knows that the most eloquent statesman in Great Britain made the hall of Parliament ring with denunciation of such outrageous barbarism. He knows that when a noble Lord rose to defend such a practice in the House of Lords and to contend that it was even excusable, he was told in an eloquent reply that the picture of his ancestor frowned upon him at the disgrace which that night he had brought upon his country. And the hon. gentleman knows that since that time, and since Indian forces were employed even in Canada, the public sentiment of all civilised countries has brought about a change in public law, and that it is now not only against humanity, but against law to have Indian allies, whatever Brant may have thought to the contrary. But I am not speaking of Indian allies, I am speaking of the incitement of Indians in murder; and speaking for myself only, but speaking for myself as the Minister who is charged with the duty of advising, to some extent, in the dispensation of the clemency of the Crown, in such cases, I say that the man who undertakes, in the North-West, in the condition in which the Indians are now, to incite these Indians to rise and to commit war and depredation, either upon the garrisons or upon the white settlers of the North-West, takes his life in his hand, and

when he appeals to me for mercy he shall get justice. Now, Sir, turning again to the *Winnipeg Free Press* of 17th November, 1885, only a day after the execution, we find this passage :

"Riel has expiated his crimes. He was fairly tried, honestly convicted, laudably condemned and justly executed. There is not one law for the French and another for the English in this country."

"Riel was a mercenary, cold-blooded self-seeker, and we cannot understand how his compatriots in Quebec could have been so misguided as to espouse his cause, which was not the cause of the French more than it was the cause of other Canadians."

And the same paper, on 18th November :

"It is evident, therefore, that the sympathy of the people of Quebec has been worked on, not by the wrongs of the half-breeds, but by the French blood which flowed in Riel's veins. They undertook to uphold the criminal because of his nationality, and have been shown that the laws of Canada are no respectors of persons."

I cite that, not for the purpose of reflecting upon the sentiment which prevailed among our friends in Quebec, but for the purpose of showing what the sentiment on the spot or near the spot, so far as we can gather it from the press, was, at the time immediately succeeding the execution, and the utterance comes from a portion of the press deadly hostile to the present Administration. But, Sir, upon this question of criminality we were not left to decide merely upon the evidence, bristling, as it is, with condemnation of the prisoner's conduct from beginning to end. We had remonstrances coming to the Government, representations coming to the Government with regard to the cases of the other State prisoners who were then in our hands. In the consideration of them we found representations with regard to the criminality of Louis Riel which could not be disregarded, representations favorable to the other State prisoners, and made favorable to them on the ground that they were victims in his tyrannical hands, and, Mr. Speaker, although these were not made for the purpose of injuring him, if we had disregarded them, if we had commuted this sentence and we had been obliged to bring these papers down, the Government would have been challenged in this House for having disregarded that evidence proceeding from the most disinterested sources, evidence directly condemnatory of the prisoner, and for having disregarded it under the miserable pretext that it was laid before them in connection with some other men's cases. What did Bishop Grandin say in a petition sent by him to the Government after the trial and condemnation of Riel, and after the sentence had been pronounced? and in reference to what he said, and in reference to what some of the other ecclesiastics in the North-West said, I must differ from a statement made on Friday evening by the hon. member for West Durham, as regards the feeling of those persons towards the convict. He intimated that if there was any chance of their judgment being swerved, it was probably swerved against the prisoner because he had acted in hostility to their faith, he had become an apostate from their religion. But anyone who has read the history of these troubles in the North-West knows that the conduct of these men was influenced by no such consideration. Everyone knows that from the first to the last when he became reconciled to them—I go further and am compelled in stating the mere truth to say that from the time he fell into the hands of the law and before he became reconciled at all to them—the conduct which those gentlemen exhibited towards him, the efforts which were put forward in his behalf, were characterised not merely by generosity, not merely by sympathy, not merely by mercy, but I might almost say, as regards some of them, by active partisanship on his behalf. I have been citing not the testimony of witnesses against Riel but the testimony of men who in spite of every degradation, insult and outrage that could be heaped on them and their religion, struggled to the very last to save him. Bishop Grandin says :

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"It is well known by all who closely studied this movement that a miscreant abusing a certain amount of knowledge, making use of a false and hypocritical piety, and by menaces and threats of inevitable destruction, deceived the half-breeds and forced them to take up arms against the Government. The ascendancy which he had gained over them was such that the greater part could not and dared not resist him."

Father Fourmond, after the trial and before the publication of the statement which was read to the House by the hon. member for Montreal Centre (Mr. Curran), said in a deposition :

" 'Louis David' Riel in his strange and alarming folly fascinated our poor half-breeds as the snake is said to fascinate its victims, abusing, for his own ends, the great confidence that all the half-breeds reposed in him, a confidence founded upon his influence over their minds through his great and impassioned language and above all by the appearance of his profound religious feeling and devotion, which he displayed in the most glaring and hypocritical manner, which was rendered so convincing to their minds by his public proclamation of his mission as an inspired prophet, which he forced upon their imagination in the most insidious and diabolical manner. * * * To impress the people and keep them within his power this man Riel resorted to all kinds of trickery."

Father Fourmond further states :

"Oh, my poor people, I could not restrain them, they were under the infatuation of this arch traitor and trickster till he got them committed by the effusion of blood, then they were in his power, and he used that power without any feeling of mercy. * * * I also declare that during the trouble I had conversations with several of the persons who were in the rebel camp, and I found a large number of them there against their will, and only remained there because of the fear of being shot down, did they try to escape or desert."

Had we no right, in considering the appeals of this man's friends for clemency, to consider the statements which show that he did not come into this country with any willingness whatever to conduct or allow a constitutional agitation, but that from the very first this "arch-traitor and trickster kept those men in his camp under peril of their lives."

Mr. MILLS. Will the hon. gentleman allow me to ask him one question. Under what circumstances was that paper prepared? We have not seen it.

Mr. THOMPSON (Antigonish). These papers were laid before the Government in connection with many others asking for commutation of the sentence on other half-breed prisoners and Indians. They were part of the materials which were before the Government, and which had been laid before them at a time subsequent to Riel's condemnation and before his execution. Father André, in his deposition in the case of Joseph Arcand, says :

"I most solemnly declare from my own personal knowledge, that with the exception of Gabriel Dumont, Napoléon Nault and Damase Carrière, now deceased, not one of the half-breeds had the least idea or suspicion that there was any probability of danger of rebellion until they were so completely involved in the toils of Riel, and he led them on until they were so compromised that there was no escape for them."

"They were made to religiously believe that they had no mercy to expect at the hands of the soldiers, police, or from the Government of Canada—if they were taken prisoners or wounded, they were told nothing but death with un pitying torture awaited them at the hands of the soldiers and police, and their daughters and sisters would be dishonored before their eyes, their children hacked to pieces, and all their earthly property utterly destroyed, and their whole nation exterminated by the brutal soldiery."

Referring to Pierre Parenteau, Father André says :

"This good old man was misled by the wily Riel."

Father André in his testimony referring to Emmanuel Champagne, says :

"By threats and force the old man was kept there" (viz., in Riel's service).

Referring to the case of Philip Garnot, he says :

"Riel ordered him to take up arms. He refused to do so. * * * Day after day for four days Riel ordered him to arm and take part in the movement, and at last Riel ordered him to be dragged to the camp, where, overpowered by terror of his life and fear of loss of his property, he consented to act as secretary."

As to Baptiste Vandal, he says :

"He resisted for a long time before he could be forced to join Riel, and did so only from fear and compulsion."

As to Joseph Delorme, he says :

"It was only by force and threats he was compelled to take part with the rebels."

As to Alexandre Cadieux, he says :

"He was seized by Riel and forced into his service."

As to Joseph Pilon, he says :

"He was ordered by Riel to come into camp or he would force him to come. Pilon, when he was threatened by Riel, came to the priest and cried when telling what was wanted of him. Riel, by force and threats against his life, compelled him to serve his purpose."

Father André thus refers to the case of the Tourond brothers :

"The crafty Riel tried every way to induce the boys to join him but without success. . . . Riel went day after day to their poor widowed mother and with devilish cunning played on her superstition and credulity. He told her of his holy visions, &c., . . . and the poor woman in her simple faith in his divine mission, prayed for her fine young sons to go forth and battle under the banner of Heaven."

Referring to the prisoners generally he says :

"They were misled by one who thoroughly knew their weak minds and their hearts. They were called on in the name of God and of the Holy Saints, by one who declared himself ordained by God to do a great and good work. They were blinded by pretended visions and messages from the Holy Ghost, poor people, in their trusting confidence they were led on to desolation, misery and death."

These were the statements of persons who, as I have said, were not willing to give testimony against Riel, but they are statements which confirmed the evidence, which confirmed everything known as to his conduct; and although the question of the hon. member for Bothwell (Mr. Mills) seems to imply that statements of this kind should not have been used against Riel—for I can understand his interruption in no other way—would not this House have rung with denunciations if the Government, disregarding all these considerations, had exercised clemency to so unworthy an applicant, and had told the House that at the time they had this evidence of his conduct in their possession.

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

After Recess.

Mr. THOMPSON (Antigonish). I have still a few observations to make as to the weight of criminality which is disclosed in the evidence in this case and in the documents which were laid before the Government. I desire in the first place in dealing with the remainder of my argument on that question to take up a branch of it upon which I think a very singular doctrine has been propounded. I mean that branch of the argument with relation to this having been a second offence of this convict. The argument was used here that if the fact of his having committed an offence previously in any way affected the commutation of the sentence for the crime for which he eventually suffered, then he was executed for the first offence. I think every person who has had any legal training will admit on a moment's reflection that this is an unsound view to take of the consequences of a previous conviction as to any criminal proceeding. I think that those who have not had the benefit of a legal training will admit, Sir, after the few words of explanation I have to make, that it is an unphilosophical and unreasonable view to take, even if it were not unsound in point of law. The policy of considering, not only when dealing with the subject of the commutation of the sentence, but in imposing sentence upon offenders—the policy of considering what the past history of the convict has been is one which is recognised, not only in the practice of every tribunal administering criminal justice, but is recognised by Parliament as well. We all know, Sir, that there are whole series of enactments

intended to provide, in the case of a second or subsequent conviction, not only that the punishment *may* be heavier than it could have been in the first conviction, but in many of them that it *must* be heavier, and the discretion of the judge is to a large extent taken away, and he is prevented, in the case of the second and subsequent offences, from dealing out such a punishment as the law allows him to deal out with regard to a first offence. We all know with regard to the criminal legislation of the mother country, that not only are longer sentences imposed and heavier punishments inflicted upon those who have committed an offence the second time, but that a punishment different in kind is very often meted out; and that while a man who has been convicted of a first offence is allowed to go with a fine or an imprisonment or both, that in some cases flogging is provided on the second occasion, notwithstanding that on the first conviction the convict has either suffered the penalty or has been pardoned. It is quite true, as was stated by the hon. member for West Durham, that after a man has suffered a penalty for the first offence he is to be considered a new man, as if he had been pardoned or amnestied. But the moment he commits a second offence whether he has suffered the penalty of the first, or was exonerated by pardon or amnesty, it is not only legitimate but it is incumbent, according to the practice of the courts and according to the practice of the Executive in dealing with the prerogative of mercy, to consider the past history of the offender. So fully has that policy been recognised that, in respect of many offences and crimes, the prosecution is allowed to give in evidence the fact of the offender having been convicted before, with a view to increasing the weight or changing the kind of the punishment, notwithstanding that in relation to that previous offence there may have been a commutation or a pardon, or what has served the same purpose, an expiation of the full penalty for that first offence. On the 31st October, 1882, this question came up in the British House of Commons in relation to a sentence imposed upon a female—a very long sentence of imprisonment for a comparatively slight offence. The Home Secretary had declined to interfere with the sentence and so far from its being successfully contended on that occasion that the Executive was not justified in looking at the previous history of the criminal, Sir William Harcourt said :

"I would venture to submit to those who criticise sentences of this kind that the previous history of offenders should be inquired into, because a false impression is produced when it is supposed that a woman is sentenced to a severe punishment for what appears to be a slight offence, when the fact is that she is an incurable offender with whom it is impossible to deal without keeping her in prison."

Changing the illustration from the kind of case in hand, let us suppose, in the case of a prisoner convicted of ordinary murder, that he has been sentenced to death but has prevailed on the Executive to exercise clemency, and has had his sentence commuted either to life servitude or a long term. Let us suppose that after the expiration of that term he has committed another murder, and again applies to the Executive for clemency. I address myself not only to members of the legal profession in the House, but to laymen as well, and I ask if there would be anything unreasonable or unjust in the Executive considering the fact that on a previous occasion this convict had committed the same offence and that the punishment which the Executive thought sufficient to deter him for all time to come from repeating it had utterly failed of its purpose? Whether the Executive would not be censurable, as we are asked to be censured now, if for the second time they treated that offender precisely as if he had never committed any such offence before? There can be no misunderstanding upon this subject as to the practice in the Department over which I have the honor to preside, because when an application is made, as the hon. member for West Durham knows, for executive clemency, in relation to a prisoner undergoing imprisonment, before advice by the

Minister of Justice is tendered to His Excellency, a report is presented, not only in relation to the trial upon which he has been convicted, but in relation to his conduct in prison, and particularly as to whether he has ever suffered conviction before. So that it is not only consistent with the policy of legislation, it is not only consistent with the ordinary practice of the tribunals which administer criminal justice, but it is consistent with the ordinary practice of the Department of Justice to consider in every case the previous history of the criminal, before clemency is exercised or before any advice is offered as to the exercise of Executive clemency. Apart from the evidence we had in this case, there were upon the records of the country, in relation to this offender and his former career in this country, facts which the Executive could not have ignored if it had been necessary to take notice of them. I do not say for a moment that the Executive were influenced by those facts; but now that we are assailed and it is said that in the execution of this man a great wrong has been done to the administration of criminal justice, I have a right to avail myself of everything that may be serviceable to refute the charge. Upon the public records we might have found that the hon. member for West Durham (Mr. Blake), referring to an act committed by this man 15 years ago—an act which was subsequently covered by the clemency of the Crown—described it as “a cold-blooded murder,” as “that barbarous event,” as “not a mere political offence,” and he desired to put upon record, and did put upon record, in the annals of the Assembly of which he was a distinguished member, “the people’s stern resolve that that death should be avenged.” We might have found upon the public records the statement by Lord Carnarvon, in a despatch from the Colonial Office—one of those despatches which were referred to as helping to make up the constitution—that he mourned over the fact that the Legislature of Canada “had been disgraced by the election to the House of Commons and the presence within its walls of a criminal like Riel.” We might have found upon the public records, if it had been necessary to look any farther, the statement by Lord Lisgar in relation to what that man did 15 years ago, that he had committed “a cruel, wicked and unnecessary crime.” We might have found upon the records of this House, turning back to the 11th of February, 1875, a discussion of this kind which took place when my hon. friend the Minister of Customs was addressing this House:

“The hon. member for South Bruce certainly used this question in more places than one. He designated it in this House as a cold-blooded murder.”

“Hon. Mr. BLAKE. Hear, hear.”

“Mr. BOWELL. He designated Riel as one guilty of murder.”

“Hon. Mr. BLAKE. Hear, hear.”

“Mr. BOWELL. The same hon. gentleman in this House remarked that the murder of Scott was an unprovoked and damnable murder.”

“Mr. BLAKE. Hear, hear.”

These statements, Mr. Speaker, were not the passionate enunciations of Orange lodges inflamed against this man on account of his race, his religion, his animosity towards one of their brethren, and they were evidence which the Executive could not have over-looked if it had been necessary for them to go beyond the evidence in the case, or the documents before them in relation to the recent outbreak, and to enquire what the previous history of this criminal was, as the British Home Secretary does, and as every man who has anything to do with the prerogative of clemency in this country is bound to do before advising the Crown to exercise that clemency. I propose now to pass for a few moments to that branch of the subject relating to General Middleton’s negotiations with regard to Riel. The fact has been developed now, by the speech of the hon. Minister of Militia and Defence, that although Louis Riel had been invited to surrender by General Middleton’s letter, that invitation was never accepted. It has been developed now,

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that Louis Riel was captured, and captured, not because he allowed himself to be captured, but because, the district in which he was, being surrounded with troops, there was no chance of escape except to one mounted and skilled in the country, as Gabriel Dumont was. He did not, then, comply with that invitation; he was captured; and he had the art and cunning, not such as a lunatic would show, but the art and cunning he had exhibited all through his career, of producing the letter and claiming safe conduct under it. But every man who has read the history of this case knows that legal proceedings were not those that Louis Riel feared, and in relation to which he asked the protection of General Middleton. He knew perfectly well that General Middleton had not the power to pledge the Executive to anything, nor was Louis Riel looking so far ahead as that. On the day Mr. Astley procured the letter and invited him to surrender, the condition was that firing should cease. Riel was unable, even if willing, to stop the firing on his own side, and he feared that if he should surrender, the result might be the loss of his life or his being wounded while being brought into camp; and we all know that for that reason, as is shown by the evidence, the surrender was not accomplished; nor was it pretended that when, three days after, he was captured in a field, he was attempting to surrender, or attempting anything but flight. There was also in his mind, evidently, a sense of alarm at what might be the result of his being taken into a camp where the hostile soldiery of this Dominion were. And in relation to that I wish to refer to an observation which was made on Friday evening, and which seemed to cast some aspersion on the hon. Minister of Militia and Defence with regard to his observations. It was suggested that it would be a dreadful thing to have it go abroad; and I suppose it was not intended to be insinuated, but it was almost conveyed by the speech of the hon. member for West Durham that the impression intended to be made by the observation of the Minister of Militia and Defence was that there was danger of Louis Riel being lynched by the volunteers, and that we were putting forth that argument as an explanation of the letter and of his conduct. Everybody who heard the hon. Minister knows that the question in hand is not what was really necessary; everybody knows that the safe conduct of General Middleton was unnecessary to protect any man from the violence of our volunteers; the simple question was, what it was that Louis Riel feared—what the danger was that he asked to be protected against; and if he asked to be protected against the violence of the volunteers there certainly was no imputation against the honor and gallantry of that corps, as was attempted to be represented, in the criticism of what was said by my hon. colleague the other day. I propose to deal as briefly as possible with the contention that this crime should have been mercifully dealt with, in consequence of its being a political offence. It is true that the crime of treason, technically, and in a strictly legal view, may be always said to be a political crime in the same sense as that in which we speak of the “political existence of the sovereign,” and the “political divisions of the country.” But it is equally true that, although technically a political crime, it is not always of necessity such an offence as comes within the recognised rule of civilised countries by which clemency is extended to political offenders. We have in every case to consider, not what technically the crime is called, because, although it may have amounted to treason, the overt acts which constituted the treason may not themselves have been a political offence. If any one assassinated his sovereign from private malice or private revenge, or to gratify some motive of that kind, the offence in one sense would be political, because the crime of high treason had been committed, but nobody would contend that it came within that class of political offences, in respect of which it is said that clemency ought always to

be exercised. The class of political offences in respect of which it is said that clemency is always exercised in civilised countries, consists of those offences which are committed by a people while the country is in a state of civil war. After civil war has prevailed, clemency is always extended to those persons who, either by the contagion received from their leaders or from the impulse of the enterprise itself or from the patriotism with which they were inspired by the circumstances of the country, were induced to follow their leaders into acts of rebellion; but, it may be that in the course of the rebellion offences were committed which were very different from political offences in the ordinary sense of the term. We must in all these cases look at each individual case, and ascertain whether the overt acts which constitute the treason or treason-felony are themselves political offences in the ordinary sense of the rule I have mentioned; although, taking a strictly technical or legal view, they might all be classed in that category. To show you that this is no new or finely spun theory, I will refer you to the debate which took place in the British House of Commons, from which the hon. member from West Durham (Mr. Blake) made several quotations—the debate in connection with the Fenian prisoners who were concerned in the murder of constable Brett. In the first place the men were under conviction for treason-felony. In a strictly technical sense, that is as much a political offence as high treason, and if their case had to be looked at simply under the legal classification of the crime, undoubtedly it would be considered simply as a political offence. The prisoners were all members of the Fenian brotherhood, bound, as we all know, by a secret oath to aid one another and to enter upon every enterprise on which they were ordered, which would tend to the advancement of the national cause. In pursuance of that obligation, it became the duty of those men, in so far as the obligation which they had undertaken could be said to impose any duty, to attempt to rescue a prisoner, a member of the same organisation, concerned in the same treasonable enterprise. In the course of a successful attempt to rescue that man, they killed a police constable; they were arrested and tried and all suffered sentence for treason-felony, which, if we take the legal classification of the crime, was as much a political offence as the crime of high treason. Mr. Gladstone said:

“I contended when in an official position, and still contend, that the offence of the principal part of those prisoners does not fall purely within the category of political offences.

“What constitutes a political offence? It is quite clear that an act does not become a political offence because there was a political motive in the mind of the offender. The man who shot Mr. Percival and the man who intended to shoot Sir R. Peel did not become political offenders merely on this ground. By a political offence I at least understand an offence committed under circumstances approaching to the character of civil war.”

On 25th, July 1873, in answer to a question as to amnesty to the Fenian prisoners, Mr. Gladstone said:

“I am sorry to say, Sir, that there is a strong and conclusive reason, one which over-rides every other reason for not extending this amnesty to the men referred to and for leading us to conclude that these men are not political prisoners at all in the sense in which indulgence might be extended to prisoners of that character. It is a sound principle of modern administration that when there has been a convulsion in a country and a contagion of strong feelings has led men to join it—when it is put down by the arm of the law, the individuals who were parties to it should be dealt with very leniently. But, Sir, I know no reason why single individuals who without the apology of contagion have endeavored to bring about bloodshed should be so dealt with.”

We have the fact, in relation to Riel, that there was no influence of contagion in his case, except that he was the man who strove to spread the contagion. We have in his case the fact that he came to the North-West for the purpose of preventing constitutional agitation, for the purpose of explaining to the half-breeds—and the hon. gentleman will find this in one of the exhibits of the trial—that they never should petition the Ottawa Government for anything again; for the purpose of declaring to them, as was detailed in the evidence I read this afternoon, that it was

blood they wanted, that it was a war of extermination they should enter upon; and I contend that in the overt acts which this man committed in the course of his treasonable career, he went far beyond the limits of a political offence. I contend that he put himself outside the rule which extends clemency to those who, on account of the excitement of the moment or the contagion which has already spread throughout the country, have been induced to follow leaders into evil courses. But I have an authority nearer home on that question. I have already cited to the House a speech of the hon. member for West Durham (Mr. Blake) in connection with the outbreak of 1869-70. I have shown that he was then urging that steps should be taken to have Riel extradited from the United States, and the hon. gentleman knew well that extradition could not be asked in relation to a political offender, and he stated, and stated properly, that the conduct of Riel has been something worse than mere political offence, and that we were justified therefore in asking his extradition; and he took this view on precisely the same grounds as those which I have pointed to this evening. But we do not need to go to the records of the Legislature of Ontario to find what the hon. gentleman said there, for in this House, on the 11th April, 1871, speaking of this question, the hon. gentleman said:

“It might be possible that Riel's crime was not an extraditable offence, but he (Mr. Blake) denied that such trouble as that which took place in the North-West should be looked upon as a political movement.”

Mr. Speaker, it would be an exceedingly dangerous doctrine for us to lay down that every offence which can be committed in the course of a political movement is an offence for which executive clemency is to be exercised. The law of this country, the law of the mother country, the law of every country in the world where capital punishment is retained, levels the threat of capital punishment against the heads of those who commit high treason, or what may be equivalent to high treason; and with such a law on the statute book as exists on our statute book and was passed no further back than 1869, is it possible that the Executive or that this House is to declare that we are never to carry it out? That is what it amounts to. If an amnesty is always to be given for what is in one sense a political offence—and it must be always given if it were given in this case—it would be equivalent to saying that the law is plain, but the Executive do not intend to carry that law out. Let us look for a moment to the report of the Commissioners on Capital Punishment from which the hon. member for West Durham (Mr. Blake) quoted so largely on Friday evening. Upon that commission were some of the ablest jurists of the mother country, and upon it were some of the ablest theorists of the mother country with regard to the question of capital punishment. Some gentlemen went on that commission because they were the advocates of the abolition of capital punishment and, notwithstanding that, we have the report of that commission plainly expressed; and I cite it with the more emphasis and the more confidence because the hon. member for West Durham (Mr. Blake) insisted, in a long and elaborate argument, that the Executive, in dealing with capital offences, ought to be guided by the recommendations of those commissioners. The recommendation of those commissioners with regard to treasonable practices is this:

“We have, then, first to consider whether, assuming capital punishment to be retained, we should recommend any change in its present application to the crime of treason, and upon this point we have come to the conclusion that no alteration is required. The maximum punishment under the Treason-Felony Act is penal servitude for life, which seems sufficiently severe in cases of constructive treason unaccompanied by overt acts of rebellion, assassination or other violence. With respect to treason of the latter character, we are of opinion that the extreme penalty must remain.”

The hon. gentleman told us, as I already intimated, that it was the duty of the Executive to be guided by the humane and enlightened views of this commission. More than that,

it was urged in other quarters of the House that every civilised country, in practice, if not in law, had departed from the system of enforcing capital punishment in cases of high treason. I think no one will dispute that the Legislature of the mother country is as enlightened and as advanced in the principles of humanity, relating to the administration of the criminal law, as that of any country in the world, and we have the *élite* of that Legislature putting upon record that, in cases of treason, accompanied by overt acts of rebellion, assassination or other violence, the extreme penalty of the law must remain. From that decision not one dissented, except three, who wanted capital punishment abolished altogether, even in the worst cases of murder. Lord Cranworth, then ex-Chancellor, stated under examination as follows:—

“Q. Am I to understand your Lordship to confine your view with regard to the application of capital punishment to cases of murder?—A. Yes, and treason. I think that treason certainly ought to be placed in the same category; because, although there may be some cases of treason which, as has been said, if successful, cease to be crimes, yet you must treat treason as the highest crime known to the law; and if people are to be punished capitally for murder, I think that they should be punished capitally for high treason.”

Lord Bramwell was next under examination, and this question was put to him:

“Would you deem it advisable to retain capital punishment in cases of treason and murder?—A. I certainly should think it advisable to retain capital punishment for murder. As to treason, I confess that it has never occurred to me to speculate on it. It perhaps is a worse offence in some respects than even murder, because it involves the taking of life and the alarm of the whole country, but still I can see that it may not be an expedient punishment in that case, because it is not a case in which the public feeling goes with the infliction of capital punishment as it does in cases of murder. It is in vain to have a law in the administration of which the public disposition will not fairly assist. As regards treason, I think that if it were limited to mere conspiracy, without an actual forcible outbreak, it would then not be a desirable thing to inflict capital punishment upon it, but where there is an actual outbreak, it is different.”

The case of Smith O'Brien was alluded to at an early part of this debate, and again on Friday evening, as an instance of clemency on the part of the Executive of Great Britain. This is what Lord Bramwell says about it:

“Take it even in the trumpery case of Smith O'Brien's treason in Ireland. That man was guilty, not merely of treason, but he was guilty of acts which were very likely to take away human life, and he was in that happy situation in which traitors often are, that is to say, he had a great deal of public sympathy with him, instead of having it against him as the common murderer has. If he had succeeded, instead of being tried he might have been king of Ireland, I suppose, or something of that sort, and when the commission of a crime is so profitable and advantageous as that, if you succeed, you get a great advantage, and, if you fail, you have an immense quantity of public sympathy, one would think it would be reasonable that this law should step in and say: We will endeavor to deter you from the commission of so tempting a crime; but still it is to be borne in mind that public opinion would not go with punishing a man for treason when his treason, however foolish, was what others might call honest. Then it is impossible to discriminate between honest and dishonest treason.”

Meaning, of course, by legislation, because that was the proposition before him.

‘and the result is that I should think that in most cases, and perhaps in all cases of treason, capital punishment would be an inexpedient punishment.

“Q. Your opinion is that in every case of treason which is not accompanied with murder, the punishment should not be capital?—A. I think so.”

And nearly all the judges of the three kingdoms who were examined as witnesses before that commission gave it as their opinion, founded on experience and observation, that capital punishment should not be abolished in cases of treason. If we look at the condition of the country in which this crime was committed, we see peculiar reasons why we should hesitate to assert that the crime of high treason should never be punished with capital punishment there. The reason why, in some older countries, the Executive can afford to be liberal in extending clemency to what are called, in the widest acceptation of the term, political offences, is explained by the fact that the country is well settled, that

Mr. THOMPSON (Antigonish).

the Government is established on a strong basis and supported by standing armies and by great bodies of police, as well as by tribunals which exist in every section of the country to administer and enforce the law. But the North-West is remote from the seat of Government, the law is weak; it has a population the most easily excited of any population in the world; it has an immense frontier, offering advantages to those who, from the vilest motives, from a desire to inflict a great injury upon Canada, can at any moment cross the border and commit acts of depredation on our territory and incite to rebellion, and go back to comparative immunity. All these reasons are reasons why the Government of that country should be a Government with a strong hand, and why it would be most unwise, in relation to the offence of high treason or any other offence known to the law, for the executive to declare in advance, as it is proposed to be declared now, that political offenders, in the widest acceptation of the term, shall never be refused Executive clemency. A good deal has been said with regard to the conduct of the authorities of the United States during the civil war. It seems to me that no comparison less parallel could possibly have been suggested. There civil war had raged for years; the two sections had large standing armies, and the Federal authorities had from first to last extended the rights of belligerents to the rebels, and enforced their rights against them as belligerents, by the blockade, by the exchange of prisoners, by negotiations for truces, and by nearly everything that went on for a series of years. But, Mr. Speaker, to compare the incendiary outbreak which was committed in the North-West to the civil war in the United States, to compare the man who set fire to that magazine of powder, as it was described when he was asked to come to the North-West, with the patriot who laid down his arms to General Grant at the head of the chivalry of America, is to compare cases as wide apart as the poles. Besides that, Sir, in relation both to General Lee and to Jefferson Davis, there was a great constitutional question behind. It has never yet been decided in the United States that in a State under the federal system a man who, in obedience to the constitution of his own State—and these States had a right to change their constitution from time to time—the man who goes into the field, or by any other act conducts himself in accordance with the constitution of his own State, acts in co-operation with the armies of his own State, and opposes in that way and to that degree the Federal authority—it has never yet been decided, I say, although there are *dicta* to that effect, that it is high treason, in the sense in which high treason should be punished by the Federal Government of the United States. But, Sir, when we come to deal with other classes of political offences in the United States, when we come to look at offences, not in pursuance of a general outbreak, not with the excuse of enthusiasm inspired by leaders who have fallen into the hands of the law, and have suffered sufficient punishment, we know how those offences have been dealt with in the United States. We know that in the widest sense of the term the offence for which John Brown was executed was as much, and far more, a political offence than that which was committed by Louis Riel, and we know what his fate was; we know the punishment that was meted out to the murderer of President Lincoln, and we know the statements which were made in public by the highest authorities in the United States with regard to the wisdom of enforcing, in relation to those offenders, the penalties of the law against high treason.

An hon. MEMBER. Hear, hear.

Mr. THOMPSON. An hon. gentleman on the other side of the House says: “Hear, hear,” and he will, no doubt, try to turn my argument by referring to the fact that excessive punishment was meted out to some of those offenders, and that in relation to some of them there have been misgiv-

ings ever since as to the justice of their condemnation. I am not referring to individual cases, I am referring simply to the fact that in that country, as in every other country in the world, although the crime was committed for a political motive, the offenders were held to be entirely outside the rule which claims Executive clemency for political offenders. The President of the United States stated upon a public occasion in relation to the question :

"The American people must be taught, if they do not already feel, that treason is a crime, and that it must be punished; that the Government will not bear with its enemies, and that it is strong not only to protect but to punish. When we turn to the criminal code and examine the catalogue of crime, we find arson laid down as a crime, with its appropriate penalty; we find there, too, theft, and robbery, and murder given as crimes; and there, too, we find the last and highest of all crimes—treason. With other and inferior offences our people are familiar. But in our peaceful history treason has been almost unknown. * * The people must understand that it is the blackest of crimes, and will surely be punished. I make this allusion, not to excite the already exasperated feelings of the public, but to point out the principle of public justice which should guide our action at this particular juncture, and which accords with sound public morals. Let it be engraved on our every heart that treason is a crime and that traitors shall suffer the penalty."

Whatever feelings of exasperation may have existed in that community in regard to those offenders, I think hon. gentlemen will agree with me that these sentiments were just, and might have been uttered in any country and at any time when the head of the state had been stricken down, even for a political purpose, by an assassin. I propose to refer for a few moments to the arguments which have been presented on the question of the insanity of this convict. I was struck, as most hon. members were for the moment, with the argument which fell from the hon. member for Rouville (Mr. Gigault), in the course of his exceedingly argumentative speech with reference to the case of Lord George Gordon. There seemed, at first glance, until one recalled the history of the case, to be something parallel in the two cases, only that that case seemed very much stronger than this. A moment's reflection, however, must have convinced the hon. gentleman himself that there was, at least, a slight difference between the two cases—the difference being that Louis Riel was convicted and Lord George Gordon was acquitted. It cannot be said, Sir, that the tribunal took a more merciful view of Lord George Gordon's case than the courts took of the case of Louis Riel with regard to the question of insanity, because there is this difference likewise, Lord George Gordon was not defended upon the plea of insanity at all. Lord George Gordon was defended and acquitted on the ground that the only purpose proved against him was that of presenting, by a monster meeting, a petition to Parliament, and that there was nothing in his conduct, acts and words which would justify his condemnation for the acts of violence committed by that immense meeting after it had assembled. There was therefore no argument as to the doctrine of insanity and of Executive clemency in relation to his case. In 1864, Mr. Gathorne Hardy said, in relation to a particular case and in relation to the appeal for Executive clemency in that case :

"Here was an opportunity before trial, and at the trial, to enquire into the state of his mind. The verdict should, he thought, be conclusive as to the state of his mind up to the period of the verdict, and enquiries should only refer to the state of his mind after the verdict and up to the period of his proposed execution."

Of course it must be conceded that there is a class of cases in which that rule could not hold, a class in relation to which it might be said that the haste of the trial, the poverty of the prisoner, or mischance, or accident at the trial prevented a full enquiry being made. But leaving out of consideration the mere question of mistake, the principle was laid down by the Home Secretary and has not been departed from since, that when a full opportunity has been given for enquiry on the trial into the state of the prisoner's mind, and that enquiry has taken place, the verdict

is to be conclusive as to the condition of the prisoner's mind down to that time. The hon. member for Bellechasse (Mr. Amyot) said we were not in a position to tell the House that the jury were told to acquit the prisoner if the prisoner was insane. The hon. member of course made that statement by inadvertence, because the judgment of the Court of Queen's Bench in Manitoba shows that that was precisely the charge of the judge. But since then the charge of the judge has been laid on the Table of the House, and the hon. gentleman should certainly withdraw the objection when I read to him the words of the judge's charge. Judge Richardson said :

"It must be proved that at the time he committed the act he was laboring under such defective reasoning from a diseased mind as not to know the nature and quality of the act he was committing, or that if he did know it he did not know he was doing wrong. That I propound to you as the law. If the evidence convinces you, and convinces you conclusively, that such was the case, then your duty is to acquit the prisoner."

I must repeat now in connection with this branch of the argument, that the prisoner had a peculiar advantage at Regina which does not apply to a prisoner convicted in the Provinces. He had an appeal on that very question as to whether the jury were right or wrong in their verdict, to the full Queen's Bench of Manitoba. In giving judgment on that subject chief justice Walbridge said :

"It is said the prisoner labored under the insane delusion that he was a prophet, and that he had a mission to fulfil. When did this mania first seize him, or when did it manifest itself? Shortly before he came to Saskatchewan he had been teaching school in Montana. It was not this mania that impelled him to commence the work which ended in the charge at Batoche."

We have heard a great deal said about delusions, delusions tending to the commission of political offences. The chief justice of Manitoba conclusively shows there was no association between delusions about being a prophet and the proceedings which terminated at Batoche.

"He was invited by a deputation, who went for him to Montana. The original idea was not his—did not originate with him. It is argued, however, that his demeanor changed in March, just before the outbreak. Before then he had been holding meetings, addressing audiences, and acting as a sane person. His correspondence with General (now Sir Frederick) Middleton betokens no signs of either weakness of intellect or of delusions, taking the definitions of this disease, as given by the experts. And how does his conduct comport therewith? The maniac imagines his delusions real, they are fixed and determinate, the bare contradiction causes irritability."

And then the chief justice cites a long passage from the evidence of Father André for the purpose of showing that his delusions were not irrepressible ones, but that Riel proposed to resist and control them at the price of \$35,000. The Chief Justice said :

"A delusion must be fixed, acted upon, and believed in as real, overcome and dominate in the mind of the insane person. An insanity which can be put on or off at the will of the insane person, according to the medical testimony, is not insanity at all in the sense of mania."

Taylor, J., says :

"After a critical examination of the evidence, I find it impossible to come to any other conclusion than that at which the jury arrived. The appellant is, beyond all doubt, a man of inordinate vanity, excitable, irritable and impatient of contradiction. He seems to have at times acted in an extraordinary manner; to have said many strange things, and to have entertained, or at least professed to entertain, absurd views on religious and political subjects. But it all stops far short of establishing such unsoundness of mind as would render him irresponsible, not accountable for his actions. His course of conduct indeed shows, in many ways, that the whole of his apparently extraordinary conduct, his claims to divine inspiration, and the prophetic character, was only part of a cunningly devised scheme to gain, and hold, influence and power over the simple-minded people around him, and to secure personal immunity in the event of his ever being called to account for his actions."

These were not the judgments of inferior judges. These were not the judgments of judges dependent upon Executive bounty. These were not the judgments of judges appointed at the pleasure of the Crown. These were the judgments of the Court of Appeal in the Province of Manitoba :

"He seems to have had in view by professing to champion the interest of the Metis, the securing of pecuniary advantage for himself. This is evident from among other circumstances by the conversation detailed by the Rev. Mr. André."

He then proceeds to point out what the evidence of the Rev. Mr. André is, and the learned judge, in a passage which is too long for me to weary the House with, shows that the plan of the campaign which Louis Riel prepared, and which he carried out with such adroitness, as far as his force would allow him, are all evidence not only to show that he was responsible in the eye of the law, but that there was no reason for assuming that the delusions under which it was admitted he sometimes labored, prevented the control of his actions. Mr. Justice Killam said:

"Mr. Lemieux laid great stress upon the fact that the jury accompanied their verdict with a recommendation to mercy as showing that they thought the prisoner insane. I cannot see that any importance can be attached to this. I have read very carefully the report of the charge of the magistrate, and it appears to have been so clearly put that the jury could have no doubt of their duty in case they thought the prisoner insane when he committed the acts in question. They could not have listened to that charge without understanding fully that to bring in a verdict of guilty was to declare emphatically their disbelief in the insanity of the prisoner. The recommendation may be accounted for in many ways not connected at all with the question of the sanity of the prisoner."

"The stipendiary magistrate adopts, in his charge to the jury, the test laid down in MacNaghten's case, 10 Cl. and F. 204. Although this rule was laid down by the leading judges of England, at the time, to the House of Lords, it was not so done in any particular case, which was before that tribunal for adjudication, and it could hardly be considered as a decision absolutely binding upon any court. I should consider this court fully justified in departing from it, if good ground were shown therefor, or, if even without argument of counsel, against it, it appeared to the court itself to be improper as applied to the facts of a particular case. In the present instance, counsel for the prisoner do not attempt to impugn the propriety of the rule, and in my opinion they could not successfully do so. It has never, so far as I can find, been overruled, though it may to some extent have been questioned. This rule is, that 'notwithstanding the party did the act complained of with a view, under the influence of insane delusion, of redressing or revenging some supposed grievance or injury, or of producing some public benefit, he is nevertheless punishable according to the nature of the crime committed, if he knew at the time of committing such crime that he acted contrary to law.'"

After some further development of that question, he says:

"I hesitate to add anything to the remarks of my brother Taylor upon the evidence on the question of insanity. I have read over very carefully all the evidence that was laid before the jury, and I could say nothing that would more fully express the opinions I have formed from its perusal than what is expressed by him. I agree with him also in saying that the prisoner has been ably and zealously defended, and that nothing that could assist his case appears to have been left untouched. If I could see any reason to believe that the jury, whether from passion or prejudice, or otherwise, had decided against the weight of the evidence upon the prisoner's insanity, I should desire to find that the court could so interpret the statute as to be justified in causing the case to be laid before another jury for their consideration, as the only feelings we can have towards a fellow creature who has been deprived of the reason which places us above the brutes, are sincere pity and a desire to have some attempt made to restore him to the full enjoyment of a sound mind."

"The prisoner is evidently a man of more than ordinary intelligence, who could have been of great service to those of his race in this country; and if he were insane, the greatest service that could be rendered to the country would be, that he should, if possible, be restored to that condition of mind which would enable him to use his mental powers and his education to assist in promoting the interests of that important class in the community to which he belongs. It is with the deepest regret that I recognise that the acts charged were committed without any such justification, and that this court cannot in any way be justified in interfering."

The case as I have already reminded the House, went to the Judicial Committee of the Privy Council, and their comment upon the rulings of this tribunal was that these points:

"Have been dealt with by the judgments of the Court of Appeal in Manitoba with a patience, learning and ability that leaves very little to be said about them."

After the finding of this tribunal, after that thorough sifting of all the facts and the law bearing on the case, this House has been actually told time and again that there was not evidence enough there to hang a dog. I do not propose to weary the House by going over the series of points which were taken up by our friends opposite —

Mr. THOMPSON (Antigonish).

Some hon. MEMBERS. Go on, go on.

Mr. THOMPSON (Antigonish). I shall, then, with the indulgence of the House, continue a little further on the question of the prisoner's insanity. Father André and other witnesses including the bishop and the clergymen who signed the depositions from which I read extracts a short time ago, showed that the people of that district were so simple, confiding, religious and almost superstitious that there was no way in which he could attain so much control over them as by pretending that he was a prophet and had a divine mission. In a country whose population was differently situated and differently educated, that would be a strong proof of madness. In that country it was a strong proof of design, and the success which the pretension of being a prophet and having a divine mission met with, the effect of inducing these men, who shed tears as they were going away, to take up arms and go into the field, shows that there was anything but insanity in the conception of that scheme. The hon. member for West Durham thinks that when the Orders of the Council are brought down it will appear that Riel was proclaimed by Order in Council to be a prophet. The mastery which he had acquired over these simple half-breeds is shown by that fact. It was not the act of Louis Riel himself alone, but his whole council were willing to declare that he was a prophet. With regard to this pretension of having a divine mission, let me ask hon. members of this House were all the half-breeds insane too? If they were not insane, this was not necessarily an insane act, because it convinced them and induced them to follow him. If they were insane, what becomes of the pretence made by hon. gentlemen opposite that this outbreak was forced upon them by the criminal conduct of the Government and that the rebellion was justified? My hon. friend beside me asks, were all his council insane? The Order in Council, as I said before, which admits his gift of prophecy, bears the signatures of those people, and not Louis Riel's at all; and I think I am justified in asking the House to consider whether the people upon whom he imposed his rule, his leadership, and his tyranny, by the pretence that he was a prophet and had a divine mission, were all insane. If not, then the fact that he adopted a device of that kind, and that it succeeded, was evidence certainly that it was not such an insane thing to do in that country and among that population after all. The statements which were given in evidence by Nolin with regard to his claim to have the gift of prophecy, the bodily symptoms, which exhibited themselves sometimes in his person, were commented on by the hon. member for West Durham. The refutation of all that is contained in Louis Riel's speech at the trial, in which he says there was nothing so insane about that conversation after all, "because," he said, "it is a little saying we have in that country; it is a little popular superstition; and sitting at the fireside in ordinary conversation, a man says, partly in humor and partly in earnest" — I am only paraphrasing his words but stating them in substance — "A man says, now I can prophecy." I shall be told presently, as I was told before, that the fact of his having made such a speech itself indicated insanity. It might have been so if he had not announced and declared that he had another and better hope than that — that he had little reason to believe that those who understood him so well and had such experience of him as the Government of Canada had, would tolerate his plea of insanity if the jury should find against him, as they were likely to do; and he relied on the political harangue he made there, according to the statement he made to Nolin at Batoche, that he looked for his safety to politics rather than to any plea of insanity. Then, we had the singular argument from the hon. member for Quebec East (Mr. Laurier) that he was insane because he

appointed Jackson his secretary, and Jackson was a mad man. Yet the hon. member for West Durham (Mr. Blake) said he was insane because he shut Jackson up as a madman. These two arguments surely cannot both be good. It cannot be that he was mad to appoint a madman as his secretary, and that he was mad to treat him as a madman afterwards. I think there is considerable evidence against the argument of his insanity as derived from the appointment of Jackson as his secretary. Jackson has proved himself, even if as thoroughly mad, as the hon. member for Quebec East declared him to be, to be a man having occasional lucid intervals, during which he is a man of considerable talent and force, and Jackson may have been appointed secretary when not under the influence of his madness at all. But one of the best proofs that Riel was not a madman was that when Jackson developed insanity, he took very good care to lock him up. It was said likewise that when the papers taken at Batoche were brought down, it would appear that Louis Riel was totally mad because he had a scheme for changing the names of the days of the week. It is true that partly in carrying out the scheme of his new religion, as he called it, he did propose to change the names of the days of the week, and to abjure the heathenish names by which we are pleased to call them. Now, judged by our standard, our civilisation and our time, that would seem to be a very extraordinary act. But all that was transpiring there was in the fervid glow of superstition, cunningly excited at every step to delude and entangle that people, and this was a clumsy imitation of the great revolution which took place a century ago on another continent; but I never heard it imputed to insanity in those who carried out the French revolution, that they changed the names of the months, and I do not see why Louis Riel should be considered mad because he wished to leave his influence and his trace on the North-West in that way. But it is said that his partition of the North-West into different nationalities was evidence of madness. If you believe Louis Riel in his speech at the trial, that argument is dissipated to the winds. He said that for the purpose of securing co-operation in his design to conquer that country or to rule it, he desired to tempt into the country the nationalities living along the border in the United States; and he, who knew that country and its population, knew that the nationalities for whom he promised to sub-divide the North-West, were those who lived across the border and from whom he was expecting assistance when he said: "Before the grass is so high, I shall have foreign forces in this country." Charles Nolin, with reference to the question of insanity says:

"Witness is asked if prisoner had separated from the clergy, and he says completely. He says the half-breeds are a people who need religion. Religion has a great influence on their mind. The witness is asked if without religion the prisoner could have succeeded in bringing the half-breeds with him, and the witness answers no. It would never have succeeded. If the prisoner had not made himself appear as a prophet, he would never have succeeded in bringing the half-breeds with him.

"By Mr. Lemieux, recross-examination.

"The witness is asked if the prisoner did not lose a great deal of his influence in that way by the fact that he lost the influence of the clergy, and he says that at the time he gained influence by working against the clergy and by making himself out as a prophet. The witness is asked if he means that the people did not have confidence in their clergy, and he says no, but he says they were ignorant and he was taking advantage of their ignorance and their simplicity."

This is from Father André's examination:

"Q. Is it not true that religion has a great influence upon them?—

A. Yes.

"Q. Is it not true that a man who tried to govern them by inducing them to completely change their religion or to do away with it, would have no influence with them at all?—A. Exactly, it was just because he was so religious and appeared so devout that he exercised such a great influence upon them. I wish to explain this point, because it is a great point. With half-breeds he never was contradicted, and consequently, he was never excited with them, and he appeared in his natural state with them. He did not admit his strange views at first, it was

only after a time that he proclaimed them and especially after the provisional government had been proclaimed."

Mr. MILLS. Hear, hear.

Mr. THOMPSON (Antagonish). The hon. gentleman who says "hear, hear," really fancies, I suppose, that this is an explanation why the half-breeds did not observe his insanity, but we are told by the hon. member for West Durham that these half-breeds joined him in an act of insanity when they proclaimed him a prophet. True, the speech at the trial is to be taken to some extent as some slight evidence of derangement of mind because he thought to dispell then the impression that he was insane; but, as I have said, he had definitely formed plans before that with relation to his line of defence and with relation to his appeal to the Executive for clemency. He had conceived the idea in expressing the phrase that "politics would save him," that the term "political offence" was large enough to cover all the crimes he had committed, as well as it did the deliberate and shocking murder he had committed in 1869-70, and would also cover his criminal and openly avowed intention of bringing foreign troops into the country. He thought that the clemency which was large enough to cover the crime of 1869-70, which the hon. member for West Durham (Mr. Blake) had declared "a damnable murder," would surely be large enough to cover the criminal offence of exciting half-breeds and tempting foreign forces into the country. It is said that the evidence produced at the trial proves conclusively that this man had delusions. So he had. So have many persons who have committed crimes, and it is the opinion of some medical writers that all persons who commit crimes, against the moral law at any rate, are more or less under the influence of delusions; but we shall have to go further than that before we make up our minds that this man was either irresponsible on the ground of these delusions, or that the moral guilt of his offence was lessened by these delusions. A man may have strong political delusions, but it does not at all follow that the acts he commits, such as incendiarism, murder, or inciting others to commit murder, are at all the consequence of these delusions, or that his delusions have so mastered him that he is unable to resist the impulse to commit crime. Stephens, in his History, from which the hon. member for West Durham cited so largely the other night, and in regard to which I endorse all he said as to the weight of the authority, says:

"Parts of the conduct of mad people are not affected by their madness, and if such parts of their conduct are criminal they ought to be punished for it."

I admit that when a man has political delusions, there may be a connection between his delusions and his crimes, but that is a question to be submitted to the jury. In this case it was submitted to the jury with the most liberal instructions by the judge, and the finding of that jury, sustained by two judgments in appeal, was that he was undoubtedly the subject of political delusions, but that his conduct was not so connected with them as to lessen his culpability. I admit that a jury ought to be careful in such cases to ascertain that there is no connection between the delusion and the crime, but in this case the great patience exercised by the jury in sifting the fact, and the careful scrutiny this case received on appeal, show that the jury discharged their duty carefully and conscientiously. Upon that subject, I might cite at some length, but I refrain from doing so, the celebrated case which was tried in the United States a few years ago, and in relation to which the man who was condemned, if the evidence is to be believed, had a ten-fold stronger case on which to base a plea of insanity than Louis Riel. I refer to the case of Guiteau. The treatment which he received at the hands of the law and of the Executive, notwithstanding his strong political and religious delusions, is well known, and met

with very slight, if any condemnation, either in the United States or here. On 24th January, 1882, a journal which exercises a large influence in this country, and speaks, or professes to speak, for a political party in this country—the journal which, I heard an hon. member declare the other night, penetrated to the utmost recesses of the earth, used this language with regard to the case of Guiteau, and I cite it because it is peculiarly applicable to the case of Riel, although the conductors of that journal do not seem to think so now. Speaking of the comments which an observer might make in Guiteau's case they said, and hon. gentlemen will see the parallel as I progress :

“If sufficiently credulous to accept the murderer's asseverations as anything more than a piece of arrant hypocrisy, an artifice of his cunning little mind to save his neck from the gallows; if he could bring himself to credit the wretch with sincerity, he could not resist the inference that the inspiration was from beneath and not from above, and that having done the bidding of the great adversary on earth he had better be sent as speedily as a due regard for the forms of human justice would permit to continue the congenial service in other spheres.”

I presume a great and responsible paper like the *Toronto Globe* would not make these observations against a man in Guiteau's situation because he was condemned in another country, and treat Riel on a different principle because he lived here, and might be a factor in the politics of this country :

“Men as men and as judges and jurors have no means of determining the motives of other men but by their actions. If such a thing as inspiration were possible, or even of every day occurrence it could never be proved. To admit such a plea for a moment as a palliation for crime, would be to open the door to all kinds of abuse.”

Passing from the question as to Riel's insanity, as established at the trial, I call the attention of the House to the duty which devolved on the Executive in relation to the subsequent investigation. This duty is well laid down in the common law. In Blackstone's *Commentary* by Stephen's it is thus defined :

“If a man in his sound memory commits a capital offence and, before arraignment for it, becomes mad, he ought not to be arraigned for it because he is not able to plead to it with that advice and caution which he ought, and if, after he has pleaded the prisoner becomes mad, he shall not be tried, for how can he make his defence? If after he be tried and found guilty he loses his senses before judgment, judgment shall not be pronounced, and if, after judgment he becomes of non sane memory, execution shall be stayed, for, peradventure, says the humanity of the English law, had the prisoner been of sound memory he might have alleged something in stay of judgment or execution.”

On the trial of Bateman, 2nd Vol. State Trials, it was said by the Solicitor-General :

“It would be inconsistent with humanity and inconsistent with religion to make examples of such persons as being against Christian charity to send a great offender ‘quick,’ as it is styled, into another world, when he is not of a capacity to fit himself for it.”

These are the two positions the common law takes upon that subject: That a man who develops madness after trial and judgment is not to be executed because he has not the opportunity of moving in arrest of judgment to stay the execution, and because it would be inhuman to send a person into eternity who is too insane to be conscious of his approaching end. Our attention was called by the memorial of Father André to the conviction which appeared to have impressed his mind that since the trial this man was in an absolutely mad condition, a condition such as that described in the two passages I have cited, in which it would be against human charity to send him to another world unconscious of the destiny that awaited him, and in that state of mind in which he could not make an application if any were open to him in relation to his case. The investigation which we made by three doctors, whose reports are on the Table, shows that there was no material change in his condition from the time of the trial down, and as regards the condition in which he was said to have been then, with regard to the political

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delusions, with regard to the hallucinations, admitting all they said, the jury had passed upon that, after the fullest investigation and the clearest instructions; and they had said that, notwithstanding that he had hallucinations upon the subject of religion and occasionally upon the subject of politics, those hallucinations were not connected with the crimes of which he was convicted. The reports then showed that the condition of the man's mind had not changed, and it was fully apparent, even from the memorials submitted in his behalf, that he knew in what condition his case was and understood that his end was approaching. He received all the preparation for that end which his spiritual ministrant could bestow upon him, he was able to receive the sacraments of the church, and he was in a condition of mind not less sound than that in which he had appeared before the jury. A statement was made by the hon. member for West Durham (Mr. Blake) the other night which seemed to impugn the reliability of one of the doctors who joined in that report. It is not necessary for me to say anything with regard to the experience of those men. They had extensive experience with regard to this particular case and I think it is most unfair to say that, because one of them was present at the trial, he was prejudiced against the prisoner. But it was said that Dr. Lavell's report must be viewed with great suspicion, because, in the case of Michael Lee, he had testified that he was perfectly sound in mind when he was convicted at Napanee, while Michael Lee had afterwards been found to be undoubtedly insane, and that commutation was granted because Dr. Lavell was entirely wrong. That statement, I observed, created an impression upon the House. The hon. gentleman had not asked for the papers in that case of Michael Lee, excepting to state in his speech: “I ask for them now.” The hon. gentleman can have them and any hon. member can have them if he desires, but I say now that the rebuke which the hon. member passed upon the hon. member for Ottawa (Mr. Mackintosh), for not stating the case of Michael Lee in the list which he gave, was so far from being a just one that, instead of Dr. Lavell having testified that that man was sane when he was perfectly insane, I find, after having read the case, that Dr. Lavell was never examined at the trial at all.

Mr. BLAKE. I never said so.

Mr. THOMPSON (Antigonish). It is quite true that at a subsequent stage of the case—

Some hon. MEMBERS. Hear, hear.

Mr. THOMPSON (Antigonish). Hon. gentlemen shall have all the satisfaction they can derive from that.

Mr. BLAKE. That is what I said.

Mr. THOMPSON (Antigonish). The hon. gentleman said, if I remember correctly, that at the trial—

Mr. BLAKE. No, I did not.

Mr. THOMPSON (Antigonish),—that, at the trial, Dr. Lavell pronounced him perfectly sane, and he was found to be perfectly insane.

Mr. BLAKE. No, I did not.

Mr. THOMPSON (Antigonish). If he did not—and, of course, I accept the statement of the hon. gentleman—I withdraw the contradiction I made as to what he said of Dr. Lavell's statement at the trial, but I will quote, for the benefit of those hon. gentlemen who cheered so lustily just now, what the report was which Dr. Lavell afterwards made, in order to show that it was no such report as the hon. member for West Durham supposed it to be. Dr. Lavell was called to examine Lee, and was called in conjunction with another physician. The other physician differed from him so far as to think that Lee was insane and irresponsible, and what Dr. Lavell said in his report was not that he was perfectly sane, but :

"In view of his weakness of intellect, moral obtuseness and ignorance, it is not an easy matter to arrive at a positive conclusion. It is a kind of case that I think requires a more lengthened expert observation. The gravity of the case I have considered in all its bearings, and, if pressed for an immediate opinion, my conclusions are that Michael Lee, though a man of low intellect, having no proper moral sense and deplorably ignorant, is nevertheless in a condition to distinguish between right from wrong, and that any peculiarities manifested, leading to the suspicion of insanity, may be attributed to his low habits of life."

Now, hon. gentlemen who cheered me so loudly a few moments ago, will see that Dr. Lavell did not pronounce Michael Lee to be perfectly sane, but declined without further investigation to pronounce upon the question whether he was insane or not, but, if pressed for an immediate opinion, he said he would go so far as to say that he knew right from wrong; and the physician who examined the case with him did not deny that, although he thought his conduct was such as to throw some doubt upon it. I think the House, however, will agree with me that his report, guarded as it was—"I will only report him as knowing right from wrong if pressed for an immediate opinion, and before going further I must have a further investigation"—is not sufficient to justify the imputation passed by the hon. gentleman upon the reliability of Dr. Lavell as one of the officers who made the investigation. The hon. member for West Durham contradicted me a few moments ago, when I said that, in the case of Michael Lee, he intimated that Dr. Lavell reported him at the trial as being perfectly sane. The hon. gentleman will allow me to quote from *Hansard* the words which I was sure fell from his lips at that time :

"When the trial of Michael Lee for murder took place at Napanee some time ago, Dr. Metcalf, of Rockwood, Dr. Clark, of Toronto, Dr. Lavell, of Kingston, examined him. Drs. Metcalf and Clark pronounced him insane; Dr. Lavell pronounced him perfectly sane."

It may be that the hon. gentleman meant to refer to the subsequent investigation, and not to that which took place at the trial, but I think he will agree with me that these words justified me in forming the impression I did. If the hon. gentleman intimates, as I suppose he desires to intimate, that he did not mean that Dr. Lavell was a witness at the trial, I do not desire to assert that he meant to say, what I supposed from *Hansard* he did intend to say; but the whole point of my argument is not to show that the hon. gentleman deceived the House, but to show that he was entirely mistaken in casting upon Dr. Lavell an imputation which might affect the judgment of this House upon the report of the doctors who made this investigation. Now, Mr. Speaker, the duty of the Home Secretary was enlarged upon at great length on Friday. It was stated that although a criminal may be pronounced responsible it was the duty of the Executive to interfere if his moral guilt was lessened by the influence of his delusion. Let me read to the House, as a supplement to the passages which the hon. member read—and I shall read principally from the same authorities which he quoted—some further passages in elucidation of the views which I entertain, and which I humbly think are fully recognised as sound rules upon that question. Mr. Walpole, who was twice Home Secretary, says :

"Upon all the materials brought before the Secretary of State he is in a position not in the least degree to rehear the case, but simply to advise the Crown whether there were any circumstances which would justify the exercise of mercy, either in an absolute or in a qualified sense, that is to say, either by pardon or commutation. I do not believe that if a person simply wishes to discharge his duty you can have a better mode of arriving at the truth, not as to whether on appeal you are to decide the question *de novo*, but as to whether there are any circumstances brought before you to justify you in recommending the Crown to exercise the prerogative of mercy. The Secretary of State assumes that the trial having been conducted before a competent tribunal a right conclusion has been arrived at, unless it can be pointed out to him that there was something on which that tribunal erred."

Now, Sir, as the hon. member said, practically the penalty of capital punishment is only applied in the worst cases, because,

in accordance with the report of the Commissioners on Capital Punishment, which I referred to a few moments ago, it was stated that a large number of the crimes which technically came within the description of murder did not involve the full moral culpability of murder; as, for instance, the crime of infanticide, in respect of which it is of late years the rule always to commute the sentence; with respect also to those murders which are committed under strong provocation which does not amount to an excuse in law; and with respect to those murders which are committed without any actual intention to commit murder, but in the attempt to commit some other felony, as in the familiar and often quoted case of the man who shoots a tame fowl for the purpose of stealing it and in so doing kills a human being. In all those cases it is abundantly recognised that the Home Secretary interferes for the purpose of a commutation, and it is because, as Sir Fitzjames Stephen says, in the passage which the hon. gentleman quoted, the crime of murder is one with very many shades and variations, that the statistics referred to by the hon. member show that so many commutations take place. But those statistics do not prove, that report does not prove, the conduct of the Home Secretary from time to time in pursuance of that report, does not sustain, I think, the hon. gentleman's position that it is the Executive which pronounces the capital sentence and not the law. It is simply that in a well recognised class of cases the Executive will interfere, while in all others it will leave the offender to the law which he himself deliberately violates, and it does so in all cases where the crime has been deliberate and wilful in intention, as every step of this crime was. I think the hon. gentleman will be puzzled to find such a case in which the Executive clemency was successfully claimed. Mr. Walpole also said :

"I think it right . . . to state specifically what were the recommendations of the royal commissions, which I have endeavored humbly and faithfully to act upon. Those recommendations were three :—

"(1). That the punishment of death be retained for all murders deliberately committed with express malice aforethought, such malice to be found as a fact by the jury ;

"(2). That the punishment of death be also retained for all murders committed in or with a view to the perpetration, or escape after the perpetration, or attempt at perpetration of any of the following felonies : murder, arson, rape, burglary, robbery or piracy ;

"(3). That in all other cases of murder the punishment be penal servitude for life, or for any period not less than seven years, at the discretion of the court."

These recommendations were unanimously adopted by the committee. Mr. Bruce, Home Secretary, said, on the 28th July, 1869 :

"His hon. friend had referred to the recommendations of the royal commission; but many of those recommendations had been attacked by some of the ablest writers on criminal law, and his own opinion was that, if legislation were possible, as he believed it to be, they must not follow too closely the recommendation of the royal commissioners."

So that instead of a departure from the recommendation of the royal commissions being made a matter which would justify a vote of want of confidence, it was stated on the authority of the Home Secretary, that although he generally followed those recommendations, their wisdom had been disapproved by some of the best writers on criminal law, and that if legislation were invited, it would not do for legislation to follow them very closely. Sir George Campbell, too, speaking as an Indian official said, on 10th May, 1882 :

"Speaking as an Indian official who has had, perhaps, more experience in regard to questions of life and death than any other member of the House, he thought there was a universal concurrence of opinion that nothing could be more objectionable than the present system, under which the Home Secretary could decide on cases of capital punishment out of court, after the verdict and sentence had been passed. . . .

"In India the practice had been to throw on the judges the onus of what should be done in particular cases. He was aware that in England such a system would not be very palatable to the judges; and he was told that the Irish judges had protested in advance against any system of trial in which the responsibility should be thrown on the judges, and

not on the jury. * * * That responsibility should not be thrown on the Home Secretary who was appointed to discharge other than judicial functions."

And on 29th April, 1870, in a passage, a part of which was cited on Friday, Mr. Bruce, Home Secretary, said :

"For myself, I may say that in no single case have I ever overruled the decision of the judge without the fullest approbation on the part of the judge himself.

"Attempts are often made to induce me to remit the punishment in cases when evidence has been held back in order that it may afterwards be alleged that if the witnesses had been heard the result of the trial would have been very different. I pay no sort of attention to allegations of that description."

But the hon. gentleman who pressed with such vehemence the argument drawn from those statistics, forgot, I think, for the moment, that one reason why the Executive of Great Britain is called upon in so many cases to exercise the power of commutation, is that in that country there is no court of criminal appeal. When, therefore, there has been error committed in the course of a trial, error in point of fact, error in the finding on a point of fact, error in the charge of a judge, errors in the ruling at a trial, which the judge has not chosen to reserve, from a mistaken view of the law, there is no remedy but an appeal to the Home Secretary. If the verdict is against the weight of evidence, there is no appeal except to the Home Secretary. If the evidence can be shown to be erroneous, if new evidence can be discovered, it is the Home Secretary alone who can exercise the power of review. But there is no reason why the argument drawn from those statistics should apply with the entire force which the hon. gentleman gave to them, to the case in question, or to the cases coming up in the North-West Territory; because, as I said before, there is in that country what there is not in the Provinces, or in the older countries even, a court of criminal appeal, to which the prisoner can go to have every question of fact or law reviewed. As to the rule upon which Executive interferences can take place in cases of insanity, and the rule in which the guilt of the prisoner is held to be diminished by the existence of delusions, I humbly beg to say that in my opinion the hon. gentleman was unsound in the rule which he laid down. It is quite true that in explaining the rule as laid down in MacNaughton's case, Judge Stephen goes so far as to say that the existence of delusions, even though they be not shown to cause irresponsibility, should be allowed to be given in evidence for the purpose of enabling the jury to find yea or nay upon the question whether responsibility existed or not. That is the utmost length to which he goes in stating the law, but in stating how it would be desirable to amend the law he takes a step further and proposes that the law should be so amended that the jurors should be instructed not only to find the prisoner guilty, if they find him to be responsible as far as sanity is concerned, but that they should then be asked whether the delusions under which he was laboring affected his capability of resistance. The hon. gentleman should not, however, press upon the House that suggestion of Mr. Justice Stephen, because it is a suggestion to amend the law, and until the law is amended an Executive surely cannot be charged with violating any principle in not acting upon it. But so far from laying down the principle that until the law is changed in that respect, that rule should be followed out by the Executive, Judge Stephen lays down a very different proposition, which I shall presently read. Even if that rule were in force, the matter was so put to the jury by the course which the evidence took, inasmuch as it was clearly proved that Riel's criminal acts were not the results of his delusions, but that he had abundant self-control over and above the force of those delusions to enable him to govern his own conduct, to carry out the campaign, to entice others into the rebellion and to guide his conduct in a very different way if he should receive a recompense for doing so. In view of the evidence then

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submitted, in view of the ground on which the Court of Appeal sustained that verdict, we can come to no other conclusion than if that rule which Justice Stephen thinks should be adopted, but has not yet been adopted, should be applied by the Executive, and it was our duty to enquire whether Riel was under such delusions as weakened his self-control, anyone must come to the conclusion, not only that he was responsible, but that he was capable of so controlling himself as to be beyond the reach of his delusions. If we come to that conclusion, the case of Louis Riel is not at all within the hon. gentleman's rule, the rule which he says ought to be followed by the Executive, but which is not recognised as a rule binding the Executive, and the Executive in the case of Louis Riel gave him the full benefit of all the evidence given in his favor and were justified in coming to the conclusion not only that he was responsible, but that his delusions did not affect his criminality and that his self-control was not in any material degree affected by his delusions. But the hon. gentleman himself has supplied me with the strongest evidence on that point. Down to that period of the debate it had been urged by hon. members who had spoken on that side of the question that the jury must have come to the conclusion that Riel's self-control was lessened by his delusions or they would not have recommended him to mercy. But it now transpires out of the mouth of the hon. gentleman himself, and by a piece of testimony which he adduced for the purpose of attacking the Government on a very different question, that the jury entertained no doubt whatever on that subject, and that when they went to their room, every man of them voted not only that the prisoner was guilty of the charge in the indictment, but that he was perfectly sane. The hon. gentleman read that letter because at its close it stated, that the jury made the recommendation to mercy on account of the mismanagement by the Government of the North-West. Very little weight can be attached to that, as there was not a tittle of evidence produced on that subject at the trial; and when the hon. member for West Durham admits it could not have legally been produced, no one will say on the other side of the House, that although it was not proved at the trial, they could act on public rumor, or a public impression which may have prevailed in that country that grievances existed. The man who wrote that letter was sufficiently intelligent, if we can judge by his composition as read to this House, to know that he took an oath that he would try the case according to the evidence, and if he undertakes to state to the hon. gentleman, and through him to this House, that the recommendation of the jury was based upon an impression that the Government had been culpable and that the prisoner should on that ground receive the clemency of the Crown, I take the liberty of declining to believe the statement of a man who declares that he has so little regard for his oath. Stephen, who is regarded as such a high authority by the hon. member for West Durham (Mr. Blake), deals with this very subject of the treatment of persons under delusions :

"It undoubtedly is, and I think it is equally clear that it ought to be the law that the mere existence of an insane delusion which does not in fact influence particular parts of the conduct of the person affected by it has no effect upon their legal character."

I have already addressed myself to the hon. gentleman's statistics and shown they were not applicable to this case and this country, because we had in the North-West a Court of Appeal for reviewing questions of fact, while in England they have only the Home Secretary for doing that work. But when the hon. gentleman pressed upon us the great weight of authority of Mr. Justice Stephen, for the purpose of convincing this House that a man subject to religious delusions or political delusions ought to be a subject for Executive clemency, it flashed upon my mind at once that there was a passage very near where the hon.

gentleman was reading which his eye could not have caught. I beg to cite now a passage to be found near where the hon. gentleman was reading, but which is printed in a foot note, and perhaps in such fine print it did not catch the hon. gentleman's eye. On page 160 he says :

"My own opinion, however, is that if a special divine order were given to a man to commit murder, I should certainly hang him for it unless I got a special divine order not to hang him. What the effect of getting such an order would be is a question difficult for any one to answer until he gets it."

There is another passage from the same author at page 176 which I shall quote. I use it to show that the doctrines which are laid down by this high authority, and most recent authority, are inconsistent with the doctrines which have been laid down in some works on medical jurisprudence and insanity, and that even some who hold the most advanced views with respect to humanity and philosophy in legislation, are unwilling at this day to go the length which hon. gentlemen say we should be censured for not going :

"Dr. Maudsley's illustration does not come up to his principle, because he supposes the madman to act under a delusion which would weaken his power of self-control. Suppose a case in which there is no delusion at all, and no connection at all between the madness and the crime. For instance, there are two brothers A. and B. A. is the owner of a large estate, B. is heir-at-law. B. suffers to some extent from insanity, and is under care at a private lunatic asylum where his disease is going off and there is every prospect of his cure. A. comes to see him; and B. who knew of his intention to do so, and who apart from his madness is extremely wicked, contrives to poison him with every circumstance of premeditation and deliberation, managing artfully to throw the blame on another person who is hanged. B. completely recovers and inherits the estate. Why, when the truth comes to light, should not B. be hanged? His act, by the supposition, was in every respect a sane one, though he happened to be mad when he did it. The fact that he was mad ought to be allowed to be relevant to his guilt, and to be left to the jury as evidence as far as it went in favor of a verdict of not guilty on the ground of insanity, or (if such a verdict were permitted by law) guilty, but the prisoner's power of self-control was weakened by insanity; but if the jury chose to find such a man guilty simply I think they would be well warranted in doing so, and if they did I think he ought to be hanged."

The hon. gentleman says that the Executive should be turned out of office if they hang him and his authority says: "if they did, I think he ought to be hanged."

"The case which I have suggested is of course so stated as to afford the strongest imaginable illustration of the principle which it illustrates, but in reality it does not go further than Dr. Maudsley's own statement that the inmates of lunatic asylums perpetrate violence of all kinds and degrees under the influence of the ordinary bad passions of human nature. If a lunatic was proved to have committed a rape, and to have accomplished his purpose by an attempt to strangle, would there be any cruelty in sentencing him to a severe flogging? Would the execution of such a sentence have no effect on other lunatics in the asylum? I assume of course a finding by the jury of guilty simply, after a direction that they might qualify their verdict if they thought that in fact the lunatic's power of self-control was diminished by his disease and if evidence on the subject were submitted to them.

"It is to be recollected in connection with this subject that though madness is a disease, it is one which to a great extent and in many cases is the sufferer's own fault. In reading medical works the connection between insanity and every sort of repulsive vice is made so clear, that it seems more natural to ask whether in many cases insanity is not rather a crime in itself than an excuse for the crimes which it causes. A man cannot help an accidental blow on the head; but he can avoid habitual indulgence in disgusting vices, and these are a commoner cause of madness than accidents. He cannot avoid the misfortune of being descended from insane or diseased parents; but even if he has that misfortune, he ought to be aware of it, and to take proper precautions against the effects which it may be expected to produce. We do not recognise the grossest ignorance, the most wretched education, the most constant involuntary association with criminals, as an excuse for crime; though in many cases—I think in a smaller proportion of cases than is commonly supposed—they explain the fact that crimes are committed. This should lead to strictness in admitting insanity as being in doubtful cases any excuse at all for crime, or any reason for mitigating the punishment due to it."

Now, I think the House will agree with me that at any rate the hon. gentleman's own authority does not condemn us. As I said before, the very evidence which was allowed to go to the jury in this case was evidence of his delusions, the evidence that his self-control might have been weakened by these delusions, and when the jury found against that they found against all, and they did find against that when they came to the conclusion to find a verdict of guilty,

leaving out of question altogether the evidence produced by the hon. gentleman himself who says they not only believed him to be guilty, but to be perfectly sane as well. A few words before I close with regard to what was pressed upon us with more force in the earlier stages of this debate than in its later stages and that is the contention that the Executive were bound to exercise clemency because the jury recommended it. Now, it is true as the hon. gentleman for West Durham stated that the law of France gives to juries in that country the right to mitigate the sentence themselves, by pronouncing that the criminal is guilty but that there are extenuating circumstances. The hon. gentleman, I think, will remember that it was developed in the investigation of the Royal Commission on Capital Punishment, that some of the best writers on French jurisprudence have insisted that that right should be restricted so far as to compel the jury to find what the extenuating circumstances are, because the mercy which is involved in the verdict of extenuating circumstances is so liberally bestowed, that the force and authority of the law are impaired in that country. For these reasons it has always been recognised by those who have administered criminal law in England that the authorities, the tribunals, the Executive, are not bound, even when a reason is assigned, by the recommendation to mercy. Lord Cranworth said in his testimony before that commission on the 29th of November, 1864 :

"The jury now practically recommend to mercy on the ground of great provocation, or from whatever causes they may think proper to make that recommendation, which, of course, is always conveyed to the Crown, but it still rests with the Crown to act on it or not."

Now, the hon. member for Rouville (Mr. Gigault) the other day made a citation from the English *Hansard* which impressed the House as being of great force, and which fell upon my ear as somewhat novel doctrine. He cited a passage from a speech of Sir William Harcourt to the effect that when there was a recommendation to mercy, the extreme penalty was never enforced. Now, for the satisfaction of that hon. gentleman I beg that he will refer to the context again, because he will see that the subject of discussion then was the propriety of changing the law with regard to murder, for the purpose of exempting from the extreme penalty those cases in which there is provocation, and it was in relation to those cases that Sir William Harcourt said that the jury had it in their power to extend clemency by recommending mercy, and that when they did recommend mercy the extreme penalty was never carried out—the hon. gentleman will find if he looks up the speech that it is only in relation to those cases of murder in which there has been provocation that any Home Secretary has ever laid down the rule that the recommendation to mercy must be regarded by the Executive. Sir Wm. Harcourt, speaking of the attempt made before the commission of 1866 to distinguish between deliberate murders and those under provocation said :

"The Home Office did distinguish between the murders which were those which ought to be treated as murders with malice aforethought from those which, according to the commission, should be put in the second category."

How?

"The jury had power to recommend mercy in cases where there was provocation, and which did not, in the law of England, convert the crime into manslaughter. In the practice of the Home Office, where the jury recommended mercy the capital sentence was never executed."

These were the words the hon. gentleman relied on, but they were qualified by what went before :

"And in point of fact they had there the second category given effect to."

And he shows that it meant that, and that only, when he goes on to say :

"There was the case of difficulty, however, where the jury recommended mercy, and the judge did not second the recommendation."

The hon. member read this passage, but he did not seem to see the force of it as qualifying what went before, and limiting its meaning :

"And in that case it remained for the Secretary of State to form his own judgment on the subject. He must form it on his own responsibility, and with all the assistance he might receive from the sources he had access to."

Sir George Grey, who had been Home Secretary three times in fifteen years, in his evidence before the commission, said, in reference to the recommendation to mercy:

"I have no means of knowing what passes in a jury-box, but that may possibly be in some cases (we can hardly account for it in any other way than upon that supposition), because there has been some difference of opinion among the jury, and unanimity has been obtained by a verdict of guilty, accompanied by a recommendation to mercy, where there were really no grounds for that recommendation. Judges frequently ask for the grounds of the recommendation, and the jury frequently give some, or some which have no bearing on the case. In those cases I think that that may account for the belief that there has been an indisposition to find a verdict which would necessarily consign the prisoner to execution. I have no doubt that there are numbers of cases in which executions have taken place in this country in which extenuating circumstances would have been found by juries in France, and to allow them to do so would lead to great uncertainty. If it was controlled by the discretion of the judge, it would really amount to nothing but what takes place now in a recommendation to mercy by the jury. If the judge is satisfied that the grounds of their recommendation are reasonable, he reports it to the Secretary of State and the sentence is generally commuted."

But the hon. member will find, if he cares to make sure, that recommendations are not necessarily acted upon. He will find, in the evidence given by Judge Hill and by Mr. Baggs, before the Royal Commission, in 1865, many cases, in which juries made recommendations to mercy, which were not acted upon by the Executive. Now, something was said to the House on Friday last, for the purpose of showing that another claim, for Executive clemency, might be put forward on the ground of the reprieves that took place in this case. The House has been put in possession of the facts which enable it to see why those reprieves were granted. In the first place, an appeal to Manitoba was being prosecuted; in the next place, an appeal to England was being prosecuted; and, in the third place, an application was made by the counsel for the prisoner for a medical examination. The time consumed by these appeals made reprieves necessary; and the time consumed by the medical examination made another reprieve necessary; and if we have to arrive at the conclusion, in relation to capital offences in any part of this country, that because an appeal is being prosecuted, a reprieve becomes necessary, or because a medical examination is asked by counsel for the defence, and a reprieve becomes necessary, therefore, we are not to execute the sentence of the law, then the administration of the law will be in the hands of the criminal and his own counsel; for they have merely to appeal and to ask for a medical examination which no Executive would refuse, and there is an end of the capital penalty. If we exercised the right of reprieve on the ground that a grave error had been committed by the officers of the Crown in a prisoner's first trial, it would be unfair, perhaps, to refuse clemency; if the reprieve is made necessary by any act of the Executive itself, or by any mistake of its officers. In these cases it is considered not expedient to exact the extreme penalty, because it is supposed that the great lapse of time has lessened the deterrent effect of the punishment, and has weakened the effect of the sentence on the prisoner himself. But in this case no such result followed, and I think it is entirely in a different category as regards cases of reprieves. It has been said outside of the House, and repeated in this House, that the Executive, although they had a right to do what they did, although it was just and necessary to do what they did, acted under the dictation of a certain body of gentlemen holding peculiar views in this country. All I have to say, as a member of the Executive, is that if dictation was exercised in regard to that question it was never attempted upon me. It is true that some lodges and some individuals within that organisation did express an opinion as to how our duty should be discharged. We can-

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not prevent any persons from holding and expressing freely opinions on questions of great public interest. In this country it is recognised that a larger latitude is allowed both to the press and to individuals than is allowed in England; and although it may be a misfortune that the fate of a man condemned, and appealing to the Executive, should be made a matter of public discussion, we can no more prevent such expressions of opinion by that organization than we can prevent the *Globe*, the *Winnipeg Free Press*, or any paper which represented their side of the question, from expressing their opinion in the same way. All I can say is, if that dictation existed and was attempted, it had not a feather's weight in the scale in determining what should be done in this case by the Executive. If any body of people in this country choose to demand that the Executive shall exercise justice, that is no reason why we should refuse to exercise justice. We were bound to do justice, no matter what the opinion of the clamors of any section of the country may be; and if the case was so clear that Orange lodges and the *Toronto Globe* and other papers clamored for the execution of the law, unwise and to be deprecated as that may have been, it was no reason why we should not do our duty or arrive at our decision with that sense of responsibility which was required. With regard to what might have been done in this case, I would like to invite the reflection of the House for a moment as to what must have followed if Executive clemency had been exercised. One section of hon. gentlemen opposite say this man ought to have been condemned to imprisonment as a criminal, a great criminal, although not so great as to be outside the Executive clemency; another class on that side say no, he was totally mad, and he simply should have been put into a lunatic asylum. Had either course been taken, how long would his confinement have lasted? If the Executive ought to have acted on the broad principle that this was only a political offence, and that therefore the Executive clemency should have been extended to it, it would have been inconsistent with that view that Riel should have been long detained in prison. If he were confined in a lunatic asylum, how long, I ask, with the power the evidence showed he had during the outbreak of controlling his own conduct and of getting possession of his senses when he wanted them—with the power of controlling his action and recovering his balance when he wanted it—how long would it have been deemed just by the humane sentiment of the country to keep him in confinement? He would have been set at liberty, under the report that he was cured and no longer mad, and he could have established a cure whenever he chose; and what then would be the security for life and property in the North-West? I think that Louis Riel's next exclamation would have been, not that the rebellion of 1869-70 was not a patch upon that of 1885, but that both together would not be a patch on the rebellion he would raise the next time. I think that to have exercised the Executive clemency in a case like that, would have been, in the words I have quoted from Mr. Justice Stephen, "not benevolence but cowardice." But let me ask attention to another point connected with this branch of the subject. Let me call attention to the fact that the Indians, whom this man incited to rise, perpetrated some very cruel murders at Frog Lake, which called, in every sense of the word, loudly for the execution of the supreme penalty of the law against the Indians concerned in that massacre, not only because they committed great crimes but on other ground on which it is deemed proper to inflict capital punishment, namely, that it is absolutely necessary, by making a great example through the infliction of such punishment, to deter people disposed to crime from committing it. How could the perpetrators of the Frog Lake massacre have been punished, if the man who incited them to rebel—and the massacre was to them the natural result of rebellion—had escaped? How could the

punishment of the law have been meted out to them, or any deterrent effect have been achieved, if the "arch conspirator," the "arch traitor," if the "trickster," as he has been called by men who did him their best service, was allowed to go free or kept in a lunatic asylum until he chose to get rid of his temporary delusions? It was absolutely necessary, as I have said, to show to those people, to those Indians, and to every section of the country, and to every class of the population there, that the power of the Government in the North-West was strong, not only to protect but to punish. In the administration of justice with regard to those territories in particular, it was absolutely necessary that the deterrent effect of capital punishment should be called into play. Remote as that territory is, strong as the necessity is for vigorous Government there and for the enforcement of every branch of the law, I am not disposed to be inhumane or unmerciful in the enforcement of the penalties which the law pronounces; but in relation to men of this class, who, time and again, have been candidates for the extreme penalty of the law, who have despised mercy when it was given them before, I would give the answer to appeals for mercy which was given those who proposed to abolish capital punishment in France: "Very well, but let the assassins begin."

Mr. MILLS. The hon. gentleman who has so ably and at such length addressed this House on this important question has spoken rather as an advocate than as a judge, and I regret that the hon. gentleman, in descending from the bench, had not remained in that position a sufficient length of time to enable him to take a judicial rather than an advocate's view of a question such as the one before us. The hon. gentleman has regretted the way in which this debate has been brought before the House. I believe every hon. gentleman on this side agrees with him in that respect. He says it was not the Government who were responsible for this discussion having been brought on at this period. I am not disposed to contest that statement, but I am inclined to state that had the hon. gentleman's leader been present he would not have been able to make so positive a denial of the charge that the Government are responsible. The hon. Minister of Justice complained that Parliament is, by this motion and discussion, made a court of appeal, and he informs the House that Parliament is not the proper tribunal for the discussion of judicial questions; that this is not a question which can be brought before Parliament for consideration. Now the hon. gentleman forgets who is on trial in this case. He argued throughout as though this House were engaged in trying Riel. Why the Government have put it out of our power to enter into a discussion of that question with any hope of success, and we are at present engaged in trying the Government, or taking into consideration the propriety or impropriety, of the fairness or unfairness of the action of the Government, and it does seem to me it would be rather extraordinary doctrine to lay down that no Executive action, for which the officers of the Crown are supposed to be responsible, can be a proper subject to discuss in the House of the representatives of the people. It is quite true that it is not usual to take up in Parliament the consideration of the decision of the courts, and to take into consideration the action of the Executive with reference to these decisions, and the hon. gentleman quoted the words of Mr. Gladstone for the purpose of giving emphasis to his proposition. Now, Mr. Gladstone's words were not that it was improper in every case to bring such a question before Parliament, but that it ought to be done only in extreme cases. Mr. Gladstone's declaration was quite sufficient to show that there might be cases when it would be right and proper to bring the action of the Executive or of the courts themselves before the attention of the representative body of the nation. In fact, a matter of Executive action which

has occupied so large a space in public estimation outside of Parliament, which has so seriously attracted public attention, could hardly be an improper question to bring before the consideration of Parliament itself. The hon. gentleman also said that we have been reiterating from this side of the House again and again a cry for more papers. The hon. gentleman seemed to think that that was a most improper proceeding on our part, but I noticed that some of the papers we have asked for, and have been unable to obtain, the hon. gentleman found it necessary to read in order to defend the Government in this particular case. It did seem to me that, when papers are necessary to explain and defend the action of the Government, they are proper papers to bring down to Parliament, and I think it is greatly to be regretted that the Government have failed to place in the hands of Parliament the means of forming a clear and accurate conclusion upon this important question. The hon. gentleman also said that the complaint which had been made was wholly unwarranted, that others were tried for a less serious offence than that for which Riel was tried. The hon. gentleman said that was no reason why Riel or his friends should complain. I do not agree with him. I think all parties guilty of similar offences under similar circumstances ought to be tried in the same way and ought to be liable to the same degree of punishment. I think, in the administration of justice, we ought to apply the same rule and the same degree of punishment to all parties under the same circumstances, and that the Government applying a different rule to Riel's case than that which they applied to any other party connected with the rebellion, to say the least, committed a very serious blunder. Hon. members on this side of the House have from the first expressed their regret that the Government had not seen proper to bring down all necessary papers and to afford the fullest possible information on the subject. It may be true that we have before us the materials for forming a judgment. Every court has that, no matter how imperfect the evidence before it may be, but it is of very great consequence that all the evidence in the possession of the Government which relates to this case and which may go to assist Parliament in coming to a right conclusion should have been placed in the hands of members. Hon. gentlemen have endeavored to stifle discussion. They have moved the previous question. They tell us that it is improper that Parliament should express a judicial opinion on this subject, and yet they have endeavored to prevent Parliament from expressing another opinion. They have endeavored to force Parliament to express an opinion upon that question which the Minister of Justice says Parliament is not qualified to deal with. They have endeavored to close the public mind against the means of forming a correct conclusion on this particular subject. They have endeavored to limit the discussion to a single incident connected with the administration of affairs in the North-West Territories. Now, we ought to be in no hurry to come to a conclusion on this question. The Government have been in no hurry to give the House information on this subject, and I think Parliament would be justified, I think it would be the proper course to pursue, to vote down the proposition of the Minister of Public Works, and to deal with this question ultimately when a larger amount of information is at our disposal. The hon. the leader of the Opposition said, some time ago, at London, that he would be no party to constructing a political platform out of the Regina scaffold. Hon. gentlemen on the Treasury benches are of a different mind. They have before the House the materials for such a platform. They have moved the previous question for the purpose of making such a platform. They are determined that no other shall be had. If they obtained a vote against them on that question, we should hear nothing of any other question of policy in the

party press or before the country, than this particular motion which is made by a friend or supporter of theirs on other questions. The hon. member for West York (Mr. Wallace) has stated that the members on this side of the House dared not vote against the Ministry upon this question. The hon. member for West Huron and the hon. member for West Durham have already informed the House how they purpose voting. I shall do the same. I dare vote against the Government when I think them in the wrong. Upon this question their action has been indefensible, and the reasons which have led me to this conclusion will, I think, prove equally convincing to the public. It must not be forgotten that the administration of justice does not rest solely with the courts. The criminal law is, in one most important particular, administered by the Executive. Our whole system of criminal jurisprudence is based upon the assumption that the criminal law, is, in itself, imperfect; that if it were allowed to operate without modification it would often prove exceedingly harsh and cruel; that in order to adjust it with perfect fairness, important duties are imposed upon the administration. It cannot be left, in every instance, to take its own course. But to secure a wise and merciful administration, so far as human imperfection will permit, a legal discretion must be exercised; and this discretion, under our constitution, is vested in the responsible advisers of the Crown. The highest form of this discretion is the granting of full pardon. A more modified form is the substitution of a milder form of punishment for that awarded by the courts. This is not an arbitrary discretion, it is judicial; it is a discretion which requires, in those who exercise it, the judicial spirit, and an attention to judicial principles, which are well settled, and which are to be learned from a long series of precedents, which have become a necessary and inseparable part in the administration of justice in criminal cases. On every capital offence, a report is made by the judge who tries the case to the Minister of Justice. It is the duty of the Minister of Justice to consider that report; it is the duty of the Government, upon the report which he makes, to allow the sentence to stand or to mitigate the punishment, and in no case can they increase its severity. The Executive in all capital cases are, under our system of administration, a merciful court of appeal. They may modify a sentence in favor of a prisoner, but they cannot increase its severity. They are not hampered by rigid rules or proceedings. They have a freedom of choice, and they use whatever means may be necessary for obtaining further information upon the subject than that which was disclosed at the trial. They may go beyond and behind the record of the court, and in doing so, they may perform a service to the community of the very highest consequence. In their hands the law is adjusted as the case may require, to the particular circumstances. They are responsible to the understanding and to the conscience of the people for the manner in which they carry into effect the law against those who have been capitally condemned. Now, what is the law as modified and adjusted to Riel's particular case? The hon. Minister of Justice maintained that there was in this case the fullest degree of responsibility, and, that being the case, there was no reason whatever why the Government should intervene on his behalf. My hon. friend from West Huron (Mr. Cameron), complained with reference to the time allowed Riel's counsel to prepare for trial. The Minister of Justice has undertaken to defend the course of the Government with reference to that particular matter. Now, I am not complaining of the action of the judge, nor am I complaining of Executive action with reference to the time allowed. There is no doubt whatever that the counsel for the prisoner did agree to a period of time which was ultimately fixed as that within which Riel would have to get

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ready for trial. It was quite clear that counsel for the Crown were furnished every facility to hasten the trial on, and they did so unduly, while the counsel for the prisoner were obliged to make the best of what they could not prevent. Now, I would like to read to the House a passage from a speech of Lord Brougham, made in the House of Lords while engaged in the discussion of the MacNaghton case. He referred to the very short time that was given to Bellingham's counsel to prepare for trial in that case. He says while condemning the refusal of the judge to give sufficient time for the defence:

"That fact was most deeply to be deplored; and he would go further and say that that learned judge was most profoundly to be blamed. He had never known Lord Erskine with whom he had discussed this subject—he had never seen that illustrious advocate and great criminal lawyer upon any one of those many subjects which they had so often canvassed together, more moved to indignation than he had been upon the case of the refusal, on the part of the learned judge to postpone that trial. Affidavits had been made of the prisoners family having been tainted with insanity. Affidavits had been produced from those who had known him from infancy, of his having been insane. Affidavits were offered showing a *prima facie* case of mental alienation. But the evidence was two hundred miles off—at Liverpool—and the learned judge thought fit to refuse a fortnight's delay that that evidence might be produced."

Lord Brougham, in that case, seemed to think that a delay of a fortnight was not an unreasonable delay. Yet, Mr. Speaker, in the case of Riel, some of the witnesses were two thousand miles away. It was in a country where lawyers had not the ordinary facilities of counsel for the purpose of reference to the law, and in order to examine the law as well as the facts of the case, and yet we are told that half the time asked by Bellingham's counsel was sufficient time to prepare for the trial of a man who was 2,000 miles from some of the witnesses required in this case. Then the hon. member for West Huron pointed out that the evidence that was sought to be procured at the trial was rejected as irrelevant, and as furnishing no defence before a judicial tribunal to the charge of treason. It was stated the only plea they made was the plea of insanity, and that the evidence was not relevant to that particular plea. Sir, it does seem to me that it would not have been an unreasonable course to have allowed the evidence to be produced for the purpose of showing, not that he was not guilty of crime, but that there was extenuating circumstances connected with that particular offence. How was the judge to be in a position to report extenuating circumstances in favor of the prisoner? Take, for instance, the statement that the half-breeds whom he sought to lead, had sought to redress, that there had been four years of delay, and that they had been threatened with eviction. Now, take the case of homicide. It is quite true that a man may be allowed to prove that he was provoked in committing a crime, that he was in a passion, and that circumstances, though they may not justify the act, yet they will go in mitigation of the act, and in diminishing his responsibility, and unless these circumstances are produced at the trial there will be no opportunity of bringing them forward at any other time or to any other parties than to the Executive itself. Take the case, for instance, of libel. A man who does not plead justification, although he is not allowed to produce evidence to justify, he may produce evidence of the truth of the libel by way of diminishing the amount of damages to which he will be liable. Why should the crime of treason be placed in a wholly different position from that of any other crime of the calendar? Sir, whether this may be regarded as relevant evidence or not, there can be no doubt whatever that it would be relevant evidence to submit to the Executive as a merciful court of appeal for the purpose of diminishing the punishment to which the unfortunate criminal was liable. The Government has certain duties to perform, the servants of the Crown have obligations resting upon them; they owe something to the public. When any portion of the public take up arms against sovereign authority, there is no con-

clusive presumption of law that they have suffered no wrong at the hands of the servants of the Crown, and that there can be no mitigation of the character of their crime. Riel was charged with treason. His life was put in peril. His offence was political. The provocation received was political, and I submit that the evidence of wrong endured, whether from neglect or from positive acts of injustice, ought to have been received. How is the judge, otherwise, to decide whether the prisoner is a proper subject for royal clemency? How is he, in this respect, going to discharge his whole duty, when he closes the only avenues by which the whole truth can reach his mind? But whether the House does or does not concur in this view, may not be important, but it is important to bear in mind that such evidence was beyond all question relevant before the advisers of the Crown. But how could it be expected that this last court of resort could fairly consider the case of any half-breed put upon his trial? What extenuating circumstance could he offer with any hope of success? Could he expect that those who had wronged him would admit the fact? In ordinary cases Ministers are in a position to hear and to judge fairly of every extenuating circumstance,—but when the circumstances pleaded are the wrongs done by the Administration itself, how can we expect them to receive their due weight? The Government was in this unhappy position that everything which might tend to legally excuse or to morally justify the insurrection of the half-breeds, was a condemnation of the Ministers themselves. The Minister of Justice said that there was really no difference in practice between the cases tried in the North-West Territories and those tried elsewhere under the general law, but it was conceded that in the courts of the North-West Territories the judges are required to send full notes of the evidence. They are not required to do so from any of the other Provinces and if they did, from any of the other Provinces they did more than is required of them by the statute. This provision of the law, which is not to be found in the general statute, shows that the Government intended that Ministers of the Crown should exercise a more careful supervision over the trials that took place in the North-West Territories than elsewhere. Prisoners before the North-West courts have an opportunity of having not only the ordinary treatment of the case considered, as in the other Provinces, but the whole evidence on the trial submitted to the Executive for the purpose of exercising supervision over the proceedings in the courts in the Territories, which is not the case in any of the other Provinces. There is very grave reason why a full and careful enquiry by Parliament should be made into the cases of parties tried in the Territories, especially if the parties are tried for political offences. This was a charge of treason, it was a trial of a man for rebellion growing out of the conduct of the Administration itself, and therefore they were not in a position to deal impartially with his case as with the ordinary criminal offences. For this reason it is the duty of Parliament to exercise a more careful supervision over everything pertaining to this case than to ordinary criminal cases. It is said that Riel was a party who committed a murder fifteen years ago; that he committed a serious offence against the law of the country and had rendered himself odious to a large portion of the population. That is true. There was a strong feeling perhaps among the majority of the people that he ought to be punished. There was a strong disposition not to extend to him the same amount of clemency that would be extended to ordinary offenders, and therefore it was more necessary that the Government should see they did not deal with him in a way different from that extended to ordinary offenders. Let us briefly look at the history of the case, because Riel was not a resident of the country, and it has been sometimes

said, on this account, he deserved his fate. If it be so—if this is a sound conclusion it will not be made less strong by full consideration. It must always be borne in mind that the principles of liberty and justice are not likely to suffer in the persons of the powerful and the popular. It is the unpopular man, it is the man who has, on account of his actions or his opinions, become odious to the majority of the community from whom the protection of the law is most likely to be withdrawn. And if the conduct of Riel has been such as to make him hated by a large section of our population, it is all the more necessary to see that he has not been illegally punished, because it is in the person of such a man that a new rule can be most easily set up, and the principles of our law most readily changed. In June, 1884, a half-breed delegation from Batoche walked 700 miles into Montana in search of Riel. They invited him to return and to place himself at their head. They desired him to assist them in securing those rights which, in spite of their exertions, they had, up to that time, been unable to obtain. The delegation consisted of Gabriel Dumont, James Isbester, Moïse Ouellette and Michel Dumas. They presented Riel with the resolutions which had been passed at a public meeting appointing them a delegation to wait upon him, and they obtained from him a reply. It has already been read to the House. I need not read it again. From this reply it will be seen that Riel agreed to go with them with reluctance. He hoped to be able to accomplish for them what they desired, and to return again to Montana before September. Riel was ambitious for public honors, and he hoped to take part in the affairs of the country in which he then resided. The delegation returned and made their report. They expressed their admiration for Riel and their confidence in his success. They say: "We know what he has done for Manitoba and the North-West and the little advantage which he had personally received from the same. And returning from this long journey of nearly 1,400 miles we feel twice as much confidence in the man whom we have been visiting in a foreign land." They say that Riel's speech has inspired them with the greatest confidence, because his instructions are to help them, but while helping them, he does not want in the slightest degree to create any difficulty with the Government. At this time neither Riel nor the half-breeds thought of taking up arms, or of embarrassing the Government in any way. He expected to succeed. He expected to secure for the half-breeds a redress of their grievances and to return in time to Montana to take part in the autumn elections. On the 8th July the Government were informed by Mr. Crozier that Riel had arrived with his family at Duck Lake; that he was to be the leader of the half-breeds and to assist them in obtaining their rights—what they asked for was a survey in accordance with their plan of settlement, a ratification of their holdings, and an extinguishment of their Indian title. On the 27th of July, Captain Crozier wrote to the Government that Riel had held meetings at Prince Albert and Duck Lake, and that he had communicated with the Indians and told them that they had rights as well as the half-breeds, which he wished to have redressed, and that he also expressed a wish to confer with the Indian chiefs. On the 8th August, Sergeant Brooks telegraphed that Riel had several private meetings at the South Branch attended by leading half-breeds. On the 14th of August, he reported that Riel had crossed the river at Batoche's house, and had, they say, addressed a meeting as the people were coming from church, and was greatly excited. He said that the Indians had rights to be protected as well as the half-breeds. Mr. Brooks thinks Riel is in communication with Big Bear; has sent Tomkins the farm instructor, to meet him at Frog Lake. Mr. Brooks says there is a man by the name of Jackson here who came

from Prince Albert, he is brother of the druggist and seems to be a right-hand man of Riel's. He is with him at present and has been for some time.—

"He has a great deal to say, and I believe he does more harm than any breed among them. There are a great many people through the country who have what they call grievances, and seem to agree with Riel. Whether they really do or not, it is hard to say. I have been speaking to a number of people at Prince Albert, and men who signed a petition for him to go there and speak, simply did it because they thought it might draw the attention of the Government to the place. There is no doubt that every one is hard up, and they thought they must do something to draw their attention."

From this communication it will be seen that the Government were given information as to the progress of events; that the movement was gradually embracing Indians and whites, as well as half-breeds; that every class of the population were encouraging Riel in the work in which he was engaged. He had the moral support of the people. He was sustained by public opinion in that region, and was thereby encouraged to go forward. Jackson, whom Mr. Brooks calls "Riel's right hand man, who had so much to say, who was doing so much harm, more than Riel himself was unquestionably a lunatic. The fact was established on his trial. I do not propose to discuss his case; but I wish to call attention to the fact that his lunacy is not mentioned by Brooks; that it was not discovered by the people, and I commend his case to those who are disposed to argue that Riel could not have been a lunatic, otherwise the half-breeds would not have followed him. On the 21st August, Mr. Brooks reports that Riel and Lepine had a conference with Big Bear at Jackson's, and that he heard it stated on good authority that Riel had given up the idea of going back to Montana, and intends remaining in the Territory, although he had stated to different parties that he should leave for Montana on the 1st of September. Riel, it will be seen, was becoming more interested in the affairs upon the Saskatchewan. They were proving of absorbing interest to him, and he was gradually giving up his desire to become a leading man in Montana. On the 5th of September, a meeting of the French half-breeds took place at St. Laurent. Bishop Grandin and several clergymen were present. At this meeting Riel presided. He said that the business of the meeting was limited to two questions, why the clergy kept aloof and seemed even hostile to the movement, and, secondly, whether the claims of the half-breeds upon the Government were just and reasonable? The meeting was addressed by Gabriel Dumont and Charles Nolin. The bishop was pressed to speak, but he told them that the mystery in which they shrouded their proceedings left the clergy without sufficient information of their designs and gave rise to suspicions, fears and painful alarms. The bishop told them at this meeting that if they would speak their intentions he would be in a position to advise them. Mr. Nolin stated their claims upon the Government and declared they did not want a rebellion; that it was not seriously in the mind of any one; that it would be a crime, and they desired to keep to legitimate means. Bishop Grandin and the clergy saw clearly, however, that there was danger in the movement, and he stated his intention of abstaining from taking part in political movements of doubtful interest to the population. He stated that with regard to some of their propositions he had himself communicated with the Federal Government, that he had obtained promises which he believed to be official, and which he regretted seemed to have been forgotten: that he himself had felt the same discontent that they had felt, and that he had not failed to complain in the proper quarter. The bishop showed his alarm at the probable result of the agitation. He desired to moderate and control it, but he received no aid from the Government. On the 11th September the hon. Minister of Public Works,

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in speaking at a banquet given him and his colleague, the present Minister of Finance at Winnipeg, said:

"He had conversed with men both in the towns and country. He had asked if there were any grievances and they said there were none."

The Minister of Public Works had before addressed the Metis at Qu'Appelle. Had he heard nothing of these grievances there? Had these grievances never been brought under his notice? Had he never heard from his colleague, in the Department of the Interior, from Bishop Grandin or others, of grievances unredressed? Had he been kept in profound ignorance of the delegation that brought Riel back; of the meetings that were being held; of the resolutions that were adopted; and of the communications that were made to the Government of which he was a member? Did he know nothing of the grave instances of neglect, delay, and mismanagement, in matters affecting the peace, welfare and good government of the North-West? Was the Minister of Public Works serious or was he speaking ironically when he said that he had asked if there were any grievances, and the people answered there were none. On the 20th of October Major Crozier reported:

"I beg to state that Constable Elliott returned from Carleton on the evening of the 15th, and reported to me that a man named Tomkins, who is employed by the Indian Department of that place as interpreter, has told him that Riel was drilling men at St. Jerome, and that a large meeting had been held there on the 12th at midnight. He further told him that a chief from Muskeg Lake had been sent to see Big Bear to request him to attend a meeting of Riel's to be held at Batoche in two weeks time. I sent a man in plain clothes to the vicinity of St. Jérôme to find out, if possible, the truth of the reports. He returned yesterday and reports all quiet. He states that there is a rumor of a large meeting to be held at Batoche in two or three weeks, as soon as all the crops are in. He could find out nothing about any drill having been performed. I have stationed a man in plain clothes in the vicinity of Batoche, who will keep me informed regarding the movements of Riel. The half-breed population are in a very discontented state, principally attributable to the utter failure of their crops."

So it would seem the Government received accurate information from the police and others, but which they did not utilise. They did nothing to redress the grievances, or otherwise to check the progress of the movement. On the contrary, they continued in the public service those who were actively aiding him, and he boasted of having been offered office himself. One would suppose that they regarded themselves rather as chroniclers of the events that were transpiring than Ministers of the Crown governing the country. In December Mr. Gagnon reports that the half-breeds are pressing Riel to settle amongst them. They have given him a well-furnished house, and, that on the 2nd of January they intended presenting him with a purse. In that report he says:

"These testimonials of good will of the majority would go towards denying certain rumors which say that several are lacking confidence in their leader, that his way of acting and speaking denotes a very hot head, and that he does not now agree with their priest. There is no doubt that a great number are still led by him, and would act upon his dictates. Some time ago I sent several men to South Branch to have horses shod. The river being full of floating ice, they could not cross. Some way or other the report was brought to the east side of the river that these men were sent to arrest Riel, who was then at the crossing. Within half an hour over a hundred men had collected to protect him. There is a certain amount of suffering amongst the half-breeds, but not to the extent it was expected to reach. Large quantities of supplies are required for this part of the country, and all who have horses can make a living by freighting. As far as I can see the chief grievance of the half-breeds is that they are afraid that the Government will not sanction the way they, amongst themselves, have agreed to take their homesteads—ten chains frontage on the river by two miles back."

On the 22nd of January, we are informed that Riel and others were engaged in drafting a petition to the Dominion Government, demanding certain concessions promised to the half-breeds, and that it was the intention of the half-breeds of the Saskatchewan districts if these concessions were not granted, to resort to arms to force a compliance to their demands. We find that a meeting was held among the English and Scotch half-breeds expressing their sympathy with the French half-breeds, but they also say

that they did not approve of any resort to arms. It would appear from these statements that when Riel went to the country he expected, at an early day, to succeed in securing to the half-breeds a redress for their grievances, that he expected to do this by constitutional means, and that he hoped to return to Montana not later than the 1st of September, 1884, that in fact he believed that two months would be a sufficient time to collect the necessary information and to communicate with the Government at Ottawa, and to obtain their reply. But Riel's difficulties multiplied, and his labors increased, he became more and more excited, and that aberration of mind which it is now claimed affected him during the first rebellion, in 1870, once more troubled him and characterised his conduct. This is clear from the statement of Father Fourmond, who says :

"Before the rebellion it appeared as if there were two men in the prisoner. In private conversation he was affable, polite, pleasant and a charitable man to me. I noticed that even when he was quietly talked with about the affairs of politics and Government and was not contradicted, he was quite rational, but as soon as he was contradicted on these subjects then he became a different man, and he would be carried away with his feelings. He would go so far as to use violent expressions to those who were even his friends. As soon as the rebellion commenced he became excited; he was carried away; he lost all control of himself and his temper. He went so far that, when a father contradicted him he became quite excited, and he had no respect for him, and even threatened to destroy all the churches. He said: 'There is danger for you, but thanks to the friendship I have for you I will protect you from any harm.' Once I went to St. Antoine, and there I met a number of priests, and Riel said: 'I have been appointed by the Council to be your spiritual adviser.' I said our spiritual adviser was the bishop, and Mr. Riel would not be him. The Rev. Father Fourmond says: 'As to his political ideas, he wanted first to go Winnipeg and Lower Canada and the United States, and even France, and he said we will take your country and then he was to go to Italy and overthrow the Pope, and then he would choose another Pope of his own making.'"

The Rev. Father André gave it as his opinion that Riel was mad. He says.

"In conversing on politics, and on the rebellion, and on religion, he stated things which frightened the priests. I am obliged to visit every month the divisions of the district. Once all the priests met together, and they put the question: 'Is it possible to allow that man to continue in his religious duties?' And they unanimously decided that on this question he was not responsible. That he could not suffer any contradiction. On the questions of religion and politics we considered him completely a fool; in discussing these questions it was like showing a red flag to a bull."

These are the views of two intelligent men who had an opportunity of observing him during the period of the rebellion. During the period that he committed those acts for which he was tried, and for which he was held responsible, and the degree of that responsibility must depend upon his mental condition at the time those acts were committed. The mental condition of Riel during the period of the rebellion is further disclosed by his conduct towards Mr. McKay, which is strikingly like the conduct he exhibited in his interview with Mr. Donald Smith and others at the period of the first rebellion. Mr. McKay says in his evidence :

"I shook hands with Riel, and had a talk with him. I said: 'There appears to be great excitement here, Mr. Riel.' He said 'No; there is no excitement at all. It was simply that the people were trying to redress their grievances, as they had asked repeatedly for their rights, and they had decided to make a demonstration.' I told him it was a very dangerous thing to resort to arms. He said that he had been waiting fifteen long years, and that it was time now, as they had waited patiently, that their rights should be given to them, as the poor half-breeds had been imposed upon. I disputed his wisdom, and advised him to adopt different measures. He then accused me of neglecting my people. He said that if it was not for men like me, their grievances would have been redressed long ago; that as no one took any notice of this people, he had decided to take the lead in the matter. He accused me of having neglected them. I told him it was simply a matter of opinion, that I certainly had taken an interest in them; and that my interest in the country was the same as theirs. I had advised them time and again, and I had not neglected them. I also said that he had neglected them a long time if he took as deep an interest in them as he professed to. He became very excited, and got up and said: 'You do not know what we are after; it is blood—blood we want. It is a war of extermination. Every one that is against us is to be driven out of the country.' He said there were two curses in the country—the Government and the Hudson Bay Company. He turned to me and said I was a traitor to his government, and a robber and a scoundrel, a liar and a thief, and I do not know what all."

"Q. He used very violent language to you?—A. Yes; he finally said it was blood and the first blood they wanted was mine. There was some little dishes on the table, and he got hold of a spoon, and said 'You have no blood, you are a traitor to the country so it is frozen, and the little blood you have will be there in five minutes (putting the spoon up to my face, and pointing to it.) I said 'If you think you are benefiting your cause by taking my blood, you are quite welcome to it.' He called his people and a committee, and wanted to put me on trial for my life, and Garnet got up and went to the table with a sheet of paper, and Gabriel Dumont took a seat on a syrup keg, and Riel called up the witnesses against me. He said that I was a liar, and he told them I had said all the people in that section of the country were rising against them. I said it was not so, it was only the people in this town. He said that he could prove that I was a liar by Thomas Scott.' Mr. McKay spoke in his own defence, while he was speaking Riel went up stairs, he said he had a committee meeting of importance there to attend, and when he came down again Mr. McKay says: 'Riel apologised to me for what he had said. He said that he did not address himself to me personally, that he had the greatest respect for me: that it was my cause he was speaking against.' He wished to show that he entertained great respect for me. He also apologised to the people there in French, and he said as I was going out that he was very sorry I was against him. That he would be glad to have me with them; and that it would not be too late for me to join them yet. He also said that this was Crozier's last opportunity of avoiding bloodshed. That unless he surrendered Fort Carleton an attack would be made at twelve o'clock."

Can any one doubt that this describes the language and conduct of an insane man? The suddenness of his passion, the suddenness with which it subsided, the cruelty and the capriciousness, are all indicative of insanity. We have exactly the same characteristics exhibited by Riel at the time he took the life of Scott that he exhibited when he threatened to take the life of McKay and when he probably would have taken his life had not other parties remonstrated with him against the course he was about to pursue. I refer to the report of Hon. Donald Smith, who refers in the first place to the case of Capt. Bolton. Riel proposed to put to death Capt. Bolton, and was with difficulty persuaded from carrying out this notion. Mr. Smith goes on to report :

"He was captured on the 17th. tried by court martial, and condemned to be shot at noon on the following day, but at the intercession of the Lord Bishop of Rupert's Land, Archdeacon McLean, and, in short, every influential man among the English, and I have been told also, at the earnest entreaty of the Catholic clergy, the execution was delayed till midnight of Saturday, the 19th. Further than this, Riel declared he could not, would not, yield, except, indeed, Dr. Schultz should be captured in the meantime, in which case he would be shot instead of Bolton. Archdeacon McLean had been in close attendance on Capt. Bolton for twenty-four hours, had administered to him the sacrament, received his last commands, and had promised to be present with him at the last moment, and when I met the Archdeacon on my way to see Riel, about 8 o'clock on the evening of the 19th, he was deeply affected, and had given up all hope. I found with Riel Mr. H. N. Robinson, of *The Nation* newspaper, and shortly afterwards Mr. James Ross, Chief Justice, entered, followed in a few minutes by Mr. Bannatyne, Postmaster, who had been ordered to bring the key of the mail bag, which Riel had opened, and examining the letters perused and retained one or more. Mr. Ross pleaded for Bolton, but was repulsed in the most contemptuous manner. I had already been speaking to Riel on the subject when interrupted by Mr. Ross's entrance, and now resumed the conversation. Riel was obdurate, and said that the English settlers and Canadians, but more especially the latter, had laughed at and despised the French half-breeds, believing that they would not dare to take the life of anyone, and that, under these circumstances, it would be impossible to have peace and establish order in the country; an example must therefore be made, and he had firmly resolved that Bolton's execution should be carried out, bitterly as he deplored the necessity for doing so. I reasoned with him long and earnestly, until at length, about 10 o'clock, he yielded, and addressing me, apparently with much feeling, said: 'Hitherto I have been deaf to all entreaties, and in now granting you this man's life, or words to that effect, 'may I ask you a favor?' 'Anything,' I replied, 'that in honor I can do.' He continued: 'Canada has disunited us; will you use your influence to re-unite us? You can do so, and without this it must be war—bloody civil war.' I answered, that as I had said on first coming to the country I would now repeat, that 'I would give my whole heart to effect a peaceable union of the country with Canada.' 'We want only our just rights as British subjects,' he said, 'and we want the English to join us simply to obtain these.' 'Then,' I remarked, 'I shall at once see them and induce them to go on with the election of delegates for that purpose;' and he replied: 'If you can do this war will be avoided, and not only the lives but the liberty of all the prisoners will be secured, for on your success depend the lives of all the Canadians in the country.' He immediately proceeded to the prison and intimated to Archdeacon McLean that he had been induced by me to spare Capt. Bolton's life, and had further promised to me that immediately on the meeting of the Council shortly to be elected, the whole of the prisoners would be

released, requesting the Archdeacon at the same time to explain these circumstances to Capt. Bolton and the other prisoners."

Shortly after this he made up his mind, it would seem, without communicating with any of these parties, that he would execute Thomas Scott, although he had promised to release all the prisoners, which would have included Scott, who was then in confinement.—

"He then said that the conduct of the prisoners was very unsatisfactory, that they were very unruly, insolent to the soldiers, and their behavior altogether so very bad, that he was afraid the guards might be forced to retaliate in self-defence. I expressed much surprise at the information he gave, as the prisoners, without exception, had promised to Archdeacon McLean and myself, that seeing their helpless condition, they would endeavor to act so as to avoid giving offence to their guards, and we encouraged them to look forward to being speedily released in fulfilment of the promise made by Mr. Riel. One man, Parker, was mentioned as having made himself particularly obnoxious by his violent conduct, but not one word was said on this occasion regarding Scott, or the slightest intimation given, that he or any other person had been condemned to be shot."

And so we find afterwards that Riel decided on taking Scott's life; we find that efforts were put forward to prevent the execution of Scott, but he was nevertheless tried by mock court martial, condemned to death, and shot the next day. Now, we have, Mr. Speaker, the same mental characteristics, the same caprice, the same violence exhibited here that we find exhibited in his interview with the two clergymen whose evidence we have before us, and before Mr. Mackay, whose testimony was also given at the trial. I think it is scarcely possible to come to any other conclusion than that Riel was insane during the period of the last rebellion, and that the offence which has excited the great hostility against him, which, if he had been in the full possession of his senses, would have deserved the severest punishment the law could have inflicted, was committed when he was in the same mental condition as that in which he was when he led the half-breeds into rebellion on the Saskatchewan. It is said that this is the second time that Riel was guilty of treason. Well, I notice that before the Committee of Inquiry into the causes of the first outbreak in the North-West the First Minister said :

"The armed resistance was a very aggravated breach of the peace, but we were anxious to hold and did hold, that under the circumstances of the case it did not amount to treason. We were informed that the insurgents did not desire to throw off allegiance to the Queen, or sever their country from the Empire, but that their action was in the nature of an armed resistance to the entry into the country of an officer, or officers, sent by the Dominion Government. We desired, therefore, that it should be considered in the light of an unlawful assembly, although it might technically be held to come under the statute of treason, and it was intended that that continuous act, whatever it might be called, should come under the proclamation and be condoned by it.

When the Minister of Justice refers to this as being a second offence, I confess I hardly know what offence he alluded to as the first—whether he referred to the insurrection which the First Minister in 1875 described as "a grave breach of peace" or whether he referred to the murder of Thomas Scott. I have no hesitation in saying that I look upon the killing of Scott, if Riel were in the full possession of his faculties, as a cold-blooded, heartless, cruel murder. It is impossible to speak of it as a political offence, the rebellion had not made such progress as to make the counsel of its leaders a *de facto* government, and if it was a *de facto* government, it would have had no more right to commit murder in the exercise of authority than a regular constituted government, and that could give no authority to its chief officer to take the life of an individual in a wanton, cruel manner. For that offence I have no apology to offer. I regard it in precisely the same light as that in which it has been regarded by the great majority of the people, if it had been committed by a man in the full possession of his faculties. But I think his subsequent confinement in the asylums of Lower Canada, the testimony of the physicians who had him in charge in those asylums, the testimony of the experts who examined him before his trial, and the testimony of

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those men who saw him in the North-West, show that both in the first insurrection and in the second, both when he took the life of Scott and when he was seeking to incite the Indians to rebellion, he was partially insane; that upon the subject of religion and politics he was what is called a megalomaniac, and that being the case, although it might not be such a degree of insanity as to justify a jury in finding him not guilty, it was such a degree of insanity as to throw upon the Government the duty to mitigate the penalty to which he would be subjected by the sentence. It is said that Riel exhibited control of his reason in the steps he took to bring about a rebellion; that he adopted appropriate plans to produce certain results; that his memory was retentive; that he was vindictive; that he was what is popularly called a "crank," but not an insane man. These observations only go to show how erroneous are the notions that are generally received with regard to insanity, especially with regard to partial insanity. Doctor Ray, an alienist of great ability, and with great opportunities of observation, says :

"The common reluctance to attribute insanity to such persons, arises principally from the fact that they act from a rational motive, from that prolific parent of crime—revenge. That this should be considered incompatible with insanity only indicates how imperfect are the prevalent notions with respect to this disease. It needs but little observation of the insane to see that they often act from rational motives. Strike an insane man, and he will be very likely to strike back. Promise him a reward for good behavior, and he will probably endeavor to earn it. Put him upon his honor, and he will be likely to keep his word. Do him a grievous wrong, and he will remember it and retaliate at some distant day. And when a man has been made insane, ostensibly by insult and abuse, the disease is not calculated to soften his feelings towards the offender, unless it crushes them altogether, or to deter him from inflicting punishment. It may be disproportionate and cruel, and therein consists the manifestation of disease. Insanity may lead a man to regard his friends as no better than his enemies; but it seldom leads him to consider his enemies as friends, and treat them accordingly."

We have but to apply these observations to Riel's conduct to Captain Boulton, to Mr. Scott and to Mr. McKay, and we shall see in it the exhibition of revenge, cruelty and caprice, such as is here described as a manifestation of cerebral disease. It is said that Riel planned a rebellion, and that in carrying out his plan he exhibited a great deal of acuteness and ability; but this is not extraordinary, insane men frequently do so. I need but refer to the well known case of George III. There are many incidents in his life, during the periods of his insanity, totally irreconcilable with popular notions. I will just call the attention of the House to a passage from the life of Lord Eldon, with reference to an interview he had on one important occasion with the king, during the period of his mental aberration. He says :

"On applying to the king to obtain his sign manual to several Bills, he began to read an abstract of the Bills with more of detail than usual, when the King said, 'My Lord, you are cautious.' Eldon begged it might be so under existing circumstances. 'Oh,' said the king, 'you are certainly right in that; but you should be correct as well as cautious.' Eldon replied that he was not conscious that he was incorrect. 'No,' said he, 'you are not; for if you will look into the commission you have brought me to sign you will see that I there state that I have fully considered the Bills proposed to receive my sign manual; to be correct, therefore, I should have the Bills to peruse and consider.' I stated to him that he had never had the Bills whilst I had been Chancellor, and that I did not know that he had ever had the Bills. He said that 'during part of his reign he had always had them, until Lord Thurlow had ceased to bring them;' and the expression His Majesty used was 'Lord Thurlow said it was nonsense his giving himself the trouble to read them.'"

This is a conversation represented as taking place between the Lord Chancellor and the king during the period that the king was insane. Then, further, we are told that at this time the king professed to be carrying on conversations with men who had been dead for a long period of years, and, when questioned, he insisted that he could carry on such conversations. Lord Eldon says :

"It was agreed on one occasion that if this malady exhibited itself during Council, Sir Henry Hallford should endeavor to recall him from

his aberrations. The king began addressing two persons, whom he favored in early life, long dead. Sir Henry observed that His Majesty had forgotten they had both died many years ago. True, said the king, dead to you and the world, but not to me. You forget that I have the power of holding intercourse with those whom you call dead. It is vain for you, so far as I am concerned, to kill your patients."

So we find that the king, although he was so far insane as to believe that he was carrying on conversations with persons who had been dead for many years, was capable, when spoken to rationally, of carrying on a rational conversation. We find, also, a story told of him by Francis Horner, during the period of his insanity. At a concert, the king made the selection of the music :

"This consisted of all the finest passages to be found in Handel, descriptive of madness and blindness, particularly those in the Opera of Samson; there was one also upon Madness from Love, and the lamentation of Jephtha upon the loss of his daughter, and it closed with God save the King, to make sure the application of all that went before."

Now, Mr. Speaker, the hallucinations exhibited by Riel in his diary, are sufficient to show the unsound mental state of this man. Let me read for the information of the House a few extracts from that diary :

"The spirit of God shows me a measure of merchandise. On the bottom of the measure are written the following words:—'The bowels of the North.' Oh, my God, grant me for the love of Jesus, of Mary, of Joseph, and of St. John the Baptist, the grace to conquer the North, and to be master of all its possessions; give me the bowels of the North."

Another extract from his diary says :

"I have seen a flock of dark colored geese. They appeared to be flying, but in reality were motionless in the sky. I saw them disperse as into two groups. The leader in front, which, with the others appeared to be flying towards the west, turned suddenly towards the left and took an easterly direction. Those geese which turned in the light did not reflect anything luminous. They were covered with darkness. Oh, warriors who fight for bad principles you are like black geese. God will stop you in your flight. In spite of all, you will be obliged to turn and retrace your course. Hear, listen and obey, and you will come out of the misfortunes, the reverses, and the dishonors which threaten to overwhelm you."

Again :

"The spirit of God has showed me the place where I shall be wounded in the highest joint of the ring finger. He pointed out to me which joint it was on his own finger. The Spirit said to me: 'I think that you will be wounded.'"

Then again, Sir:—

"While I was praying, the Spirit of God showed me, on the south branch of the Saskatchewan, a small vessel in which there were two or three men, one of whom had a red tongue. They went down the river, keeping the left bank. At the same time, or a little after, it appeared to me that the cable at the crossing was broken in two. It appeared also to me that the police were arriving from Troy."

And so I might read a number of other passages, equally indicative of the absence of the rational faculties. He says again :

"I have seen the giant. He comes. He is hideous. He is Goliath. He has not got to the place he meant to occupy. I see him. He loses his own body and all his people. There is left to him nothing but the head. He is not willing to humble himself. He has his head cut off."

An hon. MEMBER. That is your fool.

Mr. MILLS. No; it is the fool that the hon. gentleman insists the Government did right in hanging. Now, Sir, the law with regard to this class of cases is very simple. The difficulty does not arise with reference to the want of certainty as to the law, but it arises from obscurity as to the facts. Let me refer to a few cases for the purpose of showing precisely what the law is as administered by the court, and how far that law is modified by the action of the Home Secretary, because in the class of criminal cases that are punished capitally we cannot learn the law precisely from courts of justice. Courts of justice give that law as it should be applied in extreme cases, in cases of capital punishment, but we look to the action of the Home Department for the purpose of seeing how far that

law is modified by executive authority. Now, I will read from the charge of Mr. Justice Leblanc to the jury in the case of Burrows. He was tried for the act of shooting a man, and Mr. Warburton, the keeper of a lunatic asylum, was examined and gave it as his opinion that the prisoner was insane. The judge, in charging the jury, said :

"It is for you to determine whether the prisoner when he committed the offence with which he stands charged was or was not capable of distinguishing right from wrong, or whether he was under the influence of any delusion with respect to the prosecutor which rendered his mind at the moment insensible of the nature of the act he was about to commit, since in that case he would not be legally responsible for his conduct. On the other hand, provided you should be of opinion that when he committed the offence he was capable of distinguishing right from wrong and was not under the influence of such a delusion as disabled him from distinguishing that he was doing a wrong act, in that case he is answerable to the justice of his country, and is guilty in the eye of the law."

A similar charge was made to the jury in the case of Bellingham by Chief Justice Mansfield. But there is an earlier case—that of Hatfield, who shot at the king in 1800. In that case Mr. Erskine defended the prisoner, and he laid down the law in these words :

"When a man is laboring under a delusion, if you are satisfied that the delusion existed at the time of the committal of the offence—that the act was done under its influence, then he cannot be considered as guilty of any crime."

This trial took place at Bar, in the Court of King's Bench. All the judges of that court were in attendance. Lord Kenyon, before the defence was closed, said :

"Mr. Attorney-General, can you call any witnesses to contradict these facts with regard to the law, as it is laid down there can be no doubt upon earth; to be sure, if a man is in a deranged state of mind at the time he is not criminally answerable for his acts; but the material part of this case is whether at the very time when the act was committed the man's mind was sane."

Lord Chancellor Lyndhurst in discussing this subject in the House of Lords said :

"Lord Kenyon, and through him, all the other judges of the Court of King's Bench were of opinion that the law as laid down by Mr. Erskine was correct, and that if the man who committed a crime was insane at the time he committed it, that is to say, was laboring under such disease of the mind as not to know whether he was doing right or wrong, in that case he was not a subject for a criminal prosecution. No departure has been made from the rule of law thus laid down at the three trials. The rule of law so laid down by them was not laid down when those learned judges were sitting alone, but when they were sitting in connection with the other judges of their respective courts, whose opinions, of course, must be taken as having corresponded with theirs."

In Oxford's case Lord Chief Justice Denman laid down the law in precisely the same terms. He consulted Justices Patteson and Alderson who were sitting with him and they concurred with him in a written note as to what was the law upon the subject, and the note so agreed upon was read by the chief justice to the jury. Lord Lyndhurst further says :

"I take it that the law is distinctly settled upon the subject. If it be so the next question for your Lordships' consideration is whether there is any reason to alter, or I should say any possibility of altering the law. Can your Lordship say that, if a man, when he commits a crime, is under the influence of a delusion, and insanity, so as not to know right from wrong, so as not to know what he is doing—is it possible that your lordships can by any legislative provision say, that such a man shall be responsible for his act, and liable to lose his life for the wrong he has unknowingly committed? It is impossible. Your Lordships might pass such a law; you have the power to do so; but when you come for the first time to put it into execution, the sense of all, the feeling of all reasonable men would revolt against it, and your Lordships would be obliged to retrace your steps and to repeal the law which you had passed in a moment of excited feeling, in consequence of recent painful impressions, but which you could not have passed under the influence of sober and steady reason."

The hon. gentleman said that the law as laid down in MacNaghton's case, modified the law as it was interpreted by the courts, but that it was more strictly applied, and that the rule as mentioned by Mr. Erskine in Hatfield's case, and by Lord Chief Justice Denman, in that of Oxford, was repudiated. It is very difficult to say from the mere examination of an abstract opinion what the law precisely is, but if we look at the construction put upon the law after

the opinions expressed by the judges in MacNaghton's case, I think we will find that it is exactly the same as before, that the opinions then delivered did not modify the law, and did not alter it, that the law as there expressed remains unchanged, and that where a person is insane and the insanity causes the act with which he is charged, though that insanity is not persistent and only partial, in such case the party is not held responsible. In the case of the Queen *vs.* Law, a married woman killed her husband after an apparent recovery from a disease which tended to produce insane delusions of the senses, and which, according to her own account existed at the time of the homicide. Mr. Justice Erie said these facts were evidence from which a jury might properly find she was not in such a state of mind at the time as to know the nature of or to be accountable for the act. The difficulty which the judges felt in laying down rules of law in cases of partial insanity arises from the nature of the disease, and the views of many scientists upon the subject. Lord Campbell observed, in the discussion by the law lords, that some doctors earnestly maintained that there was no one altogether sane, and if every one partially insane was to be exempt from responsibility, they might find themselves establishing a rule which would grant immunity to the most atrocious criminals. Lord Hale in his Pleas of the Crown says :

"Partial insanity is no excuse; this is the condition of very many, especially melancholy persons, who, for the most part, discover their defect in excessive fears and griefs, and yet, are not wholly destitute of the use of reason; and this partial insanity seems not to excuse them in the committing of any offence, for it is a matter capital."

Stopping at this point, let me ask who are embraced in this definition? Lord C. J. Kenyon was all his life haunted by the dread of poverty. The same is true of Lord Stowell. Lord Erskine refused to sit down as one of thirteen at table. They all fall within this definition of partial insanity. I had a farm laborer once seized with a severe attack of colic, he declared that another of the men had put a spell upon him. He wrote a prayer and put it in his boot to dissipate the malign influence of the other man, and he threatened the other for the wrong done him. He falls within Lord Hales definition of partial insanity. But Lord Hale goes on to say :

"It is very difficult to determine the indivisible line that divides perfect and imperfect insanity; but it must rest upon circumstances duly to be weighed and considered both by judge and jury lest upon the one side there be a kind of inhumanity towards the defects of human nature, or on the other side too great an indulgence given to great crimes."

The House will see that difficulty arises in consequence of the obscurity of the facts—on account of the difficulty of classifying and defining them. You might as well try to mark the line which separates day from night as to draw the line which separates sanity from insanity. There is a broad field in which the light of reason and the darkness of insanity combine. They are strangely and mysteriously mingled. When a partially insane man commits a crime for which he is put upon his trial, the court and the jury have often a most difficult task to perform. It is not easy for them to draw the line by which responsibility is to be measured. Lord Lyndhurst in the trial of Offord told the jury that they might acquit the prisoner on the ground of insanity if he did not know when he committed the act, what the effect of it was with reference to the crime of murder. The examination of this case shows that the point Lord Lyndhurst decided was that a man who, under an insane delusion, shoots another is not responsible when the shooting is the product of the delusion. This principle is practically recognised in the acquittal of Offord. The parties who, according to the decision of the courts and the Home Officer are exempt from responsibility, are those who are generally insane; those who are partially insane, and act under an insane delusion, so that the crime emanates

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from the delusion; and those, too, who act from some irresistible impulse arising from insanity although they may know the act is forbidden by the law of the land; as to this last proposition, however, there may be some doubt. This is the law as laid down by the courts in the cases which I have mentioned. There are a large class of cases in which insanity does not wholly relieve from responsibility. As long as an insane person may be influenced by the fear of punishment society may, as a measure of self-protection, subject the partially insane to punishment. The rule to be inferred from the cases and from the practice of the home office is this: Where the prisoner's reasoning powers are so depraved as to make the commission of the particular offence the necessary and natural consequence of the delusion the party he is relieved from responsibility, but where the act lies outside of the delusion and its relation to the insanity cannot be clearly traced, the responsibility continues though it is diminished by the mental unsoundness of the offender. Lord Brougham mentions the fact that when defending Martin, a lunatic, for setting fire to York minster, he learned of a conversation that took place in a neighboring asylum. There was a general discussion on the case in the lunatic asylum, and the lunatics came generally to the conclusion that a man in such a condition could not be held responsible. There is, no doubt, a certain sense of responsibility, and in many cases lunatics can be controlled by fear. There are such institutions as Government lunatic asylums, and it is evident that lunatics are not wholly beyond the control and influence of the law. But you do not apply to the man whose reason is affected the same degree of responsibility you do to one who is in full possession of all his faculties. That is the precise point in this case. I am not arguing that this man ought to have been acquitted. I say that, in all probability, I would not have agreed with the jury and would have been disposed to find that the act grew so far out of the insane delusions that the prisoner ought to be acquitted. The whole evidence showed there was an insane element in the man's mind. Assuming that conviction was right, that the jury found the proper verdict, I contend that he was not a proper party against whom to apply the extreme penalty of the law as in the case of a man without any such delusions or insane impressions. That is a well-recognised rule which has been laid down and followed in English cases. Now, we admit that the law should exercise this control over such parties that the interests of society require that there should be restraint, but we deny altogether that this gives to the Government the right to enforce the extreme penalty of the law against a person in such a mental condition. I quote a passage from Wharton's work :

"It has already been abundantly shown that there are conditions of mind in which actual insanity cannot be said to have set in but in which there are insane predispositions tending to either undue mental exaltation or undue mental depression. A psychical condition, inherited, it may be, or the result of some physical cause, makes the patient incapable when excited of due deliberation renders it difficult for him to cool, or disturbs his mind when it comes to act on the question of intent. Such a man, for instance, in an excitement which this psychical state makes far more intense and protracted than it would be among persons of ordinary mental health, kills another. Is he to be acquitted? Certainly not; for he cannot, on any sound principles, psychological or legal, be declared insane. Is he to be convicted of murder in the first degree, and hung? This, were the defendant a person of healthy and normal temperament, would be perhaps the natural sequence of the trial, should it appear that the homicide was deliberately executed. But, suppose the case of a man who, from insane predisposition, instead of cooling down after the first flush of hot blood, falls into a state of morbid excitement, continuing and perhaps growing for weeks. Is such a man to be judged, as to a homicide committed during such excitement, by the same rules as apply to a person whose passions have had time to subside? In other words, are cooling time, and intent and premeditation, to be gauged by the capacity of the ideal rational man, or that of a person under trial? That the latter view should be taken—that we should determine these questions according to the capacity the defendant himself, has been already been incidentally argued and may be confirmed by many analogies of penal jurisprudence. In this way do we judge those conceptions of danger which justify a party in resorting to violent means of self defence, &c."

Now, we recognise that rule in ordinary cases. A man who has received great provocation, and who in a towering passion strikes another or takes his life, is not judged guilty morally in the same degree as the man who lies in wait for another and with malice aforethought takes his life. The law mitigates the punishment. We do not always in our Acts of Parliament, classify offences and guard against extreme penalties that the law awards, and make these distinctions which are well settled and recognised, but in the administration of the law the Executive Government does modify and apply the law as it is intended it should be applied in such cases. Now, the very same reason which makes a distinction such as I have described, makes a distinction between the man who is in full possession of his faculties and the man who is partially insane. The question is, was Riel in the full possession of his faculties, or partially insane. Let us look at the evidence, look at the fact that he believed he was inspired; look at his diary, his communication with the parties, the acts which he did, the testimony of the experts and of the clergymen who had every opportunity of judging his mental condition, and it is impossible to come to the conclusion that he was in full possession of his faculties. Are you then going to apply to him a rule of law which can only justly be applied to the man whose mind is healthy and vigorous and not subject to the morbid illusions and the hallucinations which were manifested in his case? This rule has been well settled in England by the practice in the Home Office. We do not look simply at the decisions of the courts. We look to see what the Secretary of State for the Home Department does in giving effect to the decisions of the courts. The exercise of the power of pardon whether exercised to its fullest extent or only partially, is exercised according to certain judicial principles which have become part of the settled administration of justice, and they should be applied in every case. There is no reason for applying one rule to one criminal and a wholly different rule to another criminal under exactly the same circumstances. Let me refer to the case of Christina Edmunds, who was tried in 1872 before Baron Martin, for the murder of a little boy named Barker. The uncle of the boy had bought some chocolate drops from a confectioner named Maynard, which the boy ate and died a few hours afterward. Upon a *post mortem* strychnine enough was found in the boy's stomach to have killed an adult. It appeared that the prisoner had bought from a chemist on various pleas, and once under a false name, a considerable quantity of strychnine. She sent a boy whom she met in the streets to buy chocolate drops at Maynard's, she said they were too large, and returned them. The court held that she introduced into the shop the poisoned sweets by which young Barker was killed. It appeared that she had frequently sent boys to other shops for candies, that the children who had eaten them had been taken sick, that the symptoms were like those produced by strychnine. It appeared that she had fallen violently in love with Dr. Beard; that she had given Mrs. Beard chocolate creams which caused sickness; that to divert attention from herself, she sought to fasten suspicion on Maynard, by introducing poisoned candies into his shop. The plea of insanity was advanced, it was proven on the trial that her father died a maniac in an asylum; that her brother was an epileptic idiot; that her sister labored under hysteria and attempted to commit suicide; that her mother's father died an imbecile from paralysis at forty-three; that she herself had many years before suffered from hysteria and paralysis. Dr. Maudsley gave as his opinion that she was quite incapable of judging between right and wrong in the same sense that other people would. Dr. Robertson said that her intellect seemed clear from any delusion, but that her moral sense was deficient, as in the descendants of insane persons. Baron Martin said that if the defendant was under a delusion which made the poison-

ing seem right to her, she was entitled to acquittal on the ground of insanity; if not, she should be convicted. She poisoned, it is said, when she could do so with impunity. She controlled herself when she could not. The experts examined admitted that they had not a sufficient opportunity to judge of her case, and Baron Martin united with the jury in recommending the reconsideration of the question by the Home Secretary. The London *Lancet* said that her crime had a motive, that her conduct was directed with infernal cunning towards her end, but that is not in the least inconsistent with the worst forms of madness. The *Lancet* continues:

"We do not hesitate to say that had Christina Edmunds been hanged, a judicial murder would have been committed."

Sir William Gull and Dr. Orange were appointed to examine into her case. They reported her insane, and her sentence was commuted to imprisonment at Broadmoor Asylum as a criminal lunatic. Another case that I may mention is that of Townley. He was tried before Baron Martin in 1868. Townley was engaged to a young lady. Both were respectable. Twice the engagement was broken off. She became engaged to another. He solicited an interview, at the close of which he killed her with a pen-knife. He gave notice of what he had done, assisted in rendering the necessary attentions, and made no effort to escape. It was shown that he was of an amiable disposition, though excitable and peculiar; that many of his relatives were insane. His own account of the transaction was that he had endeavored to obtain from her the name of his rival; that she refused to give it; that he kept down his feelings as well as he could, and that he did not remember anything at the last. He admitted the act was murder, and that he would be hanged, but he maintained he was happier for having done it. He said she had deceived him, and that the woman who deceives him must die—that having been engaged to him, she was his property. His statements seemed free from delusion, but his expressions were full of that peculiar extravagance of sentiment that is sometimes marked in the insane. He seemed quite insensible as to moral distinctions. Sir George Grey was Home Secretary, and Baron Martin solicited his attention to the case. Three members of the Board of Lunacy were appointed to examine him, and they reported that his notions were extravagant; that his moral sense was perverted, and that the hereditary taint of insanity proved at the trial, induced them to hold that he could not be considered of sound mind. He was sent to Bethlehem Hospital. A protest signed by forty magistrates, was sent to the Secretary of State, who immediately appointed another commission consisting of four physicians, two of whom were superintendents of hospitals for the insane, and the other two had previously been physicians to chancery lunatics. They reported him to be of sound mind, and upon this report he was taken from the hospital, and sentenced to penal servitude for life in Australia. Townley decided the question himself; he destroyed his own life by leaping from one of the galleries of the prison to the floor below. I may refer to an American case, the case of John Bilman, who had been sent to the Eastern Penitentiary at Pennsylvania for horse-stealing, who murdered his keeper under circumstances of very great brutality, and who was so cunning as to avert all suspicion as to his intention and almost to conceal his flight. He hung a noose on the outside of a small window in the door of the cell. He induced his keeper to look in at something on the floor close to the door; to do this the keeper had to put his head entirely through, the noose was then drawn and but for an accident, he would have been suffocated by Bilman. A few days after he inveigled the keeper into his cell under the pretence that he was sick, and then killed him by striking him on the head with a piece of wash-

board. He undressed the keeper and put on his clothes, put the keeper in his bed, traversed the corridor with an unconcerned air, addressed the gatekeeper carelessly, and sauntered out into the street. He was soon caught, but his insanity was so indisputable that the prosecuting authorities after a careful and skilful examination, concurred in an acquittal on the ground of insanity. He was returned to confinement, and afterwards in a communicative mood admitted that he had several years before, murdered his own father, under circumstances which he detailed with great minuteness. Inquiries were instituted, and it was found that he had told the truth. The father had been found strangled in his bed. The son had been arrested, but he had fled for many miles on horseback, and climbed into a chamber window, so that he succeeded in proving an *alibi*. He had a keen sense of guilt, a keen appreciation of the consequence of exposure, and took all the necessary steps to avoid conviction that could have been taken by one in full possession of his senses. It is a well settled rule in law that predisposition to insanity—much more where there is actual insanity—lowers the grade of guilt, although it may not entirely relieve from responsibility it does mitigate the enormity of the offence. I may mention one case that may not be without interest in this discussion. Three years ago one Rowlands was tried in the county of Kent, and sentenced to death for the murder of his wife. He had, I believe, threatened her life. One day he seized his gun and shot her. He had usually been peaceable. He was sober, industrious, and apart from this act, bore a good character. He talked rationally. Attended to his business properly. I am not aware whether the plea of insanity was raised upon his trial or not; my impression is that it was. He was, however, found guilty, and sentenced to be executed. The Rev. Mr. Williams interceded on his behalf; but I am informed without success. The member for Kent was pressed to use his influence with the Government. He did so, and was successful in securing the commutation of the sentence into imprisonment for life. The impression prevailed that Rowlands was insane; but this impression was due, so far as the public were concerned, on account of the man's good character. I don't know that the Government issued a commission. I don't know whether any experts were directed to visit the prisoner and report. I don't know upon what ground the order for commutation was based, or whether there was anything beyond this mere recommendation to mercy, but I know no rule that could be applied to that case that would not apply to this. The hon. member for Provencher, the old friend and associate of Louis Riel, has, during this discussion, pronounced an eulogy upon some other members of the Riel family. Why I do not very well know. It may be that he thinks it will be some satisfaction to them, while he quite approves of the execution of his old friend. Whatever else he may find fault with, he heartily approves of this. Like Tom Moore's Public Man, he is resolved not to allow himself to be influenced by the memory of old friendship. Mr. Moore's Statesman says:

"I am proud to declare I have no predilections.
My heart is a sieve where some scattered affections
Are just danced about for a moment or two,
And the finer they are, the more sure to go through"

It may be well not to allow private friendships to weigh against the interests of the State. Mr. Tims, in his Anecdotes of the Bench and Bar of Scotland, tells the story of a Scotch judge who played chess all night with a man whom he, the next day, sentenced to death, with the observation: Well, friend Peter, I have checkmated you this time. I am sure, however, that many of those who listened to the speech of the hon. member for Provencher on both sides of the House, would have preferred that it had not been made. There are many in this House who think Riel was in the full possession of his faculties and was fully responsible for

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his actions, and they may very properly come to the defence of the Government; but is the hon. member for Provencher one of these? Does he say that Riel was not insane? Does he think him the base mercenary man that he has been depicted? Perhaps the hon. member may be of opinion that the gallows of Regina has its advantages. Charles Dickens once observed to a friend "that there was no position in life, however disagreeable, that is without its compensating advantages." "What advantage," asked his friend, "had the gallows at the old Bailey to the two men who were hanged there yesterday?" "Let me," said Dickens, "relate to you an incident of what there happened. The prisoners were standing on the platform. The execution was about to take place when a great commotion was observed in the vast crowd of spectators. An enraged bullock had broken away from some butchers' boys, and madly rushed in among the people, when one of the culprits exclaimed to the other: 'I say Jack what lucky dogs we are not to be in that crowd.'" If the ghost of Riel could re-visit the glimpses of the moon it might fittingly say to the hon. member: "If it had been an enemy that reproached me then I could have borne it, but it is through my companion, my protégé and friend." The Ministry have a power much broader than pertains to any court. It can consider and make allowance for all those acts and circumstances, which, in the judgment of mankind, excuse acts which the bald propositions of law condemn. Ministers have admitted of no mitigating circumstances arising from negligence, delay or abuse of authority. Lunacy ought to have had some weight. It is the law that it should have weight. It did not. In voting for the motion I am voting to uphold the law and to affirm as applicable to this case, the same rule that governs in others of a like character.

Mr. ORTON moved the adjournment of the debate.

Sir HECTOR LANGEVIN. I move the adjournment of the House, but before doing so, I would ask hon. gentlemen on the other side whether we can come to some understanding about closing this debate to-morrow or the next day?

Mr. BLAKE. As far as I am concerned, I would be glad to see it closed the next day and still more glad to-morrow. In the peculiar position in which the debate stands, I cannot make any promise, but will do anything in my power to facilitate the early closing of the debate.

Sir HECTOR LANGEVIN. It is only fair on both sides that we should know about the time when the debate will close, so that our friends may be in their places. By what has been told me on both sides, we must expect a few more speeches, and perhaps hon. gentleman will be satisfied if we come to an agreement to close the debate Wednesday night.

Mr. BLAKE. You think it impossible to get through to-morrow.

Sir HECTOR LANGEVIN. I do not think we can, but we might finish up on Wednesday night.

Mr. HESSON. I would suggest that as the debate will in all probability close on Wednesday night, and Thursday being a holiday, we should adjourn on Wednesday night until the following Monday. It seems unfortunate to keep so many members here when we might adjourn over from Wednesday until Monday. If the debate was closed on Wednesday night or Thursday morning, members might go home and come back on Monday.

Sir HECTOR LANGEVIN. I am not in a position to give an opinion on the part of the Government this evening, but perhaps to-morrow, when the House meets, we may be able to take the sense of the House on the subject.

Mr. BLAKE. I think, if there is any notion of that kind, it should be communicated not later than 3 o'clock to-morrow so that members might be notified. The question is what attendance we would be likely to have on the single Friday, and what business we would have before us. I do not know whether Notices would come up on that day.

Mr. SPEAKER. It is a Government day.

Motion agreed to; and the House adjourned at 12:45 a.m. (Tuesday).

HOUSE OF COMMONS.

TUESDAY, 23rd March, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FIRST READINGS.

Bill (No. 61) respecting the Canadian Copper Company.—(Mr. White, Hastings.)

Bill (No. 62) respecting the Anglo-American Iron Company.—(Mr. White, Hastings.)

Bill (No. 63) to incorporate the Rock Lake, Souris and Brandon Railway Company.—(Mr. Small.)

PRIVILEGE—EXECUTION OF LOUIS RIEL.

Mr. CURRAN. Mr. Speaker: As a question of privilege, I beg to be allowed to draw the attention of this honorable House to an item in the *Evening Journal* of yesterday, the 22nd instant, to the following effect:—

"It appears," says the Ottawa correspondent of the *Globe*, "that Mgr. Taché wrote to Mr. Curran, M.P., regarding the accusations brought against him in the House by the latter. The words alleged to have been made use of were to the effect that the Archbishop had written things that he would not dare utter under oath. His Grace, so the story goes, exacted a retraction from the member for Montreal Centre."

My reference to His Grace the Archbishop is thus reported in *Hansard*, which must have been easy of access to the *Globe* correspondent. Speaking of Riel's insanity I said:

"Now the next question comes—was he insane? And, in reading an interview with the leading counsel for the defence from the Province of Quebec, we have found it stated here that His Grace Archbishop Taché refused to go and give evidence on that occasion. Well, it is not for one in my humble position to speak of one so exalted as His Grace, but I will say that throughout this country, wherever his name is known, it is revered and respected, and that not only for his qualities of intellect but for his nobleness and generosity of heart. He is as widely known as any man in Canada, and when we know that fact, when we know the interest he took in this unfortunate man, when we know that unfortunate man owed everything to him, is it to be supposed that His Grace would not have gone to Regina, or even to the furthest extremity of the earth, if he could have given the testimony that this man did not know right from wrong, that he was insane, that he knew him to be so? We all know that His Grace would have gone, not only to Regina, but to the furthest extremity of the earth, to give evidence for his bitterest enemy if that evidence could have been of any benefit to him."

Sir, I brought no accusation at all. I did not say what the *Globe* correspondent says it is alleged I did, and the allegation about a retraction is, therefore, without foundation. I was discussing the insanity phase of the question under consideration. The name of the Archbishop had been mentioned by a former speaker in connection with the refusal of His Grace to go to the trial at Regina. The thought never entered my mind, much less did I say, as is falsely alleged, "that the Archbishop had written things that he would not dare to utter under oath." My idea of the law of insanity was, and is, that even if His Grace had gone to Regina and stated on oath there exactly what he subsequently

published in his admirable letter on the late troubles in the North-West, it could not have benefited Riel in law; that is what I meant to convey in the paragraph quoted and that His Grace had not gone to give evidence which he considered could not avail. I was mistaken in that respect. His Grace informed me that I had attributed to him the wrong motive for his refusal to go to Regina. I requested the honor of an interview with the Archbishop in the Library of Parliament, and having explained my meaning he very kindly declared himself perfectly satisfied. I proposed then and there to make a statement at the opening of this House on the afternoon of Tuesday last. His Grace thought it better that I should not do so, saying that he desired to keep his name out of the discussion and the newspapers on the question. Subsequently I received from His Grace the following letter:—

"MONTREAL, 17th March.

"DEAR MR. CURRAN,—I should regret very much that the incident of Monday last should cause you annoyance. No doubt it pained me when I heard the appreciation you made of my refusal to go to Regina, but after the explanations you have given me I am convinced you had no intention to say anything whatsoever that might be disagreeable to me. I have no hesitation in affirming that I am satisfied with your explanation, and I authorise you to say so to whom you please.

"I remain with consideration,

"Your very devoted servant,

"† ALEX., O.M.I., ARCH. DE ST BONIFACE.

"J. J. CURRAN, Esq., M.P."

I shall never forget this act of kindness and condescension on the part of His Grace, which is only another added to the many he has extended to me during the past thirty years. I solemnly declare that I would rather quit this Parliament *instantly* than utter a syllable that could be construed into the faintest reflection on the acts or motives of a prelate so distinguished by every virtue, so deservedly admired, esteemed and beloved.

ADJOURNMENT.

Sir HECTOR LANGEVIN. Before the Orders of the Day are called, I wish to say, in answer to the question which was put last evening, whether the intention of the Government was to move the adjournment of the House from to-morrow evening till Monday of next week, my answer to that question is, that, after considering the matter, the Government beg to state that they have no objection, should the vote on the question before the House be taken to-morrow night, to have an adjournment until Monday at three o'clock.

EXECUTION OF LOUIS RIEL.

The House resumed the adjourned debate on the proposed motion of Mr. Landry (Montmagny): "That this House feels it its duty to express its deep regret that the sentence of death passed upon Louis Riel, convicted of high treason, was allowed to be carried into execution;" and the motion of Sir Hector Langevin: "That this question be now put."

Mr. ORTON. Mr. Speaker: It is not my intention to ask the attention of the House at any length on the present occasion. The question under discussion has been so thoroughly argued that I feel it would be useless to attempt to give my views at any length. The speech we had last night by the Minister of Justice so thoroughly disposed of the arguments advanced by the Opposition against the course pursued by the Government in carrying out the sentence passed on that unfortunate man Riel, that I feel there is little left for any member on this side of the House to say. The question of insanity has been thoroughly discussed. It had been my intention to have dealt at some length with the argument used in the early part of the debate by the Opposition, namely, that the mismanagement,

the misrule of the present Government in the North-West was a reason, an excuse why the sentence of death should not have been passed on Louis Riel. But the leader of the Opposition has virtually disposed of that part of the argument by stating that it could not properly be brought either under the consideration of the jury or into the discussion before the House, and that hon. gentleman also intimated that this question would in a short time receive further attention from him, that he would ask the attention of the House to a further consideration of the question at a future period. Therefore, I shall not deal with that part of the question, but confine my remarks chiefly to a medical view of the question, as to whether Louis Riel was so insane as to render him irresponsible, and that his mental condition should have constituted a reason why the Government, instead of carrying out the death sentence, should have commuted his sentence either to imprisonment for life or confinement in a lunatic asylum. In discussing this question from a medical point of view, it will be necessary for me to give a sort of synopsis of what medical men usually consider to be insanity—what is conveyed by the term insanity from a medical standpoint. Insanity is a disease of the material substance of the brain or the nerve centres of the brain, producing a disordered mind. In other words, the medium through which the mind acts is out of gear, the machinery through which it thinks, calculates and forms conclusions and judgments is not in a healthy condition, and, therefore, those judgments and conclusions cannot be those of a sane man. Insanity, in short, is a disease of a material part of our nature, symptoms of which are often visible to the eye of a medical man, although not visible to those who have not received a medical education. The other symptoms which are commonly recognised as insanity are delusions, hallucinations and illusions. A delusion is a false perception of a fact, a false belief in a fact; an hallucination is a false perception of some one of the various senses, the sense of hearing, taste, smell or feeling, or any other of the senses. An illusion is a false perception with respect to sight, a false idea of what an individual may see. He may see, instead of a cloud passing by, a regiment of soldiers on the march, and it is a false conveyance of the sense of sight to the brain. There are other symptoms of marked insanity which are dwelt upon very strongly by some authorities. Dr. Abercrombie says that the loss of the faculty of attention is one of the strongest evidences of insanity. Dr. Moore says that the loss of the faculty of volition should be looked upon as one of the most important symptoms of insanity. Sir, it is very apparent that in a disease of such an organ as the brain insanity should vary in form and in degree. The sufferer from insanity may be totally insane—he may, in fact, be so insane as to come under that degree of insanity which was described by Lord Hale as the form of insanity, and the only form of insanity, which should excuse a criminal from punishment on the ground of insanity. In the trial of Arnold, an undoubted lunatic, Mr. Justice Tracy said: "It is not any kind of frantic humor, or something unaccountable in a man's actions, that points him out to be such a madman as is exempted from punishment; it must be a man that is totally deprived of his understanding and memory, and does not know what he is doing more than an infant or wild beast." That, Sir, is complete insanity; and so far as Louis Riel is concerned, we may dismiss from all consideration the question of his being totally insane, because it is evident to all who have read a report of the trial, to all who have read of his actions during the recent rebellion, that he could not be considered totally insane and, therefore, he can be only partially insane. The field of partial insanity is a very wide one. When we come to consider it we approach to that field which is described by some authorities as the

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border land between the sane and the insane, and by others as the twilight between the light of perfect sanity and the darkness of total insanity. When we come to the consideration of insanity under that head, we find that disputes have arisen between lawyers and doctors. The profession to which I have the honor to belong, take a wider view of what should be considered partial insanity than do the legal fraternity. But, Sir, there is not so wide a distinction when we consider that medical authorities, and even such an authority as Dr. Maudsley, who is one of the most liberal writers on the subject of insanity, believes it is right that certain forms of insanity should, in the interests of society, and for the protection of society, be punished more or less, and therefore the old question arises, at what stage should a criminal be punished for the protection of society, and at what stage should he not be punished because he is a criminal not perhaps altogether responsible for his actions? I shall endeavor, Sir, to examine Louis Riel as a medical man, and try in my way to lay before you the result of the observations I have made in reference to the trial of Louis Riel and what I have seen of him, and to give to the House what I consider is the only conclusion that can be arrived at. Sir, with regard to the different tests of insanity, we will come first to the fact that not one of the medical men who have examined Louis Riel have been able to see any symptoms of insanity either in his countenance, his actions, his movements, or in the physical condition of his body. But, Sir, when we come to delusions, we find that this is the only point at which there is evidence of insanity. Delusion is an undoubted evidence of insanity, but it is not always so considered. I will read what Dr. Maudsley states upon that subject:

"I do not forget that the lawyers have declared delusions to be the test of insanity but that is a doctrine which, in common with other physicians who know anything of insanity, I do not hesitate to pronounce erroneous. In the first place, there may be insanity without delusion, as I have already said; and in the second place, when delusion is present its value as a symptom of insanity may vary much. Some delusions appear to be little more than unfounded and extreme suspicions; jealousy on the part of husband or wife, religious apprehensions, the delusions that friends or children are unkind or actually conspiring to injure the individual, are certainly not by themselves proofs of insanity, although they may become weighty evidence when associated with other symptoms of disease which give them their true interpretation. The absence of delusion will not disprove, nor will the presence of delusion always prove insanity."

Now, I shall endeavor to show that though Louis Riel appeared to labor under delusions, there were no other symptoms of insanity accompanying those delusions, and that those delusions were of a character that an intelligent man might utilise for intelligent purposes. When we come to consider the delusions under which he is supposed to have suffered, what do we find? We find that they are chiefly delusions of a religious character. And under what circumstances do those delusions first become apparent? We well know that the first evidence we have of Louis Riel's delusions on the question of religion was after he came from the other side at the request of the Metis on the Saskatchewan, and after he had made it appear to the people of that neighborhood that he was a devout Catholic, an observer of all the rights of the Church, that he had come from the American side with the blessing of his priest, that he showed every sign of reverence and respect to the religion in which he had been reared, and that as long as he could secure the influence of his clergy, and utilise that influence, along with the impression that he could make on the half-breeds and to carry out his purposes, he had no insane delusions. It was not until after he had concluded in his own mind that he could take up arms to rebel against the authorities in this Dominion, that he became attacked with religious delusions. It was then, Sir, that he ignored the authority of his Church, that he professed to be a prophet and to have visions, and professed to be able to foretell what was about to occur day after day. But, Sir,

those delusions were assumed for an intelligent purpose. he tried to impress on his followers that he had supernatural powers—that he was a great leader and a great prophet; and he knew well that if he could not have the assistance of his clergy to impress the minds of his followers, they would soon desert him, unless he substituted something for the authority of the clergy; therefore he set up to be a great prophet. He did that with an intelligent design, which is one strong reason why we should suspect his delusions to be assumed by him for a purpose. We must remember the character of the people with whom he was acting; we must remember that they are descended from the Indians, and that one of their characteristics is to believe in all sorts of supernatural agencies. We have all read of their medicine men, who act as prophets and performers of miracles; and this is one of the most powerful means which an able and intelligent man can use to impress the half-breeds and Indians of the North-West with a sense of his greatness as a leader and a prophet. We must recollect also that these people were induced to desert their allegiance to their clergy, and, with the Indian population, were attracted to Louis Riel, under circumstances which were certainly most marvellous, and which must force us to the conviction that they at any rate believed thoroughly in him as a prophet. He virtually succeeded in his design of inducing those people to become his faithful followers, by his assumption of religious delusions. I think, Sir, it would be much easier to believe that there are hon. members of this House who are subject to delusions, if we believed all, and we are bound to believe all, that we have heard during this discussion. Why, Sir, an hon. member of this House, not many evenings ago, got up here and made the statement that there was not enough evidence at the trial of Louis Riel to convict a dog. Now, Sir, he must have made that statement believing it to be true; he must have been laboring under a delusion; and if he did not state that for some other purpose—and we must believe he did not—we must believe he had an honorable intention; we must not believe that he made that statement in order to create a false impression on this House, but that he believed that actually to be the case. Now, after reading that evidence, and the judgment delivered, not only by Judge Richardson, but by the Judges of the Court of Appeal of Manitoba, how is it possible that a lawyer, thoroughly acquainted with the law, could make such a statement, if he really did believe it, as we must believe he did, and be a sane man? I maintain that we can show that Louis Riel had a design. We cannot show that the hon. member for West Huron (Mr. Cameron) had a design, because it would not be a design such as would be parliamentary; and if we recollect the many statements the hon. gentleman has made, not only in this House, but outside in the country, after it has been demonstrated beyond the possibility of doubt that what he has stated for facts are not facts, we must believe that they were delusions on the part of the hon. gentleman, or he must take the other horn of the dilemma, that he makes those statements for a design and a purpose. I maintain that Louis Riel's delusions were assumed for a purpose and an object, and that he succeeded in that object gives the greater force to that argument; because we must assume that those who followed him and took up arms were all insane, or we must conclude that it was a very wise and sane movement on his part, and not at all the act of a madman or one who had lost the balance of his mind. Now, Sir, I will ask you to consider the testimony of the various medical men who attended the trial at Regina. Two medical men were called by the defence—Dr. Clark, of Toronto, and Dr. Roy, from Beauport Asylum. The evidence of Dr. Roy, it has been stated in this House, as well as by the Judges of the Court of Appeal in Manitoba, was such as was not calculated to impress either the jury or the judge with the belief that he was stating his views

in an intelligent manner—at any rate, doubts were felt as to his desire to state all he even believed. Therefore, I do not think it necessary to refer much to what he stated, but I shall probably refer briefly to his claim that the prisoner labored under a form of megalomania. I wish to call the attention of this House particularly to Dr. Clark's evidence, because it appears to be very strongly in favor of the insanity of Louis Riel. The first important question put to him was this:

"Q. From what you heard from the witnesses here in court, and also from the examination which you have made of the accused, are you in a position to form any opinion as to the soundness or unsoundness of his mind?—A. Well, assuming the fact that the witnesses told the truth, I have to assume that . . . and assuming also that the prisoner at the bar was not a malingerer (that is English, I believe), then of course there is no other conclusion that any reasonable man could come to, from my standpoint, of course, that that man who held these views and did these things must certainly be of insane mind."

In the answer, Dr. Clark has assumed that a prisoner at the bar was not a malingerer,—that is, he was not a man who could designedly act untruthfully. The next question is:

"Do you consider, Doctor, that a person suffering from such unsoundness of mind as you say that this man is suffering from, is capable of knowing the nature of the acts which they do?—A. Why, the insane understand, many of them, the nature of the acts which they do, except in dementia cases, and melancholia, and cases of mania even, they often know what they do, and can tell me what they did, tell all about it afterwards. It is all nonsense to talk about a man not knowing what he is doing, simply because he is insane."

That is very strong evidence, but upon going further we come to some weak points:

"Q. Do you think that man was, in the circumstances detailed by the different witnesses, in a position to be able to say or to be able to judge of what he was doing, as either wrong or contrary to law?—A. Well, that is one of the legal metaphysical distinctions in regard to right and wrong, and it is a dangerous one, simply because it covers only part of the truth. I could convince any lawyer, if they will come to Toronto Asylum, in half an hour, that dozens in that institution know right and wrong, both in abstract and in concrete, and yet are undoubtedly insane. The distinction of right and wrong covers part of the truth. It covers the largest part of the truth, but the large minority of insane do know right from wrong; it is one of these metaphysical subtleties that practical men in asylums know to be false."

It is well known that the English law to-day is very clear upon that point, and that a prisoner, in order to escape on the plea of insanity, must be proved not to be able to distinguish between right and wrong. It is very true that in some cases an enlargement of that rule has been urged by the judge, and the juries have decided contrary to that definition. But all these cases have been those in which there was other very strong and conclusive evidence of insanity:

"Q. Was he in a position to be able to say at that time, and to act at that time, as an ordinary sane man would have done?—A. Assuming the evidence given by the witnesses, he did not act as a sane man would have done, for this reason, that no sane man would have imagined that he could come into the Saskatchewan, and that he could gather around him such a force as would enable him to become monarch of this country; that it could be divided up into seven divisions, giving each to a different nationality. He was not an ignorant man. He was not like an Indian, who never read a newspaper, and knew nothing of the country around him. He had travelled; he had been in Ottawa; he had been in the United States, and he knew all about the power of Britain and the Dominion. And for him to imagine that he could come here and raise a few half-breeds in the Saskatchewan and keep up a successful warfare, and divide the country into seven divisions, and with different nationalities, was certainly not a thing that a man with an ordinary understanding would ever think he could succeed in."

Well, in reference to this statement, Riel disposed of it in his conversation with Captain Young, which has been referred to before in this House, in which he said to Captain Young that he never had any idea of entering into a contest, that he was not so foolish as to imagine he could wage war against Canada and Great Britain, but he hoped by the first success to compel the Canadian Government to consider the situation or accede to his demands; and coupled with this we have the evidence that he told Father André he wanted \$100,000 in money or \$35,000 in cash,

or if not that much, as much as he could get. I think Dr. Clark's evidence is entirely disposed of on that point, and that is one of the strongest pieces of evidence urged by medical experts in favor of his insanity. Let us turn to the evidence of other medical men, and what do we find? We find no hesitation on their part. Dr. Wallace, Superintendent of the Asylum of the Insane at Hamilton, was examined. He gave evidence as follows:—

"Q. What would you say, then, in view of the evidence and your examination; is he of sound mind or is he not?—A. I think he is of sound mind.

"Q. And know the nature and quality of any offence he would commit?—A. Very acutely."

On cross-examination afterwards Dr. Wallace somewhat modified his answer:

"Q. So that what you now say, Doctor, is purely and simply this, not that he is not insane, but that you have not been able to discover any symptoms of insanity?—A. That is what I say, I say that I have not discovered it. It would be presumption for me to say that he is not insane, from the opportunities I have had; but, at the same time, my opinion is pretty fairly fixed in my mind, that he is not insane."

Then we come to the evidence of Dr. Jukes:

"Q. How long have you known him?—A. I don't remember the exact date he was brought to Regina; but, I think, it must have been between the 20th and 24th May.

"Q. Since that time how often have you seen him?—A. I have seen him almost every day. There have been one or two, or, perhaps, three days that I have missed seeing him, owing to pressure of other business, other work at that time, but I have seen him uniformly every day.

"Q. Then you had an opportunity, I suppose, of observing his mental condition?—I would speak to him on every occasion in passing him, and he has generally acquainted me with what he conceived to be his wants and necessities. And I would examine into the condition of his physical and general health, and ascertain how his diet was agreeing with him and things of that kind such as come under my special duty. And occasionally he would speak to me on other matters, occasionally he would delay me and speak to me on other subjects.

"Q. Then, have you formed an opinion as to his mental state? I am speaking now of his insanity, sanity or insanity?—A. I have never seen anything during my intercourse with Mr. Riel, to leave an impression on my mind that he was insane.

"Q. I suppose you have had your attention directed to that part of his character, more or less; I mean to his mental condition, more or less?—A. No, I have never seen anything to make me question his mental condition, and therefore I have never led the conversation, under any circumstances, to draw out any possible insane notion."

Now, I wish to direct the attention of the House to the importance of this evidence of Dr. Jukes, who was in daily communication with Riel from the time of his imprisonment at Regina, about the 24th May, I think, to the time of his execution. At the time of his trial and for many months afterwards he saw Louis Riel daily. Now, I venture to say as a medical man, that it is almost impossible for an acute medical observer such as Dr. Jukes to miss observing some symptoms of insanity during that length of time. I say it is almost an utter impossibility for an insane man to conceal for such a length of time his insanity—four months, I think, or very nearly, we see Dr. Jukes reiterating his opinion after the trial and after the prisoner was sentenced. I think too much importance cannot be attached to his evidence, because it shows that the prisoner was at every time in thorough possession of his intellect, that he had never at any time given the slightest evidence to Dr. Jukes that he was of unsound mind, and therefore the conclusion is, at any rate the tendency to that conclusion is very strong, that he was not of unsound mind. In addition to the evidence of this medical man, I myself had an opportunity of conversation for some twenty minutes with Louis Riel, and I expected to find at least that he was an undoubted crank; I expected to find, by his conversation with me, that he would demonstrate that he had some weak point in his mind, and that if not insane would show he was a crank, but to my surprise I found he was acutely intelligent, as described by Dr. Wallace; I found him a man of wonderful self-possession, of wonderful intellect, capable of discussing any question you brought up before him in an able and intelligent manner, and I came to the conclusion, from what I saw of Louis Riel during that twenty minutes,

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that, instead of being an insane man, he was a man of remarkable ability and strength of will; so I am constrained, after reading the evidence of the various medical men, after reading the whole of the evidence given at the trial, to give it as my opinion as a medical man—not an expert in the disease of insanity, but one who has had a practice of twenty-five years, during which I have had to examine a great many insane people—that Louis Riel was not insane, but was a man possessed of great ability, capable of carrying out large schemes, and capable of designing and successfully carrying out big undertakings under anything like favorable circumstances. There is one other point to which I wish to refer in order to show that the action, the conduct of Louis Riel is easily explained, and that what appears to be insane delusions are nothing but part and parcel of his hereditary inclinations. It is true that the insane tendency may to some extent be hereditary; it is said by some, indeed, that there is a destiny made for every man more or less, by his ancestors. On this point Mr. Chesterton says:

"The sad realities which I have contemplated compel me to aver that nine-tenths of habitual deprecators have no desire to forsake their guilty course. They love the vices in which they have revelled. 'Lord! how I do love thieving! If I had thousands, I would still be a thief,' exclaimed a youthful thief."

It is said by many pathological observers that the convolutions of the brain run into one another, and other remarkable pathological conditions exist in the brains of noted criminals. Dr. Osler, formerly of Montreal, made some very interesting observations relative to this point, upon the examination of the brains of criminals which he managed to obtain for dissection. But, Mr. Speaker, because thieving, murdering and other vices are the inclination of the physical natures of those who indulge in such wickedness, which makes the evil good and the good evil to them, are we, therefore, to abandon the punishment of those vices? Would it not be a perilous thing to society? Every murderer might with much force be proved insane, in the sense that he was impelled to the crime by the inclination of his nature and could not help it. But could society permit every murderer to go unpunished? Plato, Hippocrates, and other eminent philosophers and medical scientists, from their day to the present, have maintained that there was no vice but was the fruit of madness. Maudsley, who is the most liberal of all medical writers on insanity, who widens the field of insanity to a greater extent, perhaps, than almost any other medical jurist, says:

"If we are satisfied that our prison system is the best that can be devised for crime, we may rest satisfied that it is the best treatment for that sort of insanity from which criminals of that sort suffer."

It is not, Sir, in any spirit of angry retaliation that penal measures are enacted and judicial punishment inflicted, but for the protection of society; and I wish, after reading those views and a synopsis taken from high medical authorities on the subject, to ask what else could we expect from Louis Riel? When we remember that he is descended from the Indian race, we must conclude that all the peculiarities and weaknesses of the Indian race are, more or less, part and parcel of his constitution; but is that any reason why, when he commits a crime against society, he should not be punished? The object of punishment is to deter people from crime, and I would like to know what effect the allowing of Louis Riel to go unpunished would have had upon the Indian population? I wish also to point out another fact, that by hereditary predisposition Louis Riel was inclined to disregard all legalised authority. Why, Sir, we know for a fact that the father of Louis Riel, in 1849, headed the Metis in defying the authority of the Hudson Bay Company, and released a prisoner out of jail by force. We find that Louis Riel, by his very nature, was calculated to carry on the sort of struggle which he entered into, apparently with recklessness. Then we have to remem-

ber that the Metis population in the North-West had, for years and years, opposed the constituted authority. They had always a desire to roam on the prairies, and to be engaged in all sorts of enterprises of such a character as the Indian population indulged in. They were opposed to anything like civilisation, to anything like order; and in these circumstances we could not expect anything else but that Louis Riel, though he was an educated man, should, to a greater or less extent, have, in his very constitution, a tendency to that class of life which resulted in his rising in rebellion against the constituted authority of this Dominion. When we read his speech we find that his arguments are clear and logical, and he gives reasons that, to his mind, appear very strong that he had a right to fight against the authority of this Dominion. He referred in his speech, which I consider is a very able speech, to the fact of his having had a provisional government in 1870, that delegates waited from that government upon this Government, and that certain conditions had not been carried out. He claimed that the granting of 1,400,000 acres of land, one-seventh of all the land in the Province of Manitoba, was in fulfilment of an engagement on the part of the Government of Canada; that the half-breed population were entitled to one-seventh of the land, and that they also had a right to one-seventh of the land in the North-West Territories. He was not satisfied with the 240 acres of land for each half-breed man, woman and child, but he wanted a larger portion of the territory, and fought to gain it, but failing in that he expected to get a sum of money. Sir, it is true that he did not seriously expect to succeed, but he did seriously expect to succeed in obtaining a large sum of money; and as soon as a telegram was sent from the Department of the Interior to Father André, before the rebellion broke out, stating that the half-breed claims would be immediately settled—it was not until then that Louis Riel took up arms. And why did he take up arms? Was it from some sudden, unseen impulse? No, Mr. Speaker, but from the fact that he knew that a settlement would not enrich Louis Riel, and that he would not be able, in a very short time, to induce the half-breeds to follow him, and that he would fail in obtaining the sum of money for which he was struggling. Therefore, I say that his taking up arms, and his assumption of insanity, were all with a distinct design, with a distinct object. Fortunately he failed, but he deserves the punishment that has been meted out to him for his base conduct in connection with the rebellion. Sir, I shall refer for a few moments to the suffering which was entailed upon the half-breed population of that country, and to what came under my own observation in reference to the condition of the half-breeds on the Saskatchewan. There was no appearance of anything like distress among the half-breeds of the Saskatchewan. They all lived in comfortable homes, as good homes as the ordinary farmer in the Province of Quebec have, good-looking houses with gardens, and fences around them, having in many of their houses the evidence not only of the ordinary comforts, but luxury—sewing machines and other acquisitions of that kind—showing that the half-breeds had comfortable homes, and had nothing to complain of. There was nobody disturbing them in the possession of their lands; there was never an attempt to disturb a half-breed settler in that district from his lands. Sir, not only do I say that, but I have it from the mouths of half-breeds who were engaged in the rebellion, that they felt no grievance whatever on that ground. After the capture of Batoche, an old half-breed who was wounded came under my care. He died during the night, and on the day but one after that, when we were on the march to Prince Albert, his two sons and daughters came out from a thicket of poplars and drove down, first to see the general, and then they asked for the doctor. They had heard that their father was wounded and was in the hands of the surgeon of General Middleton's camp. They first

enquired how he was. Unfortunately I had to tell them that the poor old man died that night. Then, Sir, those young men at once broke into tears and exclaimed: "That wicked man, Louis Riel, brought us to this. He has killed our poor father. We would never have taken up arms had it not been for his false teachings and his false advice—his treacherous advice." They were bitter in their expressions of animosity towards Louis Riel and his base conduct. And, Sir, on several other occasions I had a little conversation with the half-breeds, and when I asked the question: "Had you really any grievances, any reason to take up arms against the Government?" they said: "None whatever that we are aware of, nothing of any importance." "Did ever anybody attempt to put you off your land?" "No, nobody ever attempted to disturb us in the possession of our land. We never had any reason to complain of that, but we were induced by the cunningly-devised arguments of Louis Riel to take up arms because we thought we could get something better." There is also any amount of evidence to show that a large number of half-breeds up there were not half-breeds that were entitled, under the Manitoba Act, passed in 1879, to receive the 240 acres. One of the wounded men was named Jobin, and was also under my care, and was sent down to Saskatoon. I noticed in a letter written by C. T. Hubbell, the hospital attendant of the 90th Battalion, the battalion over which I was surgeon, writes as follows:—

"I have resided in Manitoba and the North-West for the past ten years, and, with 'C' Company of the 90th, was in the heat of the engagement at the battle of Fish Creek, where I was rendered unfit for further active service, and subsequently removed to the hospital at Saskatoon. After the battle of Batoche amongst the wounded brought there were two half-breeds, dangerously so: one, M. Jobin, one of Riel's council, and another Manitoba half-breed whose name I have forgotten. In my capacity as hospital sergeant and night nurse, for six weeks it devolved upon me, by orders from the Surgeon-Major Roddick, to visit these men during the night, and I conversed freely with them upon their conduct in taking up arms against the Government. I said to Jobin, whom I had known for years: 'What in the world brought you here? Surely you have no grievances? You got your river lot near Winnipeg and sold it for a large sum, and afterwards the Government gave you a homestead and pre-emption in southern Manitoba.'"

That shows the liberality of the Government to the half-breeds.

"What more do you want? 'He replied: 'Riel sent for me last fall, and when I got here he put me on his council, and at last forced me to fight, as he did most of us, and I feel very sorry I was led away by Riel. He has ruined us all, and I am going to die through him.' Amputation was deemed necessary, and he subsequently died from exhaustion. This is only one out of forty I know personally who took up arms that had no grievances whatever, for, after disposing of their scrip or selling their lands granted to them in Manitoba, they went up to the Saskatchewan to reside there. Now, I would like to ask if this man Riel deserved any clemency from the Crown after concocting this unholy rebellion? Let anyone who could have seen the sad sufferings of our wounded and dying volunteers, writhing in their agony, moaning and calling for help to relieve them from their sufferings, day after day and night after night, and ask themselves whether the author of all this deserved mercy. Let any of them, as I did, look upon the dead bodies, wrapped in their own gore, of ten of Canada's noble sons who shed the last drop of blood (which flowed so freely a few hours before in their veins) in defence of their Queen and country and for the preservation of law and order in our midst, and say that the villain who was the cause of all this did not richly deserve his fate, had they witnessed all this. I do not think there would be now two opinions on the subject, but what will not some people who call themselves politicians do to satisfy that everlasting appetite for place and honor."

I can produce other evidence to show that the half-breeds had no real grievances of which to complain. The Rev. Father Moulin was wounded and under my care, and in various conversations with him I said: "I wonder why in the world the people rose up in arms. They appear to be very comfortable." He said: "Yes, very comfortable and very contented until Riel came here and forced them to take up arms." He said there were only nine men in the first instance who with Riel undertook to raise the rebellion, but they went from house to house with revolvers and rifles and forced the poor Metis to take up arms and join them in that unholy rebellion. Let me say a few words

in reference to the Guiteau trial so far as it may have a bearing on the insanity of Riel. One of the leading newspapers, the *New York Herald*, stated in reference to Guiteau that when he was not in conversation his countenance assumed all the appearance of a man whose mind was totally destroyed, and we know well that Guiteau during his trial and previously exhibited more signs of insanity than ever did Riel. But he was not considered to be insane, but merely a crank, and I had intended to refer to the distinction drawn by the medical witnesses at the Riel trial between a crank and an insane man, but I will refrain at this late stage. It is certainly my opinion, after comparing the two cases and reading the evidence, as I said, during the trials of Guiteau and of Riel, that, at least, Guiteau displayed far more evidences of insanity than ever Riel did, and yet Guiteau was considered to be only a crank, and not a man who was irresponsible for his actions. If it had been admitted that Riel was a crank there might possibly have been some ground for the admission; but when we find a man possessing such an amazing amount of intelligence, such quick perception, such grasp of mind in connection with only one form of delusion, we must come to the conclusion that the sentence of death was properly passed upon him. I desire to call the attention of the House to the effect the non-execution of Riel would have had in the North-West. I know myself what the feelings of the people are, and those who felt strongest on the point were not the Orangemen or the people of Ontario, but the Englishmen who had come from Great Britain and settled in that territory. I say that amongst the English population of the North-West the feeling was more intense than among any other class that Riel ought, in justice to society, to be hanged. I listened to the leader of the Opposition when he addressed the House on this question, and though, during a labored argument of several hours, he attempted to prove that Riel was insane, so as to give himself an excuse for supporting the motion before the House, yet I never heard him rise to the consideration of the duty of the Government towards society and towards the people at large. I never heard him define what the duty of the Government is to the people of this country. But I can assure him that the people of the North-West, the English and other settlers, thought it was the duty of the Government to protect them, and if Riel had not been hanged they would be subject to constant risings by Indians and other dissatisfied people, and the North-West would become a very undesirable country to live in. I have no doubt that had Riel not received the punishment he deserved, those settlers from the old country would have written to their friends and sought to deter others from coming and settling in the North-West. Many would doubtless feel that they could not leave because they had made investments and settled there; but I firmly believe that a large number already settled would have left the North-West had the sentence on Riel not been carried out. It is little over twelve months since the people of this country were disturbed in their quiet dream of repose. They believed we were living in peace and harmony and there was no possibility, much less probability, of any serious disturbance amongst any class of the people. English, Irish, Scotch, French and German live there together in peace, each admiring the good and amiable qualities of the other, allowing each other to enjoy their sentiments, whether of a religious or national character, with the fullest freedom; and it was a startling surprise, I am sure, to every man in the Dominion, when the news first arrived that a rebellion had broken out in the North-West. I well remember the attitude assumed by hon. gentleman opposite. Man after man followed the leader of the Opposition in urging on the Government to lose no time and to spare no money in stamping out that rebellion. The horrors of Indian war were

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felt, as was eloquently described by the leader of the Opposition the other day to be of such a terrible character that no effort or expense should be spared to stamp it out without delay. And, Sir, we all know that from ocean to ocean our young men arose and tendered their services to put down that rebellion. We all know that they undertook to endure hardships that it was presumed would be equal to any hardships which were endured even by Napoleon in his campaign in Russia. They had to traverse over 2,000 miles to reach the seat of this rebellion, but their bravery never failed them. They undertook the task, and the only difficulty that the Government had was to decide and choose who amongst those who offered should be selected for the honorable task of defending their country. You are all familiar with the hardships they endured during that inclement season of the year, when the thermometer was 20 degrees below zero—the hardships they endured during the breaking-up of the spring, when the cold rains prevailed, and they had to lie down, night after night, in their wet clothes, and after marching from early morning to late at night, wet through, they had to get up again at 5 o'clock at the bugle sound next morning. You are familiar with the gallant way in which that rebellion was put down. Sir, are they to be told to-day that all their bravery, all their efforts, were ill-timed; that they were fighting against a just cause, fighting against a man who the hon. member for Quebec East tried to make out was a great hero. The hon. gentleman shakes his head. Well, Sir, that was certainly my interpretation of his remarks—that he would lead us to believe that this man was at least the equal of William Lyon Mackenzie, the equal of others who were fighting for constitutional liberty in this country, and that his cause was a right one. Are they to be told that instead of going to fight the rebels they should have come here and fought those who occupy the Treasury benches? I think when hon. gentlemen go before the electors of this country they will find that their views are not endorsed by the people throughout the length and breadth of this land. Are the people of Canada, who welcomed back the volunteers, who gave all honor to them and paid every respect to the honored dead who were left on the plains of the far West, who did everything they possibly could in a generous manner to show their appreciation of the services of Canada's sons, who had by their bravery shown that in this land of ours, on this side of the Atlantic, the old prowess and bravery of the British race are perpetuated—are they to be told that their cause was a wrong one, and that they were not fighting in a good and proper cause; that the fact of it is that Louis Riel, who rose there and headed the Metis was fighting for constitutional liberty? Why, Sir, we well know that, so far as this Government was concerned, they did everything a Government could do to give all the liberty to the people of that country that was desirable. The Government that preceded the present Administration refused to give any rights to the Metis of the North-West; and one of the first acts of the present Government, when they came into office, was to enact a law which gave completely and thoroughly their rights to the Metis of the North-West Territories. Sir, they had not only done so, but on every occasion they displayed a most tender desire to do everything to advance the best interests of the half-breeds and other people of the North-West. Correspondence after correspondence had taken place with the clergy and other influential men in reference to the best way of giving to the Metis the rights they had accorded to them by Act of Parliament. It was well known that the half-breeds of the Province of Manitoba lost their lands—lost in a very foolish manner the benefit of the 240 acres which was given to every man, woman and child. They bartered it away for trifling sums, and were left poorer than before;

and it was in the interests of the Metis that the Government desired to consider the matter carefully and give every possible attention to having the distribution of land made in such way as would do the Metis the greatest amount of good. I shall not weary the House any longer on the present occasion, but shall conclude in stating it is my intention to vote against the motion of the hon. member for Montmagny (Mr. Landry).

Mr. CASGRAIN. I shall trespass upon the indulgence of the House for only a very few moments. I understand that the House is getting weary of this long discussion, and I promise that my speech shall not be a long one. First of all, I may remark that we were taken a little by surprise on finding the hon member for Montmagny (Mr. Landry) presenting this motion to the House as coming from himself. We thought very naturally that, after consulting with that side of the House, he made this motion with the connivance of the Government, but we have the assurance of the Minister of Justice yesterday that such was not the case, and of course we have to take his word. But at the same time, I do not hesitate to say that I always maintained a certain suspicion as to the sincerity of the hon. member for Montmagny, as to the purport and effect of his motion, because, after the event of the 16th November, he took a strong and active part against the Government in this matter. But it happened that sometime afterwards he changed his mind, and if he is sincere in the motion which he is now making, it is most likely he will have to continue in the same course afterwards and carry the war into Africa. But since he has changed his opinion once already, it may be that he will change in it again afterwards. In order that what I say may be credited, I may state that I received the day before yesterday a statement in the form of a declaration from a person named Eugène Bernier, in the county of Montmagny, who says the hon. gentleman entertained views entirely different from those he presented to the House. This declaration is as follows:—

"I, Eugène Bernier, trader, of the township of Montminy, in the county of Montmagny, do solemnly declare that on Sunday, the seventh day of February last, immediately after grand mass, Mr. Philippe Landry, member of Parliament for this county of Montmagny, addressed the electors of this parish and among other things said: That Louis Riel had a fair trial; that the said Louis Riel was a mean man; that he defied the curé of the parish and all the clergy to say the contrary; that Riel had deserved his fate, and that the Government did right in hanging him; that he (Landry) would support the Government, and that only a few individuals, through ambition or otherwise, would oppose the Government; that the half-breeds had no reason to rebel. Not approving the words of Mr. Landry, and knowing that he had stated the contrary, or nearly the contrary, in a speech which he had delivered in the town of Montmagny, I left the meeting through disgust, and I did not hear the rest of his speech, but I have been told that he spoke about the new electoral bill. I may also add that Mr. Landry also declared that the Government was not an Orange Government, that the Orangemen had had nothing to do with the execution of Riel. And I make this solemn declaration, by virtue of the Act 37 Victoria, intituled: 'An Act for the suppression of voluntary and extra-judicial oaths,' and I have signed.

"EUGÈNE BERNIER.

"Taken and acknowledged before me, at
Montmagny, this 19th day of March, 1886. }
"F. X. GENDREAU, J.P."

I suppose the hon. gentleman, if he is sincere in his motion, will hereafter persevere in the position he has taken. Now, to come to the motion itself, I shall in a very few words endeavor to express my opinion. First of all, as to the rebellion, I will not say that it would be at all justifiable in law. I will not say that the Metis could be justified in taking up arms to redress their grievances under the circumstances, though their grievances were certainly numerous and very heavy. I was surprised to hear the hon. member for Kent, N. B. (Mr. Landry), say, the other day, that these Metis had no grievances at all. It is hardly to be supposed that they would have taken up arms for nothing. It is hardly to be supposed, after having had restored the titles of their lands, and after some 2,000 grants

had been conceded to them, that they had no grievances whatever. The press at large has admitted that these Metis had grievances, and serious grievances. I am far from saying that they were justified in taking up arms; but I may say this, that if the least care or attention had been paid to their demands, the country and the House would not be occupied to-day in discussing the question now before us. Did this Government, at the beginning, when Riel entered this country and began holding meetings, with a strong hand stop the rebellion at the outset? No; on the contrary, they let it ripen until it burst forth, with the shedding of blood and all the other evil effects which followed. When the rebellion began, the Government took the most active and stringent measures to suppress it, and we, on our side gave them all possible support in suppressing it. We followed the march of the troops with great anxiety; and I can say for myself that I had a very deep interest in the troops engaged in the field. At the same time I can give credit to the Minister of Militia for the activity with which the campaign was conducted; but if he had taken one tithe of the means to prevent the rebellion which he took to suppress it, we should not have had to deplore the loss of life and property over which the country is mourning to-day. But, far from doing that, the Government was itself the original cause of the rebellion, and therefore the country at large cannot but see that they have put themselves in a very straitened position with regard to the carrying out of the sentence passed on Louis Riel and the others. Now, let me say one word as to the policy of the execution. I followed with considerable attention the able speech of the Minister of Justice, who has put the case in as plausible a manner as he could, and with that ability which I am pleased to acknowledge; but he has failed to convince me that the decision with regard to Riel, to which, not he, but the Government came before his entry into the Ministry, was a wise decision. There was another policy which might have been adopted, and I cannot concede to the hon. Minister of Justice that if Louis Riel had been put in prison, or even in a lunatic asylum, he would not have been put out of the possibility of disturbing the country again. That was not a very forcible argument on his part any more than was his statement that Louis Riel had a fair trial, because the tribunal before whom he was tried had been created while the Liberal party was in power. Well, that is the *tu quoque* argument, which the public at large would not receive. Whether the tribunal had been created by the Liberals or the Conservatives would be no reason why the tribunal was not a proper tribunal, nor take away from the fact that the judge presiding, however upright he might be, was not, being removable at pleasure, the most competent to judge. During these last two or three months, an immense agitation has been excited all over the country over Riel's case. It cannot be denied that there was a very strong public feeling in the Province of Quebec, and a feeling quite as strong in other parts of the Dominion for and against the execution of Riel. What was the cause of the excitement? It came from the former offence of Louis Riel, so that though that offence had been amnestied, though it might be considered a blank, still there remained in one part of the population of the Dominion a desire of vengeance against Riel, and the cry for vengeance became louder every day. Not only did that agitation extend in this country, but it passed over the borders to the press of the United States, and even in England and France people talked of the matter and followed the case of Louis Riel. In order to find the opinions of writers who are not at all biassed by partisanship, and to whose opinions I therefore attach great importance, I consulted their press, and in one article from one of the ablest papers published in the United States, the *Courrier des Etats-Unis*, the position is exactly defined. The *Courrier des Etats-*

Unis, of November 30th, speaking of the execution of Riel, said :

" Louis Riel, the leader of the insurrection in the Canadian North-West, was executed Monday morning at Regina, by virtue of an express order from Sir John Macdonald. The circumstances which surround this political drama have no precedent in history. We do not believe that a sentence of death was ever executed in presence of so many or such powerful reasons, of so many and such energetic efforts, to have it commuted. This inflexible persistency would be inconceivable were it not sustained by motives which are found outside of the ordinary run of events. The execution of Riel, it goes without saying, is not the punishment of a crime—justice is no longer inexorable for offences of this kind—it was a political speculation. But if we are to believe the revelations of the last hour, an act of submission to an irresistible hidden power; Sir John Macdonald, who is a grand master of the Orange order, was bound by his oath to carry out the supreme will of that society."

I think this is a very strong pronouncement of opinion, and one very much in accordance with the facts. Whether or not, to any extent, and if so to what extent, the Ministry have been influenced by the preceding crime of Riel, I am not able to judge; but I can go so far as to say that it was an element in awarding the sentence, because the Minister of Public Works said so the other day. In Quebec there is a fixed idea that if it had not been for the former murder of Scott, Riel would never have lost his life on the scaffold, and it will take a very long time to cause that opinion to disappear. The existence of this feeling, every one will understand, is a great sore to the Province of Quebec, and to people in the other Provinces which take the same view. I do not say anything in order to palliate the former offence of Louis Riel, but I say that that former offence ought not, under the present circumstances, to have been added to the offence for which Riel suffered the last penalty of the law. As the opinion that it was added prevails in Quebec, I am bound to take notice of it, and I say I share in that opinion. I do not justify in any way the criminal offence of the execution of Scott. On the contrary. I always believed that it was a perfectly useless act and served no purpose. It was more than useless, because at that time Riel, who was the strongest, might have relegated his prisoner to some quarters and have saved himself very easily from being troubled further by him. That I am willing to admit. But since the hon. member for Lincoln (Mr. Rykert) has been kind enough to honor me by quoting some of my remarks with regard to the execution of Thomas Scott in the book "Letellier de Saint-Just et son temps," I think he might have given all the quotation instead of only a part. In the work from which that quotation was taken, he ought to have added a paragraph which goes to say that at that time Riel was supposed to be crazy or mad, and that a short time afterwards he became an inmate of the lunatic asylum at Beauport. This is what has been omitted :

" * * * troubled by remorse, by the threats and by the proceedings taken against him, he afterwards became insane and was confined for some time in the Beauport Asylum near Quebec."

I desire to rectify this, because that is the only way in which we can account for the murder of Thomas Scott. Now, let me say one word as to Riel's surrender to General Middleton. I cannot understand why General Middleton should have written to Riel to surrender. It is a fact that General Middleton was in constant and direct communication with the authorities in Ottawa; therefore he must have communicated to them this document or letter of surrender which he had sent to Riel, because it was only two or three days afterwards that Riel surrendered. This letter has not been disavowed by the authorities or by General Middleton himself, and yet the other day the Minister of Militia said Riel had not surrendered at all, but had been taken prisoner. If the hon. Minister says Riel did not surrender, he admits that, if he had surrendered under that letter, he would have been entitled to the ordinary usages of war, that is, to have his life spared. Riel surrendered and was taken to the quarters of General Middleton, entered his tent, was received there, and was lodged in the tent adjoining that of General

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Middleton. As we say in French, *il à été reçu à quartier*. He was given quarter, and by the usages of war the moment he was admitted to quarter his life ought to have been spared—that is to say, he was then under the usual regulations of war, since he had been treated in that way by his communications with General Middleton when they exchanged communications as to the putting aside of women and children. Under these circumstances, why did General Middleton tempt that man to surrender; why should he write to him at all, if he had not the intention of having him surrender? The fact is that, if he had not written that letter at all, most likely Riel would not have surrendered, but would have fought and lost his life on the battle-field, or escaped. There is no doubt at all that Riel could have escaped then. He was as good a horseman as any on the prairies. He could have followed Dumont or Dumais across the border at the same time, but he did not. He remained here; and a proof that, if he wanted to escape, he was astute and cunning enough to do it, was shown by him in Ottawa when he was here in 1874, when he had all the police on his heels, when he had spies and constables watching for him, and he was about a month here, came and signed the roll as a member of Parliament, and nobody could lay his hand upon him. If he wanted to escape, there is no doubt Riel could have escaped and could have been over the border, but he relied upon the *parole* of General Middleton, and for that reason he surrendered, and surrendered with that letter in his hand. Why did General Middleton ask him to surrender? Why did he not run the chance of war with him? I know, if I had been in the place of General Middleton, I would not have offered Riel any surrender; I would have said: You must run for your life, or, if you are taken on the field of battle, you must abide by the fortune of war. Certainly, if Riel could have foreseen that his life would have ended on the gallows, he would have fought to the last and would have sold his life dearly; and to-day, if General Middleton understands perfectly the purport of that letter which induced the surrender, he is the man who should have said: I am responsible for the head of that man; he has surrendered to me, and I must protect him against the last punishment of the law as far as his life is concerned. Now, it is very strange how events of the past will come hereafter and fall upon the head of those who have been guilty of some dereliction of duty. The leader of the Government of this Dominion had said one day at a public meeting, and had said it, I believe, knowing that he was deceiving himself, and deceiving the public, and deceiving the audience he was addressing at the time—

Some hon. MEMBERS. Hear, hear.

Mr. CASGRAIN. Yes, "hear, hear"—he said: "if I could catch him, I would hang him;" but now, afterwards, he had the man in his own hand, and he was obliged by the circumstances to carry out the sentence he had pronounced fourteen years before. The best proof that the sentiment had not been lost among the people of the country was this, which took place not far from Ottawa, and not long ago: The hon. gentleman was told on one public occasion by one of the leaders of the party in this neighborhood: "Now that you have Riel, are you going to hang him?" "Well," said the leader of the Government, "I am not the hangman."

I may say one word as to the sanity or insanity of Louis Riel. I may have my own views; because I had frequent intercourse with Dr. Roy, of Quebec, who is one of my particular friends, and I have frequently visited the Beauport Asylum; and during the time that Riel was confined in that asylum, he was on particular occasions subject to crises under which he became furious. He was there for the space of nineteen months, and, when he left, he was supposed to have recovered. While he was there, at different times he was a

raving maniac. He had been previously at the asylum at Long Point for nine months, and for a short time at an asylum near Washington. Having that knowledge of the state of his mind, though I may be travelling out of the evidence on record, when the evidence before us is added to that which I had already before me, I could not come to the conclusion that Riel was of sound mind, and in the particular line of insanity from which he was suffering, he had no sound judgment and he could not distinguish right from wrong. It was easy for the Minister of Justice to say that Riel could play the fool when he liked, but when, during nineteen months, he was in the lunatic asylum at Beauport he did not play the fool. When he was under the care of Dr. Howard, at the Long Point Asylum, during nine months, he could not play the fool. Although the hon. member for Montreal Centre (Mr. Curran) read a letter wherein Dr. Howard stated that his testimony would have been of no avail to Louis Riel if he had been summoned, I say the mere fact that Louis Riel was confined under his care for nine months is peremptory proof that he would not have kept him there at the expense of the Government if the man had not been insane. The Minister of Militia said the other day that the case of Louis Riel was not our own—speaking of the French Canadians. I do not pretend to say that in all its particulars the case of Riel is not our own, but I do pretend to say that, so far as the grievances of the Metis, and of Louis Riel among them, are concerned, the case of Louis Riel is our own. But, perhaps, the Minister of Militia—I do not know why he is not present in the House at this moment—would not have said that if he had remembered a former statement of his leader about Louis Riel, on his first offence, when he had written directly to Bishop Taché, “I will make the case of Louis Riel my own.” It was very different language from that used the other day by the Minister of Militia. Now, Sir, it is said that a commission of three medical men were appointed and sent up to examine that poor unfortunate man before he was going to be hanged. Well, Sir, for my part, if that commission had been composed of three medical men who were specialists, or what we call alienists, if they had made a special study of that branch of medical treatment, if they had been sworn, if they had consulted with each other and made a joint report, I could understand that the value of their report would have been such as to authorise the Government in carrying out the sentence. But we saw the contrary. They were not sworn; they did not examine this unfortunate man jointly but separately, and each made a separate report, without consulting each other, as is usual in such cases. Upon this point I do not consider this commission of any legal value. But taking it as it is, enough has already been proved of the insanity of Riel to induce me to believe that he was not then, and had not been for a long time, of a sound mind, of a mind sound enough to be able to distinguish right from wrong in religious and political matters, the very line in which he committed the act of rebellion, and the very line in which he was still then suffering. Now, Sir, I do not know why the Minister of Militia, the other day, criticised me because I had, on one particular occasion, in this book which I have in my hand just now, thrown some aspersions on the character of the late Sir George E. Cartier. I do not know what that has to do with the case at all; but I may repeat here what I have said and written about him, that it was true, and the best way to shield the memory of Cartier from that aspersion would be to prove that the facts which are related of him are not true. But, unfortunately for him, they are true, and that is the reason why the Conservatives, especially in the Province of Quebec, whose idol he was, burn so much incense to his memory. I am not ashamed of having written what I have written, and I

say again that if Sir George E. Cartier had died one year sooner than he did, his reputation would not have suffered from the Pacific scandal affair. Now, Sir, I will conclude my remarks by putting them in as concise a manner as possible. The blood of Louis Riel and the blood of other poor unfortunates, has been shed, and somebody is responsible for the blood of Louis Riel, for he is not alone responsible for his own death. I say this in conclusion, and I believe the opinion I express will be endorsed by a great many of my compatriots, if not the most of them, in the Province of Quebec, and also by a great many others in the Dominion. If the Ministers were not their own judges, vindicating their own case in the trial of Louis Riel, then let not the blood of Louis Riel fall upon them. I say further, if they did not hang a crazy lunatic, let not the blood of Louis Riel fall upon them. If they are free from any blame as to the causes of the rebellion, let not the blood of Louis Riel fall upon their shoulders. I say, also, that if they did not weigh the head of Louis Riel in the balance of their own interests, let not his blood fall upon their heads. If the determining cause of his death was not the murder of Scott, then let not the blood of Louis Riel fall upon them. If the surrender of Louis Riel was no reason to spare his life, then I say again, let not his blood be upon them. If they could not have prevented the rebellion at all, then also let not the blood of Louis Riel fall upon them. If no other milder policy could have been adopted, if they could not have given to him even the benefit of a doubt, let not the blood of Louis Riel fall upon them. Because I say that whatever the evidence may be, however strong it may be on either side, when that evidence is weighed, I find that there are certainly very few unprejudiced men who would not say that there was a very strong doubt of the sanity of Louis Riel; and in the mild temper of the criminal law under which we live, that law always gives the benefit of the doubt to the prisoner. But if all these propositions are undeniable, as I believe they are, since the Ministers have assumed the responsibility of the hanging, then I pray Almighty God to forgive them and to show them more mercy than they have showed that unfortunate man. As I am called to give, upon the floor of the House, my vote and to express my opinion, I must pronounce my condemnation of the course of the Government, because they have placed themselves, of their own accord and from the beginning, under the dire necessity of carrying that execution into effect. Of course, holding these sentiments, I shall vote for the motion of the hon. member for Montmagny (Mr. Landry).

Mr. COSTIGAN. Before this debate closes I would like to ask permission of the House to say a few words without pretending at all to enter very fully into the discussion that has taken place. I am sure I may claim the indulgence of the House on the ground of being an old member, and one who does not often trespass upon its patience. I think the House will be willing to admit that I have some right to make a few observations here touching on the question now under discussion, as well as in my own defence. It is true I have not been burned in effigy in any portion of this country, as some of my colleagues have been, and I am forced to admit that the newspapers in discussing this question, especially the French newspapers, have made no personal attack upon myself, for which I feel very thankful, under the great excitement which existed, and that that duty was left to be discharged by a newspaper pretending to speak for the whole Irish Catholic element of this Dominion. Mr. Speaker, I shall be able, I think, in the few remarks I have to offer to say something that will meet reasonably the charges made by that paper to which I have just alluded. It is true that hon. gentlemen may think this is not directly dealing with the question; but I have not been able to change since this discussion commenced the

opinion I entertained before the question was brought before this House. The question is not, purely and simply, whether the Government did right in allowing the sentence of the law to be carried out in the execution of Louis Riel; but coupled with that, forming the great reason for the discussion of it, is the further question, whether hon. gentlemen opposite who have failed to enunciate a policy before this country, can by this means cross the floor and assume the Treasury benches. That is the whole secret. How have they endeavored to utilise this question before the country? I will refer to hon. members on both sides of this House, and I am confident they will not deny that from the first time this question became a question before the people it has not been discussed as a legal question, as a question whether justice was done from the Canadian standpoint and from the view of the subjects of the Dominion, but it has been discussed with a view to excite the prejudice of every different section in this country. In the first place, hon. gentlemen and their organs have dwelt with great force upon the fact that this unfortunate man would not have been executed had he not been a French Canadian. They tried to excite the prejudices of the French people and to lead them to believe that this was a grievance, and, as one of the hon. gentlemen said the other day in his speech, "we, of the Province of Quebec, felt deeply humbled by reason of the execution." There is no argument in that. The leader of the Opposition, in a speech he delivered a few nights ago, deplored the fact that the rebels in the North-West were not represented in this House, and he said that great consideration should have been given to the case on that account. I consider they were ably, if not wisely represented in this House during the whole of last Session. During the whole of the troubles that took place during last Session they had every reason to believe that all the sympathy they could expect, even more than they could expect in the best interests of the country, was afforded them by hon. members on that side of the House. Then we are told in the country as well as in this House that the Government yielded in a cowardly manner—and that is the reason why the Government are designated as hangmen—to the pressure brought to bear on them by the Orangemen. That was a cowardly charge, as cowardly as it was false and unfounded. The Cabinet is composed of men not to be influenced and dictated to by any particular section in this country. They have the interests of the whole people at heart. They are fair and impartial enough to deal with all elements and to give all justice; and they are not cowards, to be dictated to by any particular element. I am quite satisfied the good sense of the people will set that question right. It was also said by the leader of the Opposition that besides the misfortune of not being represented in this House—and that was a cause for sympathy—if the grievances had been remedied a month sooner, the rebellion would not have taken place. That is no justification of the rebellion; and, moreover, that ground was abandoned even by the hon. gentleman himself later on in his speech. Let me say in addition that, perhaps, if the half-breeds had not received so much and such strong sympathy on the floor of Parliament and in the organs of hon. gentlemen opposite, they would not have had the courage to resist the authority of this country. Great fault has been found with the Government, and the Conservative party, and the leader of the House for the time for moving the previous question, it being stated that it was a gag and that hon. gentlemen on this side of the House had not dared to discuss this question. What was it they wished to discuss? Why were the Ministers burned in effigy in the Province of Quebec? Why were all the indignation meetings called throughout the Province, and what was it they denounced? Did they not denounce particularly the execution of Riel? That was the crime that the Government had committed, and they demanded the punishment of the Govern-

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ment for that particular crime. The moving of the previous question confines the discussion to that question. It is unfortunate for hon. gentlemen who have tried to make a strong case against the Government; it is a great disadvantage to them that the case of the half-breeds has been by that motion disassociated from the case of Riel. I have no doubt that hon. gentlemen and many people in the country, on it appearing that there were grievances on the part of the half-breeds, would feel sympathy with those people. Hon. gentlemen opposite know well the disadvantage under which they are laboring in that, even if it were established that the half-breeds had just cause to complain and had been badly treated, still they could not drag this fact in to benefit the case of Riel. Even if you admit that the half-breeds had cause to complain, and even if you go to the extent of seeking to justify the rebellion—as hon. gentlemen opposite do—they had not the right to rebel against the constitutional authority of the country, and this excuse could not be pleaded for a citizen of the United States. What justification had that unfortunate man, who had been once pardoned, for having excited rebellion in this country, who had left it indebted to the mercy of its rulers for his life then, who had left it and gone to the United States where he had taken the oath of allegiance and become a citizen—what justification can hon. gentlemen opposite plead in favor of that man who returned to excite a second rebellion after being once forgiven? It is quite patent that it is a source of annoyance to hon. gentlemen opposite that the previous question has been moved, and they cannot drag in issues beyond that as to whether the Government did right or wrong in permitting the execution of Riel. Then again we heard one of those eloquent speeches, one of those fiery efforts of the hon. member for West Huron (Mr. Cameron). We all know the eloquence of that hon. member, and the free exercise he makes of it in this House, but more especially out of it. We had from him a speech which indicated very plainly, if the organs outside of this House do not indicate it more plainly, what the policy of that party is to be. Hon. gentlemen feel now that they have failed in their first attempt. But this does not end the question. They have allowed the question to be raised here, but it is to be settled at the polls, with the new converts they have made, with the assistance of that very respectable and influential paper, called the *Montreal Post*, which rejoices that the Irish party now have the leader of the Opposition and the hon. member for West Elgin (Mr. Casey) to follow, and the *Post* says: "What more do the Irish people of this country want than to be represented by those gentlemen?" Sir, the hon. gentlemen know that their platform is laid down for next election, that their political canvass is ready, and they feel that for the vote they are going to give they are going to lose a portion of their old supporters—that all through their own Province they are going to lose a portion of their own supporters on the ground of their support of a policy of justifying a rebellion in this country, and they expect that the *Montreal Post* is going to carry out the contract which was declared at the commencement of this agitation, and that the whole Irish Catholic vote is to be united in their favor at the bidding of that newspaper. This, Sir, is a contract which I am sure will never be carried out. Then again we were told that the leader of the Opposition and the hon. member for West Elgin (Mr. Casey) sported shamrocks on their breasts on St. Patrick's Day. I am glad of it. It is better late than never—better that they should at last remember the country which they boast of as the land of their forefathers or the place of their birth. But, Sir, I remember the day when the hon. the leader of the Opposition did not wear the shamrock. I never knew him to wear it when he was sitting on this side of the House, as a Minister of the Crown, but the

hon. gentleman wears it now, and the whole Irish vote is to be handed over to him at the bidding of those who are mere demagogues in this country, and not of those who form the independent Irish Catholic element of Canada. I feel that I have the right, after these attacks have been made, to ask the patience of the House in replying to some of them. I say to you, Sir, I say to the House, and I wish to convey that assurance outside, that the *Montreal Post* does not represent in that line the honest sentiments and feelings of the Irish people of this country. I know their sympathies and their feelings as well as any one connected with the *Montreal Post*, and I say that as a body the masses of them have little to do with offices, or with contracts, or with anything of that nature. I say that though a small portion of them may seek promotions, may seek contracts, may seek favors, if you will, the masses of the Irish people have nothing in particular to gain or lose by a change of ministries or by a change of representatives; that they vote on principle, honesty and right doing when their principles are appealed to. I have no fear but that when the efforts of these demagogues are made to hand over the Irish people to the leader of the Opposition, in conjunction with the hon. member for Elgin, these efforts will be fruitless, these appeals will be made in vain. That same paper stated that it was my duty to resign my seat in the Cabinet upon the question now before the House, and that if I did not resign I would be repudiated by every Irish Catholic in the Dominion of Canada. I have already said enough to show the reasons why I declined the invitation of that paper at that time. The same paper also stated as a reason why I should take that course, that it was in the interests of the Irish people that we should maintain that bond of union which the *Post* claims always existed between the Irish and the French people of this country. Well, Sir, my sympathies with the French people of this country date further back than the sympathies of either the editor of the *Post* or any of those who write for that journal. I have always been known to express my sympathies, and to act in accordance with them when the interest of that portion of our population were at stake; and the *Post* or any other newspaper cannot misrepresent me on that point. But I may be pardoned if I should not go as far as I was asked to go in yielding to my honest sympathy for the French Canadian people. If I believed that anything I could do would promote the welfare of the element alluded to, I would be willing to do my share and make personal sacrifices in that direction at any time; but I am not willing, even for the French element of this country, I am not willing even for the Irish element of this country, to sacrifice the interests of the country in which we live. I want it fairly understood that while I represent a portion of the Irish people of this country, or, at least, that I presume to speak for a portion of the Irish people of this country, I hold it a common duty on the part of that and every other element in this country to maintain the dignity and integrity of the country in which we live; and, at the same time, I will not force my views on any other element in this country whether it be French, or Scotch, or Dutch, or any other nationality. Then I have been accused in the press of having been the most anxious, the most hurried of the members of the Cabinet to secure the execution of that unfortunate man. That charge has been answered already; but still, no matter how often it may be answered, you cannot satisfy these hon. gentlemen or their organs in the press. You may demolish their charges, but they advance them again with the same assurance as before; they come back and reiterate their old slanders. With regard to my position in the Cabinet, every one knows that that question must have engaged the serious attention of every Minister in the Cabinet. I remember that the leader of the Opposition, when he was on this side of the House, once appealed to the House when a question was

raised as to the exercise of the clemency of the Crown, to consider the position he held as Minister of Justice, the responsibility which was involved, and the serious consideration that he must give when dealing with a life of a human being. I wonder if, since he has crossed over to that side of the House, he cannot afford to be a little generous, if he cannot afford to admit that other men, with hearts like himself, might feel the same responsibility and be actuated by as high and worthy motives as he was in discharging the duties of his office. But he will not credit his opponents with any good motives. Sir, if there is one thing more than another which must shake the confidence of the people of the country in the party opposite, it is the extreme stand they take that there is no single redeeming quality, no good motive or act in anything connected with the Conservative party. Surely the whole Conservative party are not so bad, so corrupt, so rotten, so unworthy of confidence, especially in the face of the fact that they sit here by their constitutional rights representing an overwhelming majority of the people. When the question of the execution did come up, I felt, for my own part, that it was a serious question, and a question of great responsibility; and though I deny the imputation that I was anxious or hurried to procure the execution of that unfortunate man, I must say that I arrived at a conclusion in this way. I was not listening—I had no reason to listen, because I never heard of this Orange pressure which, it is said, was brought to bear on the Cabinet—I heard of no such pressure; I had no knowledge of it. No member of the Orange Order, no other man indicated to me a desire on the part of that body that this man should be executed from any feeling of revenge on their part. The whole question came before my mind simply as a matter of duty devolving on me; and, with my colleagues, when I saw the agitation, when I considered that we are building up a great people in that North-West country, which we expected and believed would become a prosperous community, I felt that the future of that country depended very largely on the question of whether the Government—not this Government merely, but the Government of the country—should maintain law and order there, and protect the lives and property of the people of that country, and that, therefore, that question was an important one. I felt that this man had come over without the slightest provocation, without having any rights on the soil, as an American subject, for when he came back disrobed of his Canadian citizenship, he had divested himself of any claims to sympathy he might have attracted in his former rebellion when he was a citizen of this country. I felt that the effect of allowing that man to go free must be that the policy of gentlemen opposite must be taken in preference to the policy here; that this man, or any other man, finding that he went clear, might cross the boundaries between the United States and Canada and say, I will again raise the standard of rebellion in that country, and I know there is a party that will sustain me and prevent me receiving extreme punishment." Sir, what plainer evidence could we have if a manifesto were sent, say to Dumont, who is on the other side of the line. We all know, from the discussion that took place last Session in this House, that the weight of sympathy was not in favor of Louis Riel, but it was in favor of Dumont, as being the more courageous man of the two. At least, it was felt that he had the courage of his convictions. What plainer manifesto could be sent to that man who is now on the other side of the line? It might be said to him, "if you feel a little irritated, you may cross the line to-morrow and raise again the standard of rebellion; you may have more settlers and priests murdered and their property destroyed, but there is a party in this country who will hold you free, especially if, by holding you free, they can promote the political interests of that party in this country." I do not

profess to be a prophet or to know as much of the future as any one of the hon. gentleman's followers on the other side; but my firm conviction is that no greater mistake was made by any political party in this country, than to strengthen themselves for political purposes by so unholy and unrighteous a cause as that of trampling on the best rights of the people of the country and exciting their worst passions. There is no redeeming feature about the whole agitation. Every ingenuity is being exercised to excite the hostility of the French people, who have been living at peace with, and enjoying the confidence of, every other element in the country. A desperate effort is being made to excite the Irish people. "Oh," it is said, "the Irish people will sympathise with every man who raises his voice against the execution of Riel; they have been so much accustomed to persecution and to having their leading men hanged that for very sympathy they will go that way." No, Sir. Whatever may be the opinions of Irishmen in the old country or in the United States, we in this country have our own opinions. I claim that we occupy a very different position from the Irishmen in the United States, and I do not say this because the *Montreal Post* or any other hostile paper may hang a cause of complaint on my words, or from any want of sympathy with Irishmen on the other side of the line; but I want to point out the difference between us. While Irishmen in the United States have severed their connection with anything British, we occupy a different position under the constitution under which we live. We are building up homes here in Canada as a portion of that Empire; and while we sympathise warmly—and I believe every Irishman in this country does sympathise with the land of our forefathers, and hope that the day will come when the people of Ireland will enjoy the same rights and liberties as we do in this country—yet we are willing to fight for the defence not only of those rights, but the rights of all other elements in this country. If I had an advice to give—and I believe there is some portion of the Irish people in Canada who are not indoctrinated with the ideas of the *Montreal Post*, and who would listen—I would warn them under any circumstances to beware of those demagogues and their false teachings, to beware of any policy of division; because the very fact of their enunciating a policy of division between the different elements of this country shows it to be an unholy policy. They talk about our political rights. These men are trying to pull down what has been built up in the interests of the Irish people in Canada. I remember a few years ago, if I went into the smoking-room and listened to hon. gentlemen on the other side of the House talking of their election, one of the themes of their conversation was how they managed to get the support of the "Dogans." Well, Sir, the day has changed and to-day every intelligent Irishman in Canada must feel that a great change has come over the country. Such great progress has been made in this direction that Irish Catholics stand on the same footing as other elements of the population, and receive equal recognition and equal rights. There may be some cause of grievance. Take any minority in this country and you find that the minority always has some causes of complaint, and these are subjects for legitimate agitation and for constitutional remedy, but not for agitation, for the setting of Protestant against Catholic and Catholic against Protestant. I say this in order to call the attention of the House to the advanced position that our people hold in this country. It is true that lately not only has my attention been called to the extreme advance made by some hon. gentlemen wearing the shamrock here, but I find the hon. gentlemen pitching into the leader of the Government and asking how it is that the Hon. John O'Donohoe is not in the Cabinet to-day. Why, Sir, he is not going to allow the Government to neglect the rights and privileges of the class to which I belong;

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no, Sir, he will hold the Government to strict account. What a pity it was, when Sir John resigned in 1873, and when the leader of the party opposite was called on to form a Government out of very scarce material, that the Hon. Timothy Anglin, who had contributed so much to their success by his personal influence and the influence of his paper, which was then the accepted organ of the Irish Catholics in the Lower Provinces, was left out? What a favorable opportunity that would have been to recognise those rights and privileges which he holds so dear now, but which were not held to be so important at that time. He cannot, I am sure, plead that the difficulty was that there were so many able aspirants claiming positions that some had to be set aside. No, Sir; because he had really to go outside of his own party and take two deserters from our party to form his Government. Even they were considered preferable to the most faithful supporters if they happened to be Irish Catholics. We also hear about Orange influence in this country; and I believe I have received a new appellation—I am an Orange Catholic or a Catholic Orangeman, I do not know which, and thinking men are asked to believe that every member of this Cabinet, who is a Catholic, is a traitor to that religion and is under the influence of the Orange institution. Well, it is a pity that those gentlemen who use this argument do not show a little more prudence and judgment. One time in this House I was attacked by Mr. Anglin because I was invited to speak on one occasion in the constituency of my hon. friend from East Hastings (Mr. White); and because he happened to be an Orangeman, that hon. gentleman, to whom I alluded before, thought it was a great crime, and so characterised it in his newspaper, but it lost all its force when I showed that he had gone to Pisarinco, and stood upon an Orange platform there, and appealed to the Orange vote to support him in his election. I can also recall to hon. gentlemen opposite that when the screws were put on the Government of the day to keep Anglin out, they did not think there was anything unholy in the alliance between themselves and Mr. Piekard, a gentleman whose name I mention with great respect, for whom personally I had high regard as a worthy man.

Mr. MILLS. Hear, hear.

Mr. COSTIGAN. What am I to understand by the hon. gentleman's "hear, hear?" Does he doubt the sincerity of the allusion I make?

Mr. MILLS. Hear, hear.

Mr. COSTIGAN. Or is he astounded that I can say a generous word of an opponent.

Mr. MILLS. We heard the hon. gentleman's extreme generosity declared some years ago.

Mr. COSTIGAN. The hon. gentleman perhaps will hear it again. As I have said before, it shows the want of sincerity in the party. I make no allusion to hon. gentlemen of the House, because it would be unparliamentary to say they lacked sincerity; but taking the party as a whole, the arguments they used before the people are not defensible at all, and I have just shown a strong instance of their want of sincerity when the whole cry of these papers, the *Toronto Globe*, *Montreal Post*, and others, was that this Government is being ruled with a rod of iron by the Orange element, and that therefore the Government must be replaced by these hon. gentlemen opposite. If we were to change sides, Sir, to-morrow, these gentlemen would be just as different from what they are, according to their professions, as they were when they came back before, with their fine promises of reform, integrity, purity of elections, and raising the political standard.

It being six o'clock, the Speaker left the Chair.

After Recess.

Mr. COSTIGAN. When you left the Chair, Sir, at six o'clock, I was endeavoring to point out the inconsistency of the policy pursued by the opposite party in trying to shake the confidence of the people in the Administration of the day. I found fault particularly with the means employed in order to arrive at that end, and I was dwelling on the fact that there was no appeal to the intelligence of the people in order to withdraw their confidence in the Government, but that, on the contrary, all the appeals made were appeals to the prejudices of different sections. I had referred to the fact that to-day Opposition newspapers and orators all over the country were denouncing what they called the unholy alliance between the Orange element and the Roman Catholics, and I claimed that that policy should not be pursued by hon. gentlemen opposite. I gave some reasons, and I propose to give others, for this contention. I propose to show that they have no right to make such appeals to the prejudices of the people, or to charge any element with such an alliance as is consistent with the rights of any individual in the country. When these gentlemen were in power in years gone by, they were very well pleased to accept the support of that body which they now characterise as inimical to Catholic interests and productive of sectional discord. If the majority of the Orange body in Ontario are Conservatives, I suppose they are so from conviction; but, on the other hand, hon. gentlemen opposite have got the almost unanimous support of those of that body who live in the Maritime Provinces, and they do not look upon that support as an unholy alliance. I am sure if the Orangemen were to tender their unanimous support to the leader of the Opposition he would not reject it. Having spoken on platforms in Ontario during some political discussions, I have reason to know what the impressions of hon. gentlemen opposite were with regard to the alliance between the Ontario Conservatives and the Quebec Bleus. On every platform where the name of French Conservative was mentioned, it was only mentioned to be coupled with epithets of abuse and slander. The Province of Quebec and its majority were held up as an element of discord in this country, which was feeding and living at our expense, and was destructive to the best interests of the country. The Quebec Bleus were considered as an element fostered by the leader of this Government, and ruling this Government, and through the Government the country with an unscrupulous hand—not only that, but that they were even filling the Province of Ontario, which would soon be overrun by them. To-day, however, I am sure, if anyone could authoritatively state to the leader of the Opposition that the French Bleus were willing to tender their support to him, he would not fail to receive them with open arms. That is why I say there is no justification for these appeals to prejudice, for this exciting one nationality against another, one creed against another, one Province against another. Every hon. member in this House will, if he goes back, find that such policy has been the policy of hon. gentlemen opposite since they first took seats in this Parliament after Confederation. The hon. member for Huron (Mr. Cameron) in his speech the other day, made allusion to the position of the Orange element and that of the Catholic element as a plain indication of what we might have to expect in the future. He tried to establish that the Orange element was ruling the Government of the day, that they were inimical, not only to the Catholic but also to the best interests of the country. I have heard this repeated before, but I may say to these hon. gentlemen that while they use such arguments they will have to go further before they commence to convince the people of their sincerity; they will have to establish, not that there are political defects in this party, but that they are prepared to initiate a better policy themselves, and to do this they

will have to go beyond their past record in connection with every public question ever discussed in this country; on the Separate Schools of New Brunswick question, the record of these hon. gentlemen will not bear scrutiny at all. Take the question of disallowance in this Parliament. What did we hear from the whole of Ontario? This Government has been through the platforms and the press abused without measure for having disallowed measures which had been passed by the Local Legislature. But the hon. the leader of the Opposition will pursue any policy, so long as it is calculated to serve his political purposes. For instance, what did they do on the motion in connection with the New Brunswick school laws? While they were sitting on the other side, longing for the Treasury benches, looking out eagerly for any means of crossing the chasm which separated them from office, the only means they thought likely to defeat the Government was to vote for my motion on the New Brunswick school question, and they did so almost to a man. What was the tenor of that motion? It was that the duty of the Government was to advise His Excellency to disallow the legislation of New Brunswick. These are the gentlemen into whose keeping the Montreal *Post* and such organs advise the Catholics to place their interests in the future. What did these hon. gentlemen do when they crossed to this side? The very gentlemen who recorded their votes in favor of disallowance turned round and voted against the motion to give separate schools to New Brunswick. Talk about the subserviency of French Conservatives to their leaders. Is it not known that when this question was up before Parliament the French Conservatives voted to a man, with the exception of four, to give to the minority of New Brunswick the same rights as those enjoyed by the minority of Quebec and Ontario? And what did the hon. gentlemen on the other side do? When the day had been fixed for discussing this question and bringing it to a close, when the leader of the Government of the day found that the sympathy of the House was with the resolution I had moved, an adjournment was moved, a caucus was held, and these gentlemen were whipped into submission, and came back tamely to vote against their former proposition, to vote against doing justice to the people of New Brunswick; and this included the French Liberal members from the Province of Quebec, these gentlemen who have such uncomplimentary remarks to apply to the Irish people of that Province. Take the old school question as it was discussed in the old Province of Canada, before I had the pleasure of a seat in this House. They did the same thing then, and, yet, to-day we have gentlemen on that side of the House claiming that the Catholics are under everlasting obligations to the Liberal party in Ontario for obtaining separate schools. That is not the case, and to-day there are Catholics supporting those gentlemen, who believe that these gentlemen contributed to obtain for them separate schools in the Province of Ontario. There is no foundation for that. The party was then as hostile to separate schools as any party has ever been in Canada. It was against their principles, it was against their platform, it was against the principles laid down by the principal organ at that time, the *Toronto Globe*. In this debate, great stress has been laid upon an article or two which appeared in a certain newspaper, one to be used among the Irish element and the other among the French element. I refer to the one specially which was to be used among the Irish. I dare say some capital will be sought to be made out of that. All I have to say about that article, or about other articles which have appeared in the *Mail* newspaper, or in other newspapers, is that I do not feel responsible for such articles. I recognise the fact that the *Toronto Mail* is known to be an organ in sympathy with the general policy of the Government of the day, that it is ably conducted, is, I believe, a very intelligent newspaper, and that it is widely

circulated; but, even though going that far, no one will say that every member of the Government must be committed to every article that appears in a newspaper. The different newspapers supporting the Government, agreeing with its general policy, may publish an article as their opinion which does not bind the Government. If the Government acts upon that, and endorses that, it makes itself responsible for it. The *Toronto Globe* could not by its publications of former days have committed the Liberal party to the violent attacks upon our people if the Liberal party had not acted upon that ground on every platform throughout the country, so that they accepted that policy and acted upon it. But in order to show that I do not think that any one should be frightened or driven away from the Conservative rank by any remarks that may be construed as uncomplimentary to the Irish race, let us see what the *Globe* might say if the Irish people incurred its displeasure, what it did say when its displeasure was incurred and when it was determined to override the influence of that element in this country. The charge is that the *Mail* has insinuated that the Irish element in this country is ignorant, when compared with other elements. For my part, I think that is an overdrawn conclusion from that article, having read it; but I think this article from the *Globe* will leave less doubt as to its meaning, and I do not think it will require much discussion to find what the opinion of the *Globe* was of the Irish people of that day:

"The ignorance and degradation of the priests, form the gloomer aspect of the picture. Springing from the lowest class of poverty they are notoriously illiterate and immoral. So deeply rooted has this notion of their debasement become in the popular mind, that when a boy is unruly and his parents have failed in persuading him to learn some honest trade, they frequently consider the Church their last and only resource. Their idea is embodied in a current proverb which may be rendered in English to the complete:

'Vicious and ignorant, gluttinous beast,
Nothing remains but to make him a priest.'

This is some of the *Globe* literature. I think it will leave very little doubt as to the opinion of the *Globe* and of its followers in regard to the Irish of that day.

Mr. HOLTON. When was that written?

Mr. COSTIGAN. In 1856.

An hon. MEMBER. Before the flood.

Mr. COSTIGAN. It was before the flood that occurred when these gentlemen were turned out, before the flood of indignation which they caused in this country when they drove the support of that intelligent element in the country from their ranks.

Some hon. MEMBERS. Give us something later.

Mr. COSTIGAN. One of the hon. gentlemen who interrupts me, and laughs, thinks it is a good joke. He forgets that he lives in a glass house himself. He went into the Province of Quebec trying to excite the passions of the people, but he dare not show his nose again in the constituency he represents.

Some hon. MEMBERS. Name.

Mr. COSTIGAN. The member for Megantic. It would take in the other counties, but not in his own. With regard to the question of separate schools itself, I will quote the observation from the same newspaper in order to meet the arguments that the separate school system was due to the liberality of the Reform party, and, having quoted that, I think nothing further will be necessary to settle that question. I might go on to quote articles from that paper which were written to excite the animosity of the majority against the minority in the Province of Ontario, but, as I desire to finish very quickly, I will not. I will only give one quotation, which I think is quite sufficient. At the time of the discussion in regard to

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the settlement of the terms upon which these Provinces should be united, I read from an extract from a speech delivered by the Hon. George Brown, when they were discussing that clause in the terms of Confederation which guarantees to the minority their rights regarding separate schools. He said:

"I need hardly remind the House that I have always opposed, and continue to oppose the system of sectarian education. I admit that from my point of view this is a blot on the scheme before the House; it is, confessedly, one of the concessions from outside that had to be made in order to secure this great measure of reform, but assuredly I, for one, have not the slightest hesitation in accepting it as a necessary condition of the scheme of union, and doubly acceptable must it be in the eyes of hon. gentlemen opposite (the Conservative party), who were the authors of the Bill of 1863."

I think that proves conclusively that the Reform party or their friends have no right, in any part of Ontario, in any part of this country, to hold themselves up as the champions of the separate school system, which the people of the Province of Ontario happily enjoy at present. Now, I will refer to what I thought was the inconsistency of the hon. leader of the Opposition, in calling this Government to account for not having gone further than it did in the direction of recognising the claims of the Irish Catholics of this country. We all know that he took a deep interest in ascertaining why the Hon. John O'Donohoe was not to-day in the Cabinet. I sympathised with the hon. gentleman in the interest he expressed, and I have no doubt he feels greatly disappointed that the interests of our people have been so far neglected. In alluding to the hon. Senator O'Donohoe, whose name has already been introduced here, I may say that I have a great regard for him, and I think if he were in the Cabinet, he would discharge the duties of Minister well; but though his position in the Senate to-day is not what his talents and ability might entitle him to, yet I do say this, that unless the policy of hon. gentlemen opposite had changed very rapidly and materially, he would have continued a long time in their ranks before he would have been appointed a Senator. Now, the hon. gentleman opposite made it a great crime and tried to excite the prejudices of the Irish Catholic Conservatives by crying out against us that we are bought up, that we are traitors. Well, Sir, I do not want to interfere with the opinions of any Irish Catholics, or Protestants, or any other man who thinks he is discharging his public duties in giving his confidence to that party, and I claim no right to interfere, but I claim the right for myself and those who support the Conservative party, to be credited with as worthy motives in giving our support to this side, as hon. gentlemen may claim for giving theirs to the other side. But I say, as a result of this unholy alliance, as they pronounce it, between the Orange element and the Green, that we can at any rate say that we are making some progress toward a fair recognition of our race and creed in this country, a much greater progress than has ever been made by the policy of hon. gentlemen opposite. Let them ask an Irish Catholic in this House to rise up and defend their policy and justify it. Let them not trust to newspapers, who to-day turn round and laud them to the skies for qualities they do not possess. No, Sir, their policy has not resulted in granting to our people any fair representation in this hall, and when they try to vindicate their policy so far as our interests are concerned they will have to do it with their own organs if they have any legitimate ones who claim to speak for our people. Now, I say that the policy of the Conservative party has resulted in giving us representation in Parliament, representation in Cabinet, representation in the Senate, and a liberal share—and I trust that share will still grow larger—a liberal share of the more important offices in the disposition of the Government of the day, and a very liberal share of the minor offices. I say boldly, and without fear of contradiction, that the right and interest of our element have been recognised to a greater ex-

tent within the last five years than ever before since Confederation; I say there has been more important positions given to our people within these few years than at any time since Confederation. Therefore I say our policy is a wise one, is a proof that there is nothing unholy about the alliance between Irish Catholics and the Orange or the Presbyterian or the Baptist or any other element. Our policy is for every public man in this country to meet every man and every element upon the same platform to discuss the affairs of the nation in the interests of the country, and if we can cultivate a friendly feeling; if we can make harmony reign instead of confusion, jealousy and bickerings between the different elements, surely we are right and those gentlemen are wrong. Therefore, I have no reason to feel ashamed if I am branded with being a traitor to my people and having betrayed their interest and turned Orangeman. I differ with Protestants conscientiously, but I agree to differ with them, and I am willing, as every intelligent man in this country ought to be willing, to give to them what I ask for myself—the right of acting conscientiously according to my honest convictions. Now, Sir, another remark and I have done. An appeal was made to me that I ought to be the last man to resist this movement, this popular wave that went through the country in favor of Louis Riel; that I myself had raised my voice in this Parliament for mercy, and that I should not forget that. I do not forget it, Mr. Speaker, I do not forget that I raised my voice for an Irishman in this Parliament; but I would ask any hon. gentleman who was in this House at that time if, in raising my voice for an Irishman as I did, I asked if he should be specially treated. Did I ask that the French prisoners who had been sentenced should suffer a certain penalty, and that my protégé because he was an Irishman should be let off with a slight punishment, or go scot free? No, Sir, I raised my voice because I was deeply moved upon the subject, and because the same punishment had not been meted out to this Irishman that had been meted out to the others; and because hon. gentlemen on the other side, sitting on the Treasury Benches at that time, and controlling the Government of the country refused to do justice—those who, not long before, had raised a cry through Ontario—not that law and order should be maintained, not that Canadian justice should be satisfied, but that the people of Ontario must be avenged for the murder of Scott in the the North-West. That was his platform—not broad enough to take in all the country, but confined to that Province, and for a political purpose. I say that when those gentlemen came upon the Treasury benches, they proposed to carry a measure of amnesty in this Parliament. That amnesty provided for the expatriation of the most guilty of the rebels at that time excepting the unfortunate O'Donohue, and what was his sentence? The others were expatriated for five years, at the end of which time they could return, but this man was banished for all time. And yet these hon. gentlemen opposite who refused to show mercy then, are now crying out for mercy. That is the reason I raised my voice at the time in favor of this man—it was because those hon. gentlemen excluded that man from the amnesty that was given to others. It was in those days when we were referred to as Dogans in this Parliament. It was then thought that no man would dare raise his voice in favor of that unfortunate man O'Donohue, and when I made a motion in favor of extending equal justice to Prof. O'Donohue, the hon. gentleman called upon his supporters to vote my motion down, and he pointed across the House to me, who was then standing on the other side, and after painting this man in the darkest colors, he said: "This is the man"—alluding to O'Donohue—"for whom the hon. member for Victoria is not ashamed to rise in this place and speak for." No, Mr. Speaker, I never was ashamed of having risen in my place and having spoken for Prof. O'Donohue on that occasion, and if I ever had any doubts

that my cause was a strong one, I would have been justified within a few months afterwards when the hon. member for Quebec East (Mr. Laurier), I think it was, sought his election—the hon. gentleman who made an able speech the other night, and because I complimented his friends on that clever speech it was taken as an approval of his opinion. I said, no, you misunderstand me. I give the hon. gentleman credit for having delivered a speech that indicates great study, and a great amount of labor in its preparation, and for having delivered it in a gentlemanly and courteous manner, but if you want to draw any advantage from that, my meaning is that it was a most clever misrepresentation of the whole case. On the former occasion when that hon. gentleman had to go to Quebec for his election, it was found necessary to make extraordinary efforts for his return. Every paper in our interest in the country pointed out the glaring injustice that had been done to Mr. O'Donohue, and so it turned out that what had been refused in the name of justice to the people was granted for a political object and that amnesty was granted then. And those hon. gentlemen are the men who go before the country and traduce and vilify the Government of the day, and tell the people the Government is formed of creatures who can be bullied, cajoled and driven to do anything. Before we are accused and condemned by the country the accusation will have to be made by gentlemen who have given better proof of their own integrity and independence than that which has been given by gentlemen opposite. I do not wish to trespass longer on the time of the House. Some hon. gentlemen may think I have gone aside from the issue; but I think I need only say in response to that objection, that I know it is not only the question of the execution we are discussing here, but that the foundation for a future struggle is being made by hon. gentleman opposite, and as I have been obliged to endure quietly the misrepresentations and calumnies of their organs for twelve months I was satisfied the House would pardon me if I spoke a few words to night.

Mr. CASEY. Mr. Speaker—

Some hon. MEMBERS. Oh, oh.

Mr. CASEY. I do not think it is a very amusing thing to see one Irishman following another; I think it is one of the most natural sight in the world. When one Irishman trails his coat on the path of another and challenges him to come on, the matter for surprise would be if the other Irishman had not something to say on the subject. The Minister of Inland Revenue who has just taken his seat fears he wandered a little from the issue, and I think the fear was perfectly justified by the facts. Instead of dealing with the question before the House, he has led us away into the maze of what, in spite of the protest at the end of his speech, is a totally different question. He evidently, from the tone of his speech, fears more than he would like to admit, the attacks made by the *Montreal Post* and other Irish papers upon himself, or he would not take so much trouble to interject a speech directed only to the Irish Catholic vote of Canada. I say the hon. gentleman's speech was directed entirely to that vote, and had no bearing whatever on the execution of Riel. I do not think the hon. gentleman has made any strong points in this connection, and if he had not, as I have said, trailed his coat across my path by mentioning my name, I would perhaps have omitted all reference to this incidental Irish row which has sprung during a debate on another subject. He says the leader of the Opposition and myself, for he has done me the honor to couple my name with that of the hon. and distinguished gentleman, used never to have shamrocks in our buttonholes, while now we have developed a strong partiality for shamrocks. I think we have as good a right to wear shamrocks as the hon. member himself. I do not

know whether he was born in Ireland; I am told he was not.

Mr. COSTIGAN. No.

Mr. CASEY. Then I think we have as good a right to wear shamrocks as the hon. gentleman, for if we are not Irishmen our fathers and mothers were Irish, and we are Irish too, as the old song says, and are duly qualified to wear shamrocks. For my part I have always worn a shamrock on St. Patrick's Day when I have been able to get one, which has not always been the case in this severe climate. Apart from this question, to which I have alluded as a joke, I will refer to the allegations made by the hon. Minister. He says we are making an unholy and unrighteous alliance with the Bleus of Quebec and with Irish Catholics.

Mr. COSTIGAN. No.

Mr. CASEY. I took the words down, unholy and unrighteous alliance; that we had made it, or were trying to make it—I think the hon. Minister said we were trying to make it. He went on to enlarge at great length on the impropriety of the Opposition doing what he said they were doing, forming an alliance with a portion of the Conservative party. Without discussing the existence of any such alliance I intend to quote other remarks made by the hon. gentleman. In the latter portion of his remarks he said there was nothing unholy about an alliance between Irish Catholics and Orangemen, but that it was perfectly legitimate and patriotic to ally themselves with anybody whose alliance was necessary for the good of the country and to carry on the government of the country. That sounds like a very fine sentiment, and it is, I believe, a sound sentiment; but it is in very marked contrast with the sentiment expressed in the earlier part of the hon. gentleman's speech. His position reminded me very much of an hotel-keeper I heard of in one of the Western States, where there was a large Irish settlement and an extremely patriotic settlement of native-born Americans. The tavern-keeper, wishing to stand equally well with both sections of the community, put up a sign-board with the elaborate motto: "Erin go unum, e pluribus bragh." By this ingenious blending of the American national motto with that of Ireland, the hotel-keeper managed to secure very considerable custom, and I am really afraid the Minister's speech to-night will be viewed by the people as an attempt to blend the Orange and Green mottoes in something the same fashion. I do not know exactly how it can be worked out; how the "immortal memory" and other mottoes could be got together, to work together on the same sign-board; but I am afraid the Minister has tried to make a sign-board of that sort, one equally in favor of the Orange and the Green. Again, the hon. gentleman told us that the Irish Catholics had been very ill-treated by us and that they, the Conservatives, on the other hand, had done everything right and good for them. If my memory does not fail me, a couple of years ago, when the hon. gentleman resigned, or stepped out, or was pushed out, or started to climb out, or whatever it was—I refer to the time when he was supposed to have one foot in the Cabinet and the other out of it, I cannot define his position, for it has not been defined to this House—his sentiment was not quite the same as it is now. I think we were given to understand that he complained that the Government, of which he still remains a member, was not so favorable as it should be to the claims of Irish Roman Catholics. But the hon. gentleman endeavors to make a great point in regard to the New Brunswick School Bill, and charges inconsistency against hon. gentlemen on this side of the House, because, as he says, we seemed to have voted in two opposite directions. But he has not put the case fairly to the House. It

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will be remembered that the first motion was a motion to ask the Government to disallow the Act passed by the New Brunswick Legislature, and for particular reasons existing at the time, this case being under the consideration of the Privy Council as to the constitutionality of the Act, the House did strongly support that motion. But on the other occasion to which he refers his motion was not a motion of the same sort, a motion asking for disallowance; it was a motion praying "That Her Majesty will be pleased to cause an Act to be passed amending the British North America Act by providing that the Roman Catholics of New Brunswick shall have the same rights and privileges, &c., as the people of the other Provinces." It was in fact a motion to ask the Imperial Parliament to amend the British North America Act for the sake of arriving at a certain object in a certain Province, an object which a majority of the people of that Province, whether rightly or wrongly—wrongly as I believe—had declared they did not wish to have attained. It was moved in amendment by Mr. Cauchon, seconded by the present leader of the Opposition, to the following effect:

"That on the 29th May, 1872, the House of Commons adopted the following resolution: 'This House regrets that the School Act recently passed in New Brunswick is unsatisfactory to a portion of the inhabitants of that Province, and hopes that it may be so modified during the next Session of Legislature of New Brunswick as to remove any just grounds of dissatisfaction that now exists.' That this House regrets that the hope expressed in the said resolution has not been realised. And that an humble Address be presented to Her Most Gracious Majesty the Queen embodying this resolution and praying that Her Majesty will be graciously pleased to use Her influence with the Legislature of New Brunswick to procure such a modification of the said Act as shall remove such grounds of complaint."

That motion was carried by a very large majority of the House, composed of Protestants and Catholics, without regard to religion. The resolution proposed to ask the Imperial Government to exercise any legitimate influence they might have with the New Brunswick Government to secure what was desired rather than to ask the Queen to break up the Confederation Act for the sake of attaining a particular object in a particular Province, and it was supported by a large majority. I think the hon. gentleman cannot charge us with inconsistency with regard to this question. Now, as to what the hon. Minister says about O'Donohue, it is a dead issue. The man has long ago been pardoned, and as an hon. friend beside me says, he has left this world entirely, but the issue was dead long before the man was. The question never had anything in it but an attempt to get up a little local race sympathy for political purposes. The attempt to stir up political prejudice was all on the side of those who made a special point about O'Donohue, and when it was found that the case was not as special as it was supposed to be in the first instance, the man received his pardon at a subsequent period. Now, I come to what the hon. Minister said about the question before the House—but I find I have not any notes on that subject, as he said nothing about it. I will pass, therefore, to what some other hon. gentlemen have said in regard to this question, and I shall not spend a great deal of time on it either. The Minister of Justice regretted in opening his speech that it should be his first duty, in his first speech in this House, to express disapproval of the manner in which the debate was being conducted, and the case presented to the House. Now, as has been pointed out already, by these remarks of his, he expresses disapproval of the course of the Government. He assures us that the Government did not fix a day for the discussion, or fix the form in which the resolution should be presented. We may take his word as to what passed before the resolution was laid on the Table, but we know from our own records that after the resolution was proposed the Government, by the mouth of the Premier himself, did fix a day for the discussion. Afterwards the Government, by the mouth of the

Minister of Public Works, fixed the form in which the House should decide this question, by moving a resolution, which compelled the motion of the hon. member for Montmagny, (Mr. Landry) to be voted upon in the form in which it actually stood. The Government said in effect this is the shape in which it suits us to have the discussion on this question and have a vote upon it, and we will stereotype it in that shape and not allow it to be voted upon in any other. The Government did then fix the day for the discussion and did fix the form of the motion. I quite agree with the Minister in objecting to the course which his colleagues pursued in this matter. He no doubt still entertains the same opinion, and if he feels that the case is presented to the House in an improper form, and that the discussion has not been such as it should be, he will no doubt join with us on this side of the House in voting against the previous question, and that the question shall not now be put to the House, and shall not be put to the House until it is put in such a shape as to satisfy the Minister of Justice himself. But with all this protesting he proceeded, Sir, somewhat in the manner of a lady celebrated in poetry, for he, "while vowing we should not discuss, discussed it." He went on and discussed the question at greater length and with greater clearness and with greater thoroughness than any hon. gentleman on that side of the House. As to the propriety of discussing such a question here, there is room for argument on general principles as I think the House have discovered already. It seems undoubtedly the right of the House to criticise any act performed by the Cabinet as a Cabinet. But we need not go into these general principles to prove that it is proper to discuss this question here, to prove that the Government expected the discussion of it because we have in the Government's pamphlet, published by Sir Alexander Campbell before the House met, a challenge in these words: Referring to the charge of having excited the rebellion, Sir Alexander says:

"Upon such a charge, when made in a constitutional manner, the Government will be responsible to the representatives of the people, and before them they will be prepared to meet and disprove it.

"Appeals to the animosities of race have been made in one of the Provinces with momentary success. Should those prevail, the future of the country must suffer. Parliament will not meet for some time, and in the interval, unless some action is taken to remove these animosities, they will gain ground, and it will become more difficult to dispel belief in the grounds which are used to provoke them.

"It is thought right, therefore, that the true facts of the case, and the considerations which have influenced the Government, should be known, so that those who desire to judge of their conduct impartially, may have the information which is essential for that purpose."

And then, the ex-Minister of Justice goes on to discuss the question of the case of Louis Riel, convicted of treason, at the length of a great many pages. Still more; the hon. Minister of Public Works accepted the challenge, and appeared to approve of the discussion. If a House divided against itself it is on very shaky foundations. I fear the House in which hon. gentlemen on the Treasury benches now live must be considered shaky, when we find two such prominent members of the Cabinet disagreeing on a question of this kind. Then, Sir, he told us we were unreasonable in asking for all the papers we did ask for; he told us we had papers enough; then he said there were a number of papers that should not be brought down at all; and then he proceeded to show that we had not all the papers—that we had not even all the papers necessary to form a correct opinion on the question—by reading papers, which were then for the first time presented to the House, and which he evidently considered necessary to a decision, or he would not have read them to the House on that occasion. He has, therefore, established our position completely in regard to the papers. But, as the hon. leader of the Opposition has pointed out, it is not that they have refused these papers hitherto, but that they have promised to give them and have not

done so. They promised them in this pamphlet from which I have quoted, before the House met; they have promised them ever since the House met; but they have failed to keep their promises; they have not even kept them "to-morrow." But, Sir, the hon. Minister of Justice said: "Why, I have laid such and such papers on the Table of the House—the judge's charge and some others;" but when did he lay them on the Table of the House? Before the discussion began? Not at all. Some of them just before the discussion commenced, some of them during the discussion, and some no doubt will be laid on the Table the moment the discussion is over; and yet we are asked to consider this a submission of the papers to the House. It may sound very well in the country to say that papers were laid on the Table, and hon. gentlemen opposite may count on sufficient ignorance among some people to lead them to believe that we had the papers; but every member of this House knows, and everyone in the country should know, that no paper is fairly before this House until it is printed and distributed to members, and until they have some days to consider it if it is of any importance. Papers laid on the Table may perhaps be seen by one or two members on each side; but it is impossible for those who have to decide by their votes on those papers, to see them until they are printed and distributed. Then, Sir, the argument has been used by the hon. gentleman which is very commonly used also by the Conservative newspapers, that we should not complain of the lack of papers when we form opinions and express them in the vigorous manner in which we do in and out of the House.—

Mr. HESSON.—What papers?

Mr. CASEY.—The *Montreal Gazette*, for instance, expressed this opinion on the very day on which the hon. Minister of Justice expressed it in the House. The arguments were identical, and were equally weak, with all due deference to the hon. Minister of Justice and the *Montreal Gazette*. The argument is extremely weak. It amounts to saying, unless you have all the evidence you want in order to form a correct opinion, you must have no opinion at all. That is absurd; we cannot help having an opinion. If we are not supplied with all the evidence necessary to form a correct opinion, we must form an opinion on the information we have. It may possibly be an erroneous opinion; if so, it will be the fault of those who refuse to give us the papers. It may possibly be a correct opinion, but we are deprived of the material necessary to prove it to be such. The hon. gentleman laid a great deal of stress on the legality of the trial, and on the fact that the law, under which that trial was held, was passed by the Government of my hon. friend from East York (Mr. Mackenzie). He said all that could be asked of the Government was that it should administer British law and British fair play. He could not understand how the Government could be condemned if the trial was legal according to the statutes in force. Well, Sir, in the first place, it was not British law. Will any man in this House say that a trial conducted by a stipendiary magistrate, and an assistant Justice of the Peace, with six jurors, is British law?

Mr. RYKERT. It is your own law.

Mr. CASEY. Will even the hon. member for Lincoln (Mr. Rykert) say that is British law? Can he show me any statute permitting a trial for life and death before such a tribunal? Can he show it in any British colony outside of the North-West Territories? And the hon. gentleman evidently considers it a sufficient answer to say, you passed the law.

An hon. MEMBER. You voted for it.

Mr. CASEY. I do not think there was any division about it, and hon. gentlemen opposite were quite as respon-

sible for not objecting to that law as we were. But admitting that we were solely responsible for the law at that time, the circumstances of the country were so extremely different from what they are now that the comparison falls to the ground. At that time there were scarcely any white settlers in the North-West Territories outside of the Province of Manitoba; there was scarcely anybody in the country but half-breeds, Indians and Hudson Bay Company employees; there was no railway within hundreds of miles; there were no means of getting a jury of twelve persons together on short notice, and no certainty that any jury of twelve persons could be got together. Now what is the case? Of course the people are not so numerous as the late Minister of Agriculture led us to expect; but there are 20,000 or 30,000 white people in the Territories, and they are scattered along the lines of railway and pretty contiguous to them. This has been the case for three or four years back; and yet did these hon. gentlemen, who now say that we are responsible for that law, take any means to change it or to procure for the British subject in the North-West Territories that fair play which he gets everywhere else under the flag of Britain? No, Sir; they rearranged and adopted the law as it was, and took no means to adapt it to the altered conditions of the country. They and they only are responsible for the existence of that law in its present state at the time Louis Riel was tried. If it were only last Session, why did they not change it last Session? The hon. the Minister of Justice began a quotation from the speech of my hon. friend the leader of the Opposition, at London, in which the latter expressed a partial exoneration of the Government from any grave scandal in regard to this law, except for the fact that they might have changed the law even since the commission of the crime. The Minister of Justice appeared to think that the leader of the Opposition had exonerated the Government from blame in the matter, whereas he had instead simply made the point which is evident that the Government could have changed the law even after the crime had been committed. The Minister of Justice said that would be making *post facto* legislation. Could any statement be more absurd, when it is considered that the crime committed, that of treason, was one which had never been committed before in the Territories, and which, it was never contemplated would be tried before such a tribunal when the present law was made? What then more rational than to adapt, even at the last moment, the legal machinery of the country to suit the trial of this new crime? Could not the Government have provided a judge in the same way as other judges are provided? Could they not have provided for the attendance of twelve jurymen and for the administration of the ordinary British justice which is administered every where else in the empire? Now that this case has been tried and considerable agitation and discussion created concerning it, the law in the Territories will probably be changed, and the Government will probably bring down some new provision which they should have made before the trial occurred. I am not implying that necessarily the man was wrongly condemned, but it is quite evident the public cannot regard the sentence of that court with the same confidence as they would that of an ordinary court. Had the Government desired to strengthen their position, they would have taken pains to see that this criminal had a trial like other criminals.

Mr. HESSON. Was the trial unfair?

Mr. CASEY. I am not discussing whether the trial was unfair or not, because that point has been fully discussed by my hon. friends. I leave the country to decide on the argument already advanced; my point is that the people, as laymen, have not the confidence they ought to have as to the fairness of the trial which took place. It may have been fair or not, but nobody can be sure it was

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as fair as if Riel had been tried before an ordinary British court of justice. I shall not take up any more points of the speech of the hon. Minister of Justice, because his speech has been very fully dealt with by others; but in regard to this whole discussion I must say that I approached the consideration of the question when I came down here with those prejudices which, I fear, are natural to most English speaking people in this matter. From the first, I had very grave doubts as to the sanity of Riel, doubts which I think would have probably moved me, if I had a voice in deciding the matter, to vote against his execution, but my doubts were not so strong as to allow me to go the length of condemning the Government for their action if it had been taken in good faith. I am sorry to have to state my conviction now that the Government did not act in good faith; at all events that good faith on their part is so very far from being proven, that the presumption of it is not admissible. I am convinced that they acted from other motives than those of justice; I am convinced they acted from political motives, and therefore are not to be excused on the ground of error in judgment or of having acted in good faith to the best of their ability. I have also, since this debate began, listened to a good many arguments which were not known to me before, and those arguments and the facts stated have had the effect of changing my opinion on the case almost entirely from what it was when I first approached it. As I say, I had doubts as to the sanity of the man, but no doubts as to the propriety of his execution on other grounds. At present, with the evidence we have before us, with the precedents quoted by the hon. member for Huron (Mr. Cameron), and by the hon. member for West Durham (Mr. Blake), and the hon. member for Quebec East (Mr. Laurier), with the arguments based on those precedents before us, with such evidence as the Government has allowed us to see—with all these, I am compelled to come to the conclusion not only that Riel was insane, but that the policy of executing him was a mistaken one; that it is an action not warranted by modern precedent to hang the leader of an insurrection after the insurrection has been successfully put down, unless there are such very special circumstances as to make the execution necessary to public safety. I will not go into details of my reasons for coming to this conviction, because you have all listened to the speeches, and will know to what I refer, when I say the facts and speeches quoted by them, caused me to form this opinion. It results from those precedents relating to British practice in modern years, which prove, as I have said, an insurgent is *prima facie* not to be hanged, and, as a matter of fact, is not hanged in English practice; that, therefore, the burden of proof lies on the Government to show why they did hang this insurgent leader. There was no attempt made to show this until the Minister of Justice made his speech, and although it was an extremely able and exhaustive speech, I confess it had not the effect of destroying in my mind the conviction created by the other speeches to which I referred. It is somewhat unusual on the floor of this House to talk of opinions being changed during a debate; we generally approach a question with our opinions made up, and only debate it for the sake of its effect on the country, but this is undoubtedly a remarkable debate which affects the opinions and votes of members of the House. It has affected my opinion and will affect my vote, and I have not the slightest doubt it has affected the opinions and will affect the votes of many hon. members. No doubt I will be charged with giving this vote for a political purpose, no doubt I will be charged with giving my vote for the sake of political effect, but I have a constituency which the hon. gentleman at the head of the Government was kind enough to form into what is called a hive in which he was kind enough to put a tremendous Reform majority, not necessarily for me, but for some candidate, and I think the member representing such a county as that need hardly

be accused of trying to make political capital by his vote. In fact, the vote would be likely to make political capital for me the wrong way. If any prejudice would be excited in the minds of my constituents by this vote, it would, at all events on the first thought, be a prejudice against me. But I believe that the people of Ontario at large are as open to conviction as members of this House, that the opinions as to the advisability of this deed will be as various throughout the country as they are here, that they will not be confined to party lines, that many of both parties will condemn and many of both parties will defend the execution of Riel, and that, when the debate is over here, and when we have time to look at the matter in a serious, thoughtful mood, apart from the mist of political excitement, it will be regarded by the people in the country, as it is coming to be regarded in this House, not as a party question, but as a judicial one, on which we are asked to express our opinion in a calm, judicial mood, without regard to race feeling or party leanings. I said a little while ago that the assumption of good faith on the part of the Government could scarcely be sustained by the facts. I think my assertion is backed up, not only by their conduct since the sentence and since the execution of Riel, but by their past record during and after the first insurrection which was headed by that unfortunate man. We have to look for a moment at that record to see whether they can be acting in good faith now. It is a very marked feature in this debate that it seems to be the opinion of all the gentlemen sitting behind hon. Ministers who have spoken on this question that the death of Thomas Scott had a great deal to do with the question whether Riel should be hanged now or not. That is really the crucial question in this case, that he might have been let off if he had not killed Thomas Scott. What is the record of those hon. gentlemen in regard to the death of Thomas Scott? When Riel was alleged to be guilty of a causeless murder of that kind, when he was sought to be put upon his trial in order to see whether he was guilty or not of that, the present leader of the Government sent money to aid in the escape of that fugitive from justice from the Province of Manitoba. The Premier, whose friends now—for he has not spoken on the subject himself—urge that Riel was properly hanged because he then killed Thomas Scott, at that time assisted him to escape from the country, when he was, as those hon. gentlemen allege, a red-handed murderer, when he was, as everybody believes, in a position to more richly deserve hanging than on the present occasion.

An. hon. MEMBER. No.

Mr. CASEY. The hon. member says "no." He does not think he was more guilty when he killed Scott than on the present occasion. I am astonished to hear that: I should have thought that the unprovoked murder of an unoffending citizen would appear to the mind of the hon. gentleman a crime richly deserving hanging, and it is in that light that hon. gentlemen on that side of the House invariably regard the killing of Scott. When I say that the Minister of Justice, at the time the predecessor many years ago of the hon. gentleman who addressed the House yesterday, then and now the Premier, gave money to assist in the escape of a man who was alleged to be a murderer, and was afterwards proved to be a murderer in the legal sense, what opinion can we have of the good faith of that gentleman when he defends the recent execution?

Mr. HESSON. Your party amnestied him.

Mr. CASEY. If a private person, who assists a man charged with murder to escape from the country, is regarded as an accomplice, in what light can the Minister of Justice be regarded when he assists a murderer to escape? Can we regard him in any other light than that of an accomplice after the fact?

Mr. HESSON. Who amnestied the murderer?

Mr. CASEY. We are coming to that in good time.

Mr. HESSON. Come to it now.

Mr. CASEY. I say that the Ministry then, through the Premier, made themselves the accomplices of Riel in the acts of which he was guilty at that time. Still more, when Archbishop Taché was sent to negotiate this exodus of Riel from Manitoba, Riel told him he would not take this money or go out of this country unless he was to be regarded as a public servant, that he was leaving in the service of the Dominion of Canada, and that the money he was to receive was a salary as a public servant and not a bribe to leave the country. The condition was agreed to; Riel accepted the money, not as a bribe, but as a salary, as he called it; he was escorted out of Manitoba by a squad of police, and he remained in the United States in the pay of the Government of this country. After a time he returned to Manitoba, and made arrangements to run for the county of Provencher. A seat being required for the late Sir George Cartier, arrangements were made by Lieutenant Governor Archibald, at the request of the Premier, to secure his retirement from the contest.

An hon. MEMBER. He was running in the interests of the Grit party then.

Mr. CASEY. At that time he was running in intimate association with the present member for Provencher (Mr. Royal), who can hardly be looked upon as a member of the Grit party, and to him, as well as to Riel himself, were the thanks of the Government telegraphed when Riel had retired, and had done the Government the great service of abandoning the seat in favor of one of its members. A Government that can make this man a public servant when he is lying under a charge of murder, a Government that can accept a favor at his hands when he is lying under a charge of murder, in the year 1871 or 1872, is not in a position to say now that Riel's past record, that the killing of Scott in the spring of 1870 is a reason for considering his offences of last summer more aggravated than they otherwise would have been considered, that his past record was so bad as to justify his execution now. My hon. friend from Perth (Mr. Hesson) wanted to know who amnestied him. Well, Sir, it was distinctly proven before a committee of this House in 1874 that an amnesty full and complete to all concerned in that rebellion was promised by the leader of the Government, by Sir George E. Cartier, and other members of that Government.

Mr. BOWELL. No, nothing of the kind.

Mr. CASEY. The Minister of Customs says "no." It is true I have no testimony to put against him, except that of an archbishop, a priest or two, and a few delegates from Manitoba. If the hon. Minister does not think the testimony of those gentlemen, given under oath, is trustworthy I leave him to fight it out with them. But I know these facts were sworn to by these parties. I will quote a letter from Sir George Cartier, giving the facts in regard to the election. In writing to His Grace Archbishop Taché, he said:

"I presume your Grace is one of the friends who got me elected in Provencher; accept my sincere thanks. Give thanks for me to all friends, and especially to those who were more instrumental in securing election. I am leaving for England for brief visit for my health; will send letters of thanks before leaving.

"GEO. E. CARTIER."

His Grace goes on to say:

"In reference to communications with members of the Government I forgot to mention one thing that occurred on the 15th August, 1873. In an interview with Sir John A. Macdonald in Ottawa, he told me there were some communications received from England to the effect that they were allowed to publish an amnesty to all excepting those concerned in the execution of Thomas Scott. 'This,' he added, 'is not what you

wish. I will go to England immediately after the Session, and I am sure they will settle the question of the amnesty."

Those are the words of Sir John A. Macdonald, sworn to by Archbishop Taché. He afterwards wrote a letter to Mr. Langevin, which he quotes.

Mr. BOWELL. I do not deny that.

Mr. CASEY—

"Mr. Taché told me that Mr. Langevin had requested him to telegraph me. Sir John and Mr. Langevin went to the Palace, but I was already gone to the departmental buildings to see them."

The Archbishop was staying at the Bishop's Palace here.

"Mr. Langevin came to me there and told me Sir John was in his office waiting for me. I accompanied Mr. Langevin to Sir John. The conversation began on the election of Riel for the vacant seat in Provencher. They both insisted on the propriety of Riel not running for that election, but being replaced by one of his friends. I answered that I would not interfere any more, that I had been deceived too often. They insisted, and Sir John A. Macdonald said again that he would go to England after the Session and secure the amnesty. There was a long talk, and at last I told Sir John that I would not, and could not, do anything in the matter unless he would give me a written guarantee of what he was saying. He said he could not give anything in writing, and he left the place."

It was very like the hon. Premier, very like his characteristic caution, not to put anything in writing. I have also here a note of what the hon. Minister of Public Works said at that time to Archbishop Taché. In this case I can give you the words, not merely of a bystander, but of the hon. gentleman himself. Mr. Langevin himself was examined before the committee in regard to the granting of the amnesty, and he said:

"I knew also that Sir John A. Macdonald, the First Minister, intended to go to England after the Session, and that he intended to represent to the Imperial authorities that the North-West question was an Imperial one, which was causing trouble and disquietude in a portion of the Dominion, and that certainly the best interests of the Dominion required that the Imperial Government should take up the matter. Knowing as much, I thought that the Imperial Government, having received the documents and representations above mentioned, would certainly feel it their duty to act in the matter, and therefore the question would come to an early solution. Of course, I knew full well there were obstacles, and great obstacles, connected with their granting of that amnesty, but so convinced was I that the best interests of Canada required that this matter should be settled without delay, I was determined, as was also my colleague, Mr. Robitaille, that by handing in our resignations we could bring about a decision."

In another place he said:

"Sir John knew perfectly well that I was to make that statement."

The statement which I have just read:—

"I wanted to show my friends that I had reasons for making that statement to them, and that I was acting in good faith towards them and the cause which we were advocating, and so I said 'my portfolio is there, with that of my colleague, Mr. Robitaille.'"

In the year following the appointment of this commission, when the question of amnesty was brought up in the House, not only all the French members of the Government voted against the expulsion of Riel from the House and in favor of a full and complete amnesty to Riel, but the present Minister of Railways voted and spoke in favor of it; and I am sure he holds the same sentiment still, and if he were to vote according to his convictions upon this occasion he would say that it was improper that Riel was executed. Now, Sir, I need not quote you the words in full, for there is no dispute about the fact.

Mr. BOWELL. Is that all the evidence you have?

Mr. CASEY. It is not. There are some couple of hundred pages of evidence, but I think it would be too much to read to satisfy even the hon. gentleman's appetite for evidence. The evidence I have read is only a sample of what was sworn to. Archbishop Taché swore that when he first came to Ottawa, in the spring of 1870, he was told by the Cabinet that he might promise, when he got to Winnipeg, a complete amnesty for all that had been done up to the

Mr. CASEY.

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time he got there, without any exception as to Riel or anybody else. It was before the killing of Scott, and he was told that whatever happened until he got there—

Mr. BOWELL. Oh, no.

Mr. CASEY. Well, if the hon. gentleman will force me to turn up the documents in every case—

Mr. BOWELL. Whatever promise was made there, was for anything that was done up to the time the promise was made.

Mr. CASEY. No, but up to the time he should arrive in Winnipeg. The Archbishop says:

"Any conversation I had with Sir John Macdonald, who again impressed me with the necessity of informing the people of the good intentions of the Government towards them. I said to him then: 'This is all very well, but there have been acts committed which are blameworthy, and there may be some others before my arrival there. May I promise them an amnesty?' He answered me: 'Yes, you may promise it to them.' I subsequently asked him to give me in writing the substance of the conversation that had passed between us."

But the Premier in that case, as in the other, was very chary of what he committed to writing. Here is the positive oath of the venerable Archbishop Taché that he had authority to promise an amnesty for whatever might occur till he reached Winnipeg.

Mr. McCALLUM. Was that not before the murder of Scott?

Mr. CASEY. Yes. The murder of Scott occurred while Archbishop Taché was on his way to Winnipeg.

Mr. McCALLUM. After that conversation?

Mr. CASEY. Yes. The hon. gentleman does not seem to see that that is just the point we are making. The point I wish to make is that Archbishop Taché swore he was authorised to promise an amnesty for whatever might occur while he was on his way to Winnipeg, that the murder of Scott occurred while he was making the journey, and therefore it was exactly one of the cases to which the amnesty applied.

Mr. McCALLUM. Did you vote for the amnesty?

Mr. CASEY. I was citing the facts developed before the committee in 1874. It was clear, although some members of the Government did not remember the conversations exactly in the same way the Archbishop remembered them, and even denied some of his statements, the Archbishop and priests and witnesses maintained their views of the question, and that they had taken accurate notes; and the committee were satisfied that their recollections and statements were more correct than the recollections and statements of those who formed the Government at the time, and who had the strongest possible reasons for having bad memories in regard to the question. It was the clear conviction of the committee and of the witnesses to whom I have referred that this amnesty had been promised time after time, and that the Government were afraid to carry out their promise. We have strong subsequent evidence of that fear, in the fact that when the hon. member for East York (Mr. Mackenzie), as Premier, proposed the amnesty resolutions in the House, the present Premier, who was then leader of the Opposition, declared that this was very bold, that he would never have dared to make such a proposition. He did not dare to make the proposition; he did dare to make the promise, and to repeat it year after year, until the Archbishop (Taché) told him he did not want promises any more, but he did not dare to perform it. The hon. gentleman did not dare to risk the existence of his Government by making such a proposal in the House. More than that, he did not dare to pay his debts.

Part of the money which was divided between Riel and Lépine—£600 sterling—was borrowed from Mr. Donald A. Smith, in Winnipeg, on the endorsement of Mr. Archibald, then Lieutenant-Governor. The Premier was informed of that loan. He admitted on oath before the committee that he accepted the responsibility for that loan; that he accepted responsibility for repayment of the money. But did he pay it? No; it was borrowed in December, 1871, or January, 1872, and the hon. gentleman went out of power in November, 1873, and, although he repeatedly promised to pay the amount, he had never paid this paltry \$3,000 and interest. He is the prodigal son of Canada, we often have to pay these little debts. We had to pay this one. Two years after an item was put in the Estimates for the payment of that money. My friend beside me reminds me that he did not pay Archbishop Taché his expenses in coming over from Rome and acting as Government agent in quelling the rebellion. There are indeed many things he has left unpaid. Although amounts were voted for secret service, and although an amount was transferred to the ex-Premier's private account after his defeat, he did not pay the \$3,000 out of that sum so transferred. That is sufficient in regard to the amnesty. The amnesty was forced upon us in pursuance of the pledges made by our predecessors. It was just like the case of the immense public works which had been undertaken by hon. gentlemen when in office before the Pacific scandal, and which had to be carried out by the succeeding Government; in fact, we had to carry out a great many pledges made by those hon. gentlemen and amongst them was the amnesty. Almost immediately, the country at large was satisfied that it was the only thing that could be done under the circumstances. If there is any hon. gentleman opposite who says he thinks Riel should not have been amnestied, let him speak out. Will the hon. member for Perth, the hon. member for East Huron, or the hon. member for West York, say Riel should not have been pardoned on that occasion? They are very silent and judiciously silent. They will not say that Riel should not have been pardoned on that occasion. They know if they were to say so they would be condemning their own leaders who made themselves the accomplices and friends of that man.

Mr. HESSON. As one I have no hesitation in saying that in my opinion Riel should have been hanged in 1875 or before.

Mr. CASEY. And yet it was to this man that \$4,000 was sent to get him out of the country; it was at this man's hands the present Premier accepted a seat for his colleague in the Cabinet.

Mr. HESSON. No.

Mr. CASEY. The hon. gentleman has been asleep since modern history began.

Mr. HESSON. Who brought Riel into this House? The Reform party brought him here.

Mr. CASEY. I have no objection to state who introduced him into this House. It was Dr. Fiset. He was never ashamed of Riel; he believed him to be an innocent man, the hon. gentleman who believes he was a guilty man has not the courage to blame his own leaders for the intimacy that existed between them and Riel, the intimacy that existed between the Orange Premier and Riel.

Mr. HESSON. The Conservatives moved that he should be expelled.

Mr. CASEY. This shows that the Government were not acting in good faith in the policy they adopted, a policy adopted for the purpose of maintaining themselves in office. There can be little doubt that the conduct of the Government since the condemnation of Riel, the frequent reprieves, the

appointment of a medical commission, the sending up of Government employees act as to medical experts on that commission, was designed merely to gain time so as to enable the Government to decide as a matter of policy which course would pay them best in a political sense. Finally Riel was hanged not from any belief as to the necessity of hanging him for the purpose of preserving the public peace—you cannot imagine such a feeling in the minds of men who had treated him as they did on a former occasion—but because they believed it would pay them best. They would have found it to pay better to have done the other thing. They were, afraid of losing a large part of the Orange vote and the Protestant vote. They need not have been afraid of losing the Orange vote. When the proceedings took place in 1871 they did not lose the Orange vote. When the item for the payment of that money to Donald A. Smith was up in the Estimates the hon. member for East Hastings (Mr. White), moved that the House should not agree to the payment of that item because they did not approve of the purpose to which the money had been applied. So far the Orange feeling was expressed. They put on record by a solid vote that they did not approve of the purpose for which the money was applied, but they had not the courage to turn around and blame the Government, blame the man who had been their leader for the course he had taken, or cease from supporting that gentleman as leader. They are supporting him still. Where is the hon. member for East Hastings still? Is he acting in opposition to the leader whom he censured by his motion in 1875? I do not think he is. The hon. member for West York (Mr. Wallace) was not there at the time, but I have not heard that his admiration for his leader was at all lessened by the misuse he made of the public funds in 1871. The Government need not have been afraid of losing the Orange vote after such an expression of Orange fidelity on that occasion. As to losing the Protestant vote of Ontario, I think the Government need not have been so much afraid of that either. I think it is an insult to the people of Ontario to take it for granted, without a trial, that these men are so anxious for revenge, so anxious for blood, so anxious to have the leader of the insurrection punished, after the insurrection has been put down, that the mere fact of commuting the sentence of that leader would have turned any considerable number against the Government. It might have done so for a moment. Prejudice is strong for a moment, but I have that confidence in the people of Ontario that leads me to believe that when they look at the question as carefully as we have looked at it in this House, the opinion throughout Ontario will be divided evenly and fairly on that question. I do not know whether the majority will disapprove of the execution or not, but I do not believe that there will be much change in party alliances in Ontario, in consequence of differences of opinion with regard to this execution, I refer, of course, to the Protestant English speaking portion of the Province. But, Sir, I shall be told that we are disloyal. The old cry of disloyalty will be applied to those of us who happen to form the opinion which I have expressed. This cry too will be a failure. The cry of loyalty has been raised before by the *Mail* and other Government organs, as well as by Government speakers, and it has had small effect. It is recognised by the people at large that loyalty does not demand any particular view of this question, and that the man who thinks Riel should not have been hanged may be as loyal as the man who thinks he should have been.

Mr. ORTON. No, no.

Mr. CASEY. The hon. member for the Rocky Mountains says "no"—I mean the hon. member for Centre Wellington (Mr. Orton). He denies the possible loyalty of those who think that Riel should not have been executed. Let us draw a comparison. If Riel was such a criminal that no loyal

man would wish to see him reprieved, what sort of people were the Fenians who invaded Ontario in 1866? Were they people who had grievances against Canada? Had they suffered any wrongs at the hands of our Government? Had they any land question to settle? Had they any reason at all for invading a peaceful Province and killing its sons? No, Sir, they came as part of an agitation going on in the United States of America; they came here apparently for fun or for plunder; they could not have come for the good of Ireland, because there could be no reason in their doing that. They were caught with arms in their hands, they were caught red-handed, they were found guilty, their sentences were passed and their sentences were commuted. I do not remember that there was even a recommendation to mercy, but the sentences being commuted, they did not serve even the full term of the commuted sentence, but were let out after a few years; and the hon. gentleman who is Premier now was Premier and Minister of Justice at the time these men had their sentences commuted and they were released from prison, even before the commuted sentence had expired. He advised that commutation, he advised that release from prison, and if a man is not loyal who believes Riel should not have been hanged, what shall we say of the man who released these Fenian prisoners? Can the man be loyal who did that? I leave it to the hon. member for Centre Wellington (Mr. Orton) to compare the two cases and to say whether his condemnation of my disloyalty, and the disloyalty of those who think as I do, does not hit his own leader also. Why, Sir, it hits every statesman who has ever advised the commutation or reprieve of a political prisoner. We are told that we should have one law for all. That was the favorite cry of the *Mail* newspaper for many days. I am willing to apply that law in both cases. What is sauce for the goose is sauce for the gander, and if it was right to commute the sentence of and to release those Fenian prisoners in 1866, it would be equally consistent with loyalty and with public peace to have commuted the sentence of Louis Riel. I do not suggest—nobody suggests—that he should be released. It is evident that he was a dangerous character to be at large, and he certainly should have been kept out of mischief. With regard to that point, I think I cannot do better than give the opinion of Father McWilliams who was with him all the time, who was with him at his death on the scaffold, and who had been his old school mate, and this letter will serve a further purpose. Riel has been charged with bitter hostility to the church, with being a sacrilegious wretch, whom no good Catholic should have anything to do with, or say a good word for. He has been spoken of in that way by both Protestants and Catholics in this House. Here is a letter from a priest in the church who saw him in his last moments, and had the best opportunities for finding out his mental condition, and instead of calling him a wretch, he calls him a lunatic. This is a copy of a letter addressed by Father McWilliams to the Governor General:

"In taking a trip to the Rocky Mountains, I stopped off at Regina to see my old class-mate Louis Riel. * * * I am not surprised to find him insane, but surprised to find him as sane as he is on some subjects. If Your Excellency allows the sentence of death to be carried out, upon your head and that of your advisers will rest the blood of an insane man. I believe him to be a dangerous character, unfitted to be allowed at large, or even to be free; but at once, and for all, let him be closely confined in a secure insane asylum. In behalf of justice, I write you and the Government."

In the original letter, Father McWilliams included, in the blank shown in this copy, the reasons he gave to the Governor General for believing Riel was insane. He left those out in giving a copy to the newspapers for publication, stating that he did not think it proper to give them. It would be interesting to have that letter on the Table of the House with those reasons in it.

An hon. MEMBER. By whom was it written?
Mr. CASEY.

Mr. CASEY. I omitted to state that it was signed C. A. McWilliams, P.P.

Mr. COSTIGAN. Is that all from him?

Mr. CASEY. No, it is not. When Father McWilliams came down to Ottawa he published a letter which I did see also, but of which I have not a copy, stating that he withdrew the expressions he had used with regard to the blood of an insane man being on the heads of the Governor and his Ministers, because he thought them improper expressions to be used to the persons to whom they were addressed. I certainly understood from the Rev. Father's letter that he simply withdrew those expressions for that reason; and I have not yet seen over his hand any retraction of the opinion that Louis Riel was insane. Even if he had retracted that opinion afterwards, I should give much less weight to the second opinion than to the one he formed on the spot where he had every opportunity for observation. Now, Sir, we were accused by the hon. Minister of Inland Revenue, and we have been accused time and again by hon. gentlemen opposite, of stirring up feelings of race and revenge on this question. When I say we, I do not refer to the party to which I belong, but to those who hold the views on this question which I hold. The party has been accused too; but since the party as a whole does not hold these views, it cannot be accused as a whole of stirring up such feelings. The accusation should be turned round; it is a boomerang. Everybody who reads the *Mail*, as every good Conservative does, knows who is stirring up feelings of race and revenge; everybody who has read the speeches delivered in this House knows who is stirring up those feelings; and I must pay to our French friends of both parties who have discussed the matter, the compliment of saying that I scarcely believed, before hearing them, that a subject so vital to them and one which so nearly touched their feelings, their hearts and their passions, could be discussed by any body of men with the coolness, the calmness, and the candor with which they discussed it. I do not think the accusation of stirring up feelings of race and revenge lies at our door or at the door of our French friends who take the same view of the case. We have heard something of a new party in Lower Canada called the *Parti National*, limited to the French race. If such a party were formed, I should consider it a mistake. I think we have an opportunity now of forming a truly national party, composed of all nationalities and creeds and parties—a party who shall not accept the shibboleth of any political party, but which shall be inspired with true loyalty to Canada—that loyalty which leads us to watch the conduct of the public servants of Canada, those who rule the affairs of the country, and hurl them from power when they do anything contrary to the country's interest, no matter to what party they belong.

Some hon. MEMBERS. Hear, hear.

Mr. CASEY. I am sure such sentiments must seem very absurd to some gentlemen on the opposite side who interrupt me with ironical "hear, hear." But I think certain individual members on both sides of the House have given evidence of their being able to take that view of the case. Our French friends who have spoken on this question had certainly no motives of self-interest in adopting the course they have taken. They have not only left old friends and old associations, but they have left a powerful Government which has the patronage in its hand and is in a position to give good things to its friends. In leaving that Government on this question they have shown manliness and independence of action. Are there any Ontario Conservatives who have equal manliness and independence of action—I do not mean on this question merely, but on any question? If any hon. gentleman can say that there are, my opinion of that party will have vastly improved. I do not intend to detain the House any

longer than simply to reiterate my hope that this unfortunate event, instead of being the means of disunion between races and creeds and parties in Canada, as it appeared likely at one time to be, may prove to be a means of better understanding between all creeds and races and parties—the hope that, instead of taking up the bones of Louis Riel and holding a mock inquest over them, we shall bury in the grave all bitter feelings which have hitherto existed between races and parties, and that this event will really be the beginning of a better state of feeling among all the peoples and races of Canada.

Mr. KAULBACH. After the able and eloquent speeches delivered on this side the House in support of the position the Government assumed on the disposal of Louis Riel on the charge of high treason, I feel great reluctance in coming forward to offer any further remarks, but after listening to the unfair epithets dealt out to the hon. members of the Government by gentlemen opposite I feel constrained to crave the indulgence of the House for a few moments. Gentlemen opposite were not satisfied with denouncing this honorable Government as a body, for the action they had taken in connection with Louis Riel, but have thought proper to denounce the French members of the Cabinet, as traitors to their race, traitors to their nationality and traitors to their country—a most unjust charge and one the Government and its admirers have a right to resent. Does not every member of this House and the country know, that as Ministers of the Crown under their oaths of office they are responsible as a Cabinet, responsible as advisers of the Queen's representative, and as such in that capacity they performed their duty to their Queen and country faithfully and well, and to-day throughout the length and breadth of Canada, nay by every person interested in Canada, excepting disloyal Grits, they are receiving the commendations to which they are justly entitled. I feel it my duty to stand up in my place in Parliament and defend a Government so just, wise, and prudent as they have proved themselves to be in dealing with this arch-rebel and murderer, irrespective of creed or nationality, and meting out punishment to him, to which he was so justly deserving. The objections made by gentlemen opposite as respects Riel's trial at Regina were, first, that the constitution of the court before which Riel was tried and condemned should be established beyond a possibility of doubt; second, that a commission should be appointed to enquire into the mental condition of the prisoner. The first point was definitely settled by the Court of Queen's Bench of Manitoba, and of the Judicial Committee of the Privy Council in England. But even if this court, as referred to, had not been properly constituted, hon. gentlemen opposite should be the last to complain, as it was a court of their own creation when they were in power. I was rather surprised at the utterance of the hon. gentleman from West Elgin who has just taken his seat, in reference to the constitution of that court, when he, as a prominent supporter of the Government of the party opposite at that time, supported the measure of the Bill. In 1875 that Bill provided for a jury of eight men—with the appointment of a stipendiary magistrate before whom charges of this nature were to be tried. In 1877, when the Opposition were still in power, they thought proper to reduce the number of jurors to six. To say the least of it I contend that it is very unfair to complain of that court now. With respect to the second objection that was set at rest by the report of the medical experts who made an examination of Riel, Dr. Jukes, senior medical officer, states that Riel was a

“Clear-headed, accountable being, responsible for his actions against God and man.”

Dr. Valade, of Ottawa, reports that:

“While Riel suffered under hallucinations on political and religious questions, on other points he was quite sensible, and could distinguish right from wrong.”

Dr. Lavell, of Kingston, reports that:

“After a careful consideration of the case, and fully appreciating the consequences involved, he was of opinion that, although Riel held and expressed peculiar views as to religion and general government, he was an accountable being, and capable of distinguishing right from wrong.”

The medical experts, as you see, were of one opinion as respects his sanity, and we can reasonably conclude, without a doubt, that he was sane when he organised the rebellion, sane in his attempt to exterminate the English settlers, and disposing forever of British rule and authority in that country, and perfectly sane when he was called upon to pay the penalty of his crimes upon the scaffold. Hon. gentlemen opposite charge the Government with cruelty toward Riel, in allowing him to suffer the death penalty when the jury, impanelled to try the case, by their verdict recommended him to mercy. I would ask, Mr. Speaker, how much clemency was there shown by this malefactor Riel toward poor Thomas Scott, in 1870? Any? No; not a particle, but on the contrary, the most heart-rending torture and cruelty that possibly could have been offered. When poor Scott, seeing the sufferings of the innocent women and children, and desiring their release, went with a flag of truce, without arms and offering no offence, and approached Riel, how was he received? He was captured by Riel and his gang, manacled, imprisoned, tried by a court of his own creation, on the 3rd day of March, in a language not understood by him, Riel being the accuser and judge, and sentenced to be shot, at noon, the next day. When asked the reason for this treatment, his answer was:

“I must make an example of one or more of these men in order to bring these Canadians to terms, and I shall do so one after another so long as necessary.”

The missionary, realising the terribleness of the position, asked Riel to give Scott another day to prepare for eternity. His answer was: “Go tell him he must die.” After the poor fellow was shot, Riel was asked for the body, that it might be placed in a sepulchre, that his poor aged mother might have one grain of comfort to allay her bitter grief, and a place she could visit to mourn over the loss of a loved one, and to know that it had a Christian burial. He refused even this. The body, it is said, was placed in a box, whilst struggling in the agonies of death, and the voice of the poor fellow heard in prayer calling on Riel to either take him out or kill him at once. This is the patriot, the martyr and the saint whom hon. gentlemen opposite are endeavoring to have this House and the country believe has been cruelly treated. Instead of a martyr he is justly entitled to the appellation, a monster of the darkest cast, and had he got his deserts he would have been shot last winter the moment he was seen within rifle range. Was he a patriot? A patriot is supposed to be one willing to make self-sacrifices for the cause of country; one whom neither gold nor yet any other inducements could purchase. In this instance we find that Riel was willing to take \$35,000, and even less, and abandon the country, and those whom he had undertaken to lead, as will appear from the following extract taken from the report of Father André's evidence given at Riel's trial at Regina. As it was quoted by the hon. member for Montreal Centre in his speech, I will not repeat it, but, as it is worthy of being noted, will ask that it may appear in *Hansard*:

“Q. Will you please state what the prisoner asked of the Federal Government?—A. I had two interviews with the prisoner on that subject.

“Q. The prisoner claimed a certain indemnity from the Federal Government, did he not?—A. When the prisoner made his claim I was there with another gentleman, and he asked from the Government \$100,000. We thought that was exorbitant, and the prisoner said: ‘Wait a little, I will take, at once, \$35,000 cash.’

“Q. And on that condition the prisoner was to leave the country if the Government gave him \$35,000?—A. Yes, that was the condition he put.

“Q. When was this?—A. This was on the 23rd December, 1884.

“Q. There was also another interview between you and the prisoner?—A. There has been about twenty interviews between us.

"Q. He was always after you to ask you to use your influence with the Federal Government to obtain an indemnity?—A. The first time he spoke of it was on the 12th of December; he had never spoken a word of it before.

"Q. He talked about it very frequently?—A. On these two occasions only.

"Q. That was his great occupation?—A. Yes, at those times.

"Q. Is it not true that the prisoner told you that he himself was the half-breed question?—A. He did not say so in express terms, but he conveyed that idea. He said: "If I am satisfied the half-breeds will be." I must explain this. This objection was made to him that even if the Government granted him \$35,000, the half-breed question would remain the same, and he said in answer to that: "If I am satisfied the half-breeds will be."

"Q. Is it not a fact he told you he would even accept a less sum than \$35,000?—A. Yes, he said: "Use all the influence you can, you may not get all that, but get all you can, and if you get less we will see."

This evidence is verified by other witnesses at the trial. This is the man whom hon. gentlemen opposite are endeavoring to place on the temple of fame as a saint and martyr. The man who stated "he wanted blood, and he would not be satisfied till he had blood." Or, as given in the evidence of Thomas McKay at the trial: "You don't know what we are after—it is blood! blood! We want blood! It is a war of extermination." Now, Mr. Speaker, with regard to the North-West, all must know that the Government had been, and still is doing all in its power to promote peace in that quarter, and from the Minister of War down to the lowest official in the Militia Department, much credit is due for the prompt and satisfactory manner in which they responded to the sudden and unexpected demand upon their resources; and gratifying indeed was it to see the martial spirit and military ardor that was displayed when the word "To arms" was given. All appeared to be actuated with the one prevailing sentiment and feeling that the rebellion against constituted authority must be crushed out promptly and effectually, the offenders punished, Riel—the leader—receive the just tribute of his reward, and order restored. It is greatly to be deplored that there should be found politicians who would as it were utilise the blood of Canada's sons to make political capital, when they must know that the Government is placed in sacred trust of the rights and property of the people of Canada, and that they could not surrender such rights to the hordes of half-breeds and Indians, not content with their proper allotment of territory, but determined if possible to get it the second time by open revolt. To encourage the Indians, and at the same time avoid the immense expense of the Government each year to which they hitherto had been subjected, the Government very prudently set off large areas of land in the fertile districts of the North-West as Indian reserves, for the exclusive use of the Indians, on which they were to farm and gain their own livelihood, and even supplied them with farm implements to till the soil, seed to sow, and farm instructors to give them a knowledge of farming. All this was rejected by the Indians and half-breeds, led on by Riel, and some of the instructors murdered. Members on both sides of the House should be a unit with regard to this trouble, and cast aside all political and personal considerations, and with one purpose and object in view, stand by the Government in meeting all emergencies such as had to be encountered last winter, face to face. Had this feeling been exhibited last year by gentlemen opposite when the rebellion broke out in the North-West? No, Mr. Speaker, but on the contrary discouragement to every one desirous of being a veteran in the service of his country, as was shown by their unworthy utterances in their Grit organs. I would instance their reference to the 66th Regiment, known as the Halifax Regiment, and the 75th Regiment, which I have the honor to command. As I gave expression to the House then with reference to it on a question of privilege, I will not refer to it again, suffice it to say, that you would naturally have supposed that they would have had some kind feeling for the loved mother, the fond wife, and the loving sister, left behind at that time anxious and lonely, by the absence of a son, husband or brother then to the front in

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defence of their country. But no; the same feeling that actuated them then, appears still to have possession of them now. I would say that had hon. gentlemen opposite been present at the Canadian Pacific Railway station in this city at this time last year, when the 66th Regiment arrived *en route* for the North-West, and when the flag was presented by a fair lady from the land of the "May Flower," they would have felt satisfied that the officers and men of that regiment were true-hearted and brave, and would prize the standard of Canada as highly and float it as proudly, without stain, as an Englishman would "the flag that braved a thousand years the battle and the breeze." If there had been any spirit of disloyalty in the ranks of the 66th, I would ask, by whom was it inspired? Simply by some few of the hot-headed partisans and followers of the party opposite who amnestied Louis Riel, made him a member of the House of Commons of Canada, and neglected or studiously avoided between 1873 and 1878, when they had the power and the privilege, to settle the half-breed claims in the section of country where the rebellion had been raging. Frequently we find the rapacious and fanatical politicians followers of the party opposite, who, previous to the execution of Riel, anticipating a commutation of sentence, denounced Riel as a cold blooded murderer, and charged the Government as accountable for not carrying the sentence of the court, without delay, into execution. Now that he has paid the penalty on the scaffold, elevate this murderer to the position of a demi-god, and in order to denounce the Government and carry political effect, ask questions like the following: "Why did not Sir John A. Macdonald and his Government hang Riel when he murdered Thomas Scott, in 1870?" "Why did he pay him a certain sum of money to get him out of the country?" The answers are easily given and very reasonable. At that time, we had no Canadian Pacific Railway such as we happily have at present. The only access in summer over Canadian territory to that section of the Dominion was by using the water stretches of Georgian Bay and Lake Huron, *via* Sault-Ste. Marie, and across Lake Superior to Port Arthur, and thence by trail to Winnipeg; but as the murder of poor Scott took place in winter, when that route was impracticable, Riel having chosen that time purposely to offer trouble, on account of the isolated position of the country, all communication was cut off, except by American railways, over American territory *via* Chicago, and that not for the transport of troops nor ammunition of war, consequently the Government were compelled to do the best they could under the circumstances, or suffer further outrages upon the honest and innocent settlers of the country. Archbishop Taché, the ecclesiastical head of that country, advised that a certain amount of money be given to Louis Riel in order that he might be removed from the country. At that time, mark you, he had taken flight across the border to the United States, fearing arrest for the crime he had committed. The suggestion seemed to be a reasonable one, and was apparently acceptable to gentlemen on both sides of this House. Riel remained away till the Reform party (gentlemen opposite) came into power, when, as I previously stated, he was amnestied or pardoned, and brought back to the country. Hence the cause of all this cruelty and bloodshed. I have listened to the unreasonable and inconsistent utterances of hon. gentlemen opposite but fail to find by any word that they have offered a justification for the crimes this merciless rebel and blood-thirsty leader has committed; the blood he has shed, the many homes he has rendered desolate, and the many hearts made sad and lonely by a cherished husband, son, or innocent mother or sister, sacrificed at his hands. If it is simply opposition hon. gentlemen opposite are offering for the sake of government and power, sad will be the time, when it is obtained by hands embued in brother's blood. My prayer is that

it may never be my lot to see it. Now, Mr. Speaker, in conclusion I would state, occupying the onerous position that I do, not merely as a member of Parliament, but in the dual capacity as one of the judges in a court of review, if this body may be so called, that in my opinion, and I believe it is the opinion of a very large majority of the members of this House, and more if their party prejudice did not prevent them expressing it, and decidedly the sentiment of the people of Canada, that the Government dealt with this arch rebel Riel according to his deserts, and extended to him just punishment for the atrocious deeds he had committed upon his fellow man, or in other words as the *Winnipeg Free Press* (an organ of hon. gentlemen opposite) expressed it the day after the execution of Riel that he was fairly tried, honorably convicted, laudably condemned and justly executed. And with this as a warning it is to be hoped that those who are left in that lately disturbed district, will forever be content, and disposed to "beat their swords into ploughshares, and their spears into pruning hooks," and use them in the development of the great North-West, so boundless in its extent and so inexhaustible in its richness, and which is looked upon by all Canadians, as the country of great promise. And it is to be hoped that all those who are intending to settle in that country and make it their home will be content that all internal strife in that quarter has forever ceased and will be followed by a succession of years of national growth, development, and prosperity.

Mr. SPROULE. In rising to occupy the time of the House in this debate, I do so with considerable reluctance and trepidation, reluctance because I feel that the patience of the members of the House is already exhausted with this long and tedious debate, and with trepidation, because I feel my inability to discharge the important duty which I believe devolves upon me as a representative of the people. I think to-day we are passing through a very important epoch in the history of our country. We are passing through a crucial test as to what is understood by British liberty, British protection and British rights. We are to-day dealing with a question that, if it is adopted, will be an attack upon the bulwark of British liberty, because if we destroy that confidence that the people have in the courts, and that which the people have always enjoyed wherever the British flag floats, they will no longer feel the security of their lives and property which is necessary to secure to them the fruits of their labor, peace and prosperity. Should the motion which is now before this House be carried, it means, at least to my mind, that there will be a destruction of the confidence in the courts of the country, because we have been taught from childhood that every man in the country, if he commits a crime, is punished for that crime, and when he is in the hands of the law we feel a confidence that he will meet with that punishment that his crime deserves. It is well known that in this respect there is a vast difference between the feeling in our country and that in the United States. Why is it that every man who goes to Texas or Colorado, or many other States, has to take with him a bowie knife or a revolver to protect his person and property. It is because the confidence of the people in the integrity of their courts has been destroyed, and men have taken it into their own hands to protect themselves. If this motion was carried in the affirmative, I think the outcome would be to establish the same condition of things on this side of the border. For this reason I say it becomes a very important question, and we should approach its consideration with solemnity rather than levity. It is a very unusual thing for us to criticise the acts of the court. Occasionally it happens, when political excitement runs high, when political bias is strong, that the judges' decisions in reference to political trials may be properly criti-

cised, but this is the exception and not the rule. When we come to deal with graver crimes, it is not the custom in this country to criticise the actions of the court, the fairness of the trial, or the result of the trial, whatever it may be. However, that might apply to one court. When we remember that this case has passed through three important courts, we will appreciate with greater force the awkwardness of the position we occupy when we attempt to criticise the action of those courts. The present debate has taken a very wide range. At the commencement hon. members of the Opposition appeared to become very much annoyed and excited because they were asked to deal directly with this question and give an expression of opinion either yes or no as to whether the Government were or were not censurable in allowing the verdict of the court to be carried into execution. I can say from my knowledge of the people in regard to the solution of this very important question that if there is one thing more than another desired it is that there should be a direct vote on this question. Why? Because since it got into the arena of politics, both political parties have used it perhaps a little unfairly. One political party is making use of it for political purposes, it is contended the other is doing the same, and if for nothing else than to establish the sincerity of hon. members who are representing both sides of this question and to satisfy the public mind that there is integrity in public men, it is important that the question should be decided directly on the question as to whether the Government are censurable or not. We remember a very important debate in another Legislature in 1871 in regard to the late criminal Riel, and the very strong language made use of then for the purpose of convincing the people of Ontario of the abhorrence and detestability of the crime committed and the necessity of visiting condign punishment upon that very great criminal. At that time it made a deep impression on the public mind, and that impression was pressed by the intelligence and ability of a great legal mind. But to-day we have another feature in that political drama. We have the same great mind arrayed on the other side of the question and endeavoring to impugn the motives of the Government because they dared to ask a direct verdict on the question. Why? Because he and his supporters are not allowed to drag in side issues, to change the question, to take it away from the basis on which it should rest, and if not able to convince the people at least they hoped to persuade them that there were other influences at work in causing the Government to carry out the verdict. The people of the country do not want these side issues raised, but they want a direct vote on the question; and I feel sure that hon. gentlemen opposite when they go back to the country will find that the Government will be supported in having this question put directly and compelling hon. members, who by their acts are not accepted as being too sincere, to face the question directly and say whether or not the Government was justified in carrying out the execution of Riel. We have a great many theories and speculations as to what the motive of the Government was in carrying out that verdict. It appears to me that the ingenuity of the great minds of the Opposition has been engaged in devising means to satisfy the country that every other conceivable motive was influencing the Government, except that of justice and a desire to carry out the judgment of the court. The hon. member for West Huron (Mr. Cameron) in giving a few of them proceeded to say that Riel was hanged, first, to avenge the murder of a man who had been killed several years ago, what he is pleased to call the murder of Brother Thomas Scott. Second, he was hanged to vindicate the action of the Government in the management of the North-West affairs, because if he was not hanged, it might be

accepted as a confession of mismanagement. Third, to satisfy the lust for blood of the Orange fraternity? He does not put it directly—the Orange fraternity; but he says an influence was at work, and he implies the Orange fraternity. He adds: That he was hanged because the pressure was so great by a certain body that it could not be resisted by the Government. The hon. member for Bellechasse (Mr. Amyot) says Riel was hanged because he was a Frenchman, because he was insane and a fool, because he had dared to assert his rights and the rights of the Metis in that country. Those hon. gentlemen in their intelligence seem to forget the only reason for which he was hanged, and that was because in the eye of the law he was a criminal, and after a fair trial the jury said he was guilty; the judge pronounced the verdict, and two successive courts declared that verdict correct and that it should be carried into execution. Does this not show a disposition on the part of the Opposition to assign improper motives to the actions of those charged with the responsible duty of carrying out the law in this case? If they cannot see it, I predict that the common mind of the people will have no difficulty in seeing it and understanding the object of the members composing the Opposition in attributing such unworthy motives to men who were endeavoring fairly to discharge an important and responsible duty. Hon. members of the Opposition complain because they have not light enough on the subject. The hon. member for West Durham (Mr. Blake) started out by saying that they had been endeavoring to get the papers so as to obtain sufficient light on the subject to enable them to judge of the trial, and discharge the important duty as it should be discharged. A few minutes afterwards he went on to say, that it was as clear as the light at noon-day that the Government had hanged an insane prisoner. He said:

“I charge the Government and I hold them responsible for every drop of blood spilled in the rebellion, for every dollar of money spent in enforcing the authority of law, and I charge them with criminally and judicially murdering a man who must be held in the eyes of the law as not responsible for his acts.”

The hon. gentleman was able to come to this conclusion, although not five minutes before he had proclaimed himself unable to deal fairly with the question for want of proper light on the subject. The hon. member for West Huron took somewhat the same ground. I am surprised that the hon. member for West Durham was able at London to keep himself so truly balanced on the fence that it was like the balancing of a feather which it was impossible to tell where it would fall, and although he had important evidence in his possession he was unable to come to any conclusion as to whether the Government did right or not; but now when alliances have been matured and important light has been brought to bear on the matter, not light in regard to the acts of the Government with respect to carrying out the death penalty, not light in regard to lack of duty in carrying out the North-West policy, but light as to what the political results which may accrue from adopting a certain policy; the scales have fallen from his eyes and he is now crying “dark, dark,” as he did a short time ago. He has sufficient light to make up his mind intelligently and come to the conclusion, no doubt after a great moral and mental struggle, that this man who was so guilty in the eyes of the law years ago was in his opinion not guilty and should not have been hanged because he was an insane prisoner. That they have furnished no argument upon which he could hang his case and that he had a greater opportunity of displaying his great ability and misleading the public mind. We know that the question of insanity is a very difficult one to settle. The shades between sane and insane, between man's normal reason and what might be called the exaltation or depression of that reason, are so slight that it is an easy matter to found strong argument on one side or on the other. It is an easy matter for a man of his

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ability and possessing his legal mind to cite precedents and so construe them as to make them do duty under such circumstances as we have before us. But I apprehend that the common mind takes very little stock in this part of the argument. We have three questions presenting themselves to the public mind, and once they are settled, the people will be fully satisfied as to whether the Government is right or wrong. The three questions for the fair solution of this subject, are, was the prisoner guilty? if guilty did he get a fair trial? was the prisoner insane? It is not necessary, I believe, to press into service the one hundred and one different issues that have been dealt with by hon. gentlemen in this House in order to come to a fair conclusion. It is not necessary to so warp the evidence and the letters which have been written on one side of this question to such an extent that those who hold them, if they saw them commented on, would scarcely recognise their own handwriting. It is not necessary to resort to the unfairness which has been resorted to by some hon. gentlemen in this debate to establish the correctness or the incorrectness of what the Government has done. The hon. member for West Elgin (Mr. Casey) was pleased to give us the history of a letter from Rev. Father McWilliams which he believed in some way condemned the Government. When questioned by an hon. member on the Government side he replied that Father McWilliams had written another letter withdrawing one or two words which appeared in the other, but he concealed the most important part of that letter, which stated that he was misled in the previous letter and felt that he was justified in making an explanation. I have that letter before me, and I think if the hon. gentleman had been as desirous of dealing fairly with this question as he professes to be, he would have read the portion which he kept from the House. That letter is as follows:—

“I have seen published a letter addressed by me to His Excellency the Governor General in reference to the insanity and irresponsibility of the unhappy Louis Riel. I feel it to be a duty to myself as a priest and to His Excellency as the representative of Her Majesty that I should publicly revoke one sentence in that letter, which my mind, now relieved from the excitement of feeling which swayed me in writing it, has already condemned. It is this:—‘If Your Excellency allows the sentence of death to be carried out, upon your head and that of your advisers will rest the blood of an insane man.’ Most certainly I did then believe that Riel was not of sound mind, and ought not to have been put to death as though he were responsible for his acts; but I confess to have been carried away by my sympathy for his misfortunes and by the intensely agitating surroundings of my position whilst I was in communication with him.”

Now, I think that is a reasonable explanation of the fact that he was entirely wrong in his conception of the circumstances in his previous letter:—

“This explains how it was that I hurriedly penned the foregoing sentence, which should not have been addressed to the representative of the Queen's Majesty, especially in reference to the exercise of the royal prerogative, nor to his advisers, who I am perfectly sure have been governed in their decision by no other considerations than those of public duty and fidelity to their oath of office.”

If the hon. member for West Elgin had read that letter, it would have destroyed entirely the inference which he attempted to draw from it, and which was not warranted by the balance of the letter. The hon. member for West Huron made the most incendiary, unreasonable, and unwarranted speech that I have listened to in this House for the last seven years. I say so, because it was a speech eminently calculated to arouse prejudices in the minds of men who had shown the greatest consideration during the exciting times when this question was agitating a large portion of the people of the Dominion. He endeavored to prove, by resolutions which he read, that the Orange body were actively insisting on the Government carrying out the death penalty. He endeavored to prove that there was an illegitimate power behind the Throne, which never should have been used, and that the Government were not exercising their judgment or acting from a sense of duty, but simply acting because there was political influence to be

gained, and a power behind them over which they had no control. He said, with reference to one of the resolutions moved by the Orange body :

"This resolution was no doubt sent to Bro. Sir John Macdonald, who adds to his other dignities that of Knight of the Royal Scarlet. The command had to be obeyed, it was obeyed, and Riel was hanged in obedience thereto."

He goes on to say that no doubt all these other resolutions found their way into the hands of the Ministry, and he says that petitions and memorials were sent to the Government by the Orange body as a body, pressing upon the Government to carry out the execution; and yet, Sir, when the papers are asked for, we find that there is not a single memorial or petition addressed to the Government by that large and respectable body on that question. The only one is a memorial which I hold in my hand and which was addressed to Mr. Beatty, the member for West Toronto, asking him to use his influence in persuading the Government to carry out what they believed to be the sentence of the law. One clause of that resolution will be sufficient to show the fairness of mind and the moderation of tone of those gentlemen in dealing with this question, and to show that that memorial was not at all such a document as it was characterised as being by the hon. member for West Huron (Mr. Cameron). The memorial is as follows:—

"WESTERN DISTRICT ORANGE HALL,
TORONTO, 2nd November, 1885.

"TO JAMES BEATTY, Esq., M.P.,
West Toronto.

"DEAR SIR—The Orangemen of this district would respectfully approach you, as our representative in Parliament, concerning the case of Riel, now under sentence of death for his recent acts of violence, bloodshed and treason. We regret that in so clear a case it should be necessary to remind the Government of their duty in the premises, and express our unanimous feelings on this question, but the fact that public meetings have been called in favor of Riel"—

But I say, if there was a justification for these men in the expression of their opinion, it was the fact that the excitement ran so high in Quebec that one section of the people seemed bound to bring revenge on the heads of the Government because they carried out the sentence,—

"and in defence of his conduct in the lower Province, and especially by Roman Catholics, and that the most strenuous efforts are being put forth by these parties and by Riel's friends to secure commutation of his sentence, renders it imperative upon us as a loyal and Protestant association that we should express to the Government our views and deep convictions on this subject. The pardon of Riel was resorted to before. The exile of Riel from Canada was tried before. The honor of Riel was tried before, when he promised to never set foot in Canada again. And all have miserably failed. His murderous intentions have only been intensifying. Pardon but emboldened him to treat British laws and British clemency with contempt and the slaughter of loyal and law-abiding British subjects has been tenfold more appalling than on the former occasions. Men lie buried there of whom even that country (grand as it is) is not worthy—some of the best, noblest and truest of Canada's noble and loyal sons.

"We would, therefore, most urgently request you to use all your influence with the Government to have the sentence passed upon Riel by his countrymen confirmed by the Supreme Court of the Province and sustained by the Privy Council of England carried into effect."

Now, is there one word in that which might be construed as being very strong or very factious—one word more than we might expect from any class of British subjects in the country who believed that an undue influence was being brought to bear on the Government that might deter them from discharging a very important duty? I think I may say on behalf of that large and respectable body, representing as it does 250,000 people, that there is no class of people in the Dominion of Canada that had more confidence in British courts and British justice, or that rested more satisfied that after Riel had got a fair trial, the verdict would be carried out, or that displayed less feeling and less disposition to change the mind of the Government, than the Orangemen of Ontario, or of the Dominion of Canada; and I think it ill becomes the hon. member for West Huron (Mr. Cameron) to endeavor to introduce into this debate an

element which can only be calculated to raise strife among two classes of people; endeavor to mislead people and to create sympathy in a quarter where no sympathy can be extended; to try to draw a veil over the eyes of the people and prevent them from viewing this case in that judicial manner in which we should view it. Only a year or so ago we had a very important debate in this House in reference to the legality or illegality of an hon. member taking his seat in it. I think the leader of the Opposition at that time said it was wrong in principle that we should elect ourselves judges for the interpretation or carrying out of the law. If that was so in civil cases, how much more strongly will it apply to a case of this kind, with regard to which we are not supposed to be able to interpret the law with the ability of learned counsel or judges? We are here surrounded with influences of political party bias and a hundred and one other influences tending to warp our judgment in a case like this. But when we are called on to perform that important duty I think we can solve the question in a very short time. If we can satisfy our own minds that the prisoner was guilty, that he received a fair trial, and that he was sane during that trial and afterwards, I think we may discharge our duty fairly. I may say a few words in reference to his guilt. I need not review his actions from the time he came into the North-West Territories in July, 1884; I need not remind this House of the agitation he carried on amongst the Metis of that country; I need not refer to the various letters he wrote to the Indians to induce them to rise and commit crimes of rapine and murder; I need not refer to his public utterances on platforms. I will only refer to one or two which are connecting links in the chain of arguments I am endeavoring to present. In his letter to Major Crozier, calling for the surrender of the fort, he says:

"If you will not surrender, we intend to attack you when, to-morrow, the Lord's day is over,"—

He did not say the Metis intend to attack, but he uses the word "we," representing himself as the head of the band—"and to commence without delay a war of extermination upon all those who have shown themselves hostile to our rights."

This is signed by Louis David Riel and his council. It is plainly proven in that letter that he alone was responsible for the acts of that council, because he accepts the responsibility in his letter. It was contended by some that he was not responsible for the acts of that council, because it was a provisional government, and he was only carrying out the behests of that government. But in his letter to Major-General Middleton, he says:

"I have received only to-day yours of the 13th inst. My council are dispersed"—

He does not say the council of the Metis, but "my council," showing that he was instrumental in having it formed, and that he was its leader. This letter is also signed "Louis David Riel." Again, I take the report of the appeal before the Court of Queen's Bench, in Manitoba. One of the judges, in speaking of the trial, said that the counsel for the defence rested their case on two grounds. He said they did not endeavor to prove that the prisoner was not guilty of the crime charged against him—that they could not prove that he was not guilty; but they rested their case on the pleas of insanity and the unconstitutionality of the court. He goes on to say:

"Upon the argument before this court, no attempt was, or could be made, to show that the prisoner was innocent of the crime charged. In fact, the evidence as to the guilt is all one way. The witnesses called upon the defence were so called upon the plea of insanity. The whole evidence was laid before us, and upon examining that evidence I think counsel very properly declined to argue the question of the guilt or innocence of the prisoner."

These are the words of Chief Justice Walbridge, who is a very eminent legal man. Now, I think, this is all I need

say of his crime, because the very fact that his learned counsel did not attempt to defend him, on the ground that he did not commit the crime, and did not call a witness to prove that he did not, is sufficient evidence to convince every rational mind that he stood guilty of the crime with which he was charged. As to the evidence and the fairness of his trial, the hon. member for West Huron (Mr. Cameron) argued that the counsel for the defence had not fairly discharged their duty, because they had not asked whether Riel, when taken captive, had given himself up, or whether he was taken prisoner. Well, I apprehend that the learned counsel, who defended that case, stand as high among the legal minds of this country as the hon. member for West Huron. I apprehend that they are possessed of as much integrity and intelligence, and that they felt as fully the responsibility of fairly discharging their duties, and observing their oath in defending that prisoner, as the hon. member for West Huron would have done. It is claimed by the same parties, in reference to his insanity, that insanity is shown by the evidence, and that the jury recommended him to mercy on account of their belief that he was not altogether responsible for his acts. But this was the only question before the jury to decide; they had not to decide whether he had committed the acts or not, because that was admitted; they had not to decide as to the constitutionality of the court, because that could only come up before a higher court; so that the only question was whether or not the prisoner was insane. If they thought he was, they had the right to say he was not guilty; if they had a doubt as to his sanity, I have no doubt they were instructed to give the prisoner the benefit of the doubt, and were therefore in that case fairly entitled to say he was not guilty. But the very fact that their verdict was guilty, is the strongest evidence that the jury believed him to be perfectly sane and guilty of the crime he was charged with, and that they made no mental reservation whatever when they gave their verdict. We can go further. In the review of that case, the Chief Justice of Manitoba said:

"The counsel very properly declined to argue the question of the guilt or innocence of the prisoner."

And further:

"The prisoner was defended by able counsel and all evidence called which he desired."

The hon. member for Bellechasse said he was not able to get such evidence as he needed, yet Judge Walbridge says:

"He got all the evidence he desired. No complaint is now made as to the unfairness, haste, or want of opportunity of having all the evidence heard which he desired to have heard. The jury returned a verdict of guilty and recommended the prisoner to mercy."

It must be as plain as day that Judge Walbridge was satisfied in his own mind that the counsel for the defence had done all that could be done to defend the prisoner, that he had received a fair trial, and that the Court of Appeal was justified in sustaining the verdict.

"Upon this state of circumstances, the case came before the Court of Queen's Bench for Manitoba, by way of appeal, under section 77 of the North-West Territories Act, hereinbefore mentioned. It will be observed that the power of this court upon appeal is limited to the disposition of the case in two ways, viz., either in the words of the statute, to confirm the conviction, or to order a new trial."

If Judge Walbridge or his brother judges had thought there was any evidence of haste or unfairness, or that the prisoner could not obtain evidence which he was entitled to, the court had the right and power to order a new trial, and the fact that they did not was the very strongest argument that they were satisfied that the prisoner had got all the aid he could expect to get from the defence in that court. Judge Taylor says, in reference to the same case, that he confirms what was said by his brother judges, that Riel got a fair trial, that his witnesses were paid their expenses in attendance at the court, and that every evi-

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dence that could be advanced in his behalf was advanced. Yet the judgment of the court was that the jury was justified in their finding, and would not have been justified in giving another verdict. In reference to his insanity, I may perhaps be permitted to say a few words. The hon. member for Bellechasse (Mr. Amyot) in criticising the ability of the medical men who were called to examine the prisoner as to his insanity or sanity, made some very sweeping charges. He asked what did these medical men know? They were not experts, they had no opportunity of being skilled in the nature of the disease, of which they were called upon to give a verdict. The hon. gentleman must have forgotten that every medical man who takes a course must study this disease with others; but over and above that fact, the hon. gentleman seemed to forget that the medical men, called to give evidence in this case, were gentlemen who had been engaged in attending patients for a number of years afflicted with the disease this man is claimed to be afflicted with. Who were they? Take the first witness, Dr. Jukes. The hon. member for Bellechasse (Mr. Amyot) asked, in reference to one medical man, what did he know about the case, since he had only examined it for half an hour. He knew nothing at all about it. The hon. member for Huron (Mr. Cameron) condemned Dr. Jukes' evidence because he was there month after month attending to the case, and because Riel was not made aware of the fact that the medical men were brought for the purpose of examining him as to his insanity. If there was one argument stronger than another, it is that Dr. Jukes ought to be able, from his long attendance on the prisoner, to give fair evidence in this case. He says himself he examined the prisoner every day. He is asked:

"Q. And how long have you been in medical practice?—A. Thirty-five years.

"Q. Have you devoted your attention to insanity at all specially, or not?—A. Never specially, there are cases of course which occasionally will come under the notice of every general practitioner, but as a special study I have never done so."

He goes on to say he had watched this man closely for over three months, had seen him every day, and was quite satisfied that the prisoner was sane. We ought to attach a great deal of force to this evidence on account of the fact, that Dr. Jukes had been attending the prisoner so long; that if Riel was endeavoring to convince the people he was insane, he would at times be off his guard, and the medical attendant would make a note of it. The next medical gentleman examined was Dr. James Wallace. He is asked:

"Q. What is your position?—A. I am Medical Superintendent of the Asylum for the Insane, Hamilton, Ontario."

Now, the evidence of Dr. Wallace is discredited on the ground that he knew nothing of insanity. Is it to be said that a man who has taken his regular degrees, who has been faithfully practising his profession for years, and, in addition, was medical superintendent of an insane asylum for over nine years, knows nothing about insanity? It is a slur upon the intelligence of these medical men, and upon the medical profession of the country, to say, that after such experience they can know nothing about the cases they are sent to examine. I think, on the contrary, we are fairly entitled to attach a great deal of weight to their evidence, and that evidence goes directly to prove that the prisoner was sane.—

"Q. An institution having how many patients on the average?—A. Somewhere over 600.

That shows Dr. Wallace had large experience in this line, and ought to know a great deal about insanity.—

"Q. How long have you been making this branch, a speciality of the insane, of the study of the insane?—A. I have been in charge of that asylum nearly 9 years, but I have been studying insanity for a few years more than that.

"Q. For more than 9 years?—A. Yes.

"Q. And you see every variety of it I suppose?—A. All shades and varieties.

"Q. Now, did you devote yourself to the medical branch of it?—A. Entirely."

Then he is asked the question:

"Q. What would you say then in view of the evidence and your examination; is he of sound mind or is he not?—A. I think he is of sound mind."

"Q. And capable of distinguishing right from wrong?—A. I think so.
"Q. And know the nature and quality of any act which he would commit?—A. Very acutely."

I say this evidence is entitled to very great weight, because it is the evidence of a man who may fairly be called a specialist, who had devoted nine years to cases of insanity, and who had been studying insanity during other years. Next we have the evidence of Dr. Clark, and I may say that Dr. Clark's evidence was of a very peculiar kind, that it was an evidence susceptible of various interpretations; but this is the only evidence upon which the member for Huron (Mr. Cameron) places any weight at all. How much more is Dr. Clark entitled to be an authority than Dr. Wallace, the man of whom I have been speaking? Dr. Clark states that he has been attending a lunatic asylum for nine years, the same time as the other witness. The hon. member for Huron shows his unfairness in this matter because he is willing to accept the evidence of Dr. Clark while he rejects the evidence of the other man who has spent an equal length of time in attending a lunatic asylum simply because it happens to suit his purpose. Dr. Clark is asked:

"Q. Do you consider, from the knowledge which you have of this individual, that at the time the events detailed by the witnesses here took place, that is to say, in March, April and May last, that he was laboring under such a defect of reason from disease of the mind, that he did not know that what he was doing was wrong?—A. I think he did know. I think he was quite capable of distinguishing right from wrong."

Now, I do not know that there could be anything more conclusive than that. Then, we go on and take the re-examination of this case by the judges. One of them says: "

"Counsel then rest the prisoner's case upon the ground of insanity, and it is upon this latter point only that the prisoner called witnesses. The jury, by their finding, have negated this ground, and the prisoner can only ask, before us, for a new trial. We have no other power of which he can avail himself. The rule at law in civil cases is, that the evidence against the verdict must greatly preponderate before a verdict will be set aside; and in criminal cases in Ontario, whilst the law (now repealed) allowed applications for new trials, the rule was more stringent—a verdict in a criminal case would not be set aside if there was evidence to go to the jury, and the judge would not express any opinion upon it if there was evidence to go to the jury, if their verdict could not be declared wrong. I have carefully read the evidence, and it appears to me that the jury could not reasonably have come to any other conclusion than the verdict of guilty; there is not only evidence to support the verdict, but it vastly preponderates. It is said the prisoner labored under the insane delusion that he was a prophet, and that he had a mission to fulfill. When did this mania first seize him, or when did it manifest itself? Shortly before he came to Saskatchewan he had been teaching school in Montana. It was not this mania that impelled him to commence the work which ended in the charge at Batouche. He was invited by a deputation, who went for him to Montana. The original idea was not his—did not originate with him. It is argued, however, that his demeanor changed in March, just before the outbreak. Before then he had been holding meetings, addressing audiences, and acting as a sane person. His correspondence with General (now Sir Frederick) Middleton betokens no signs of either weakness of intellect or delusions, taking the definitions of this disease, as given by the experts. And how does his conduct comport therewith? The maniac imagines his delusions real, they are fixed and determinate, the bare contradiction causes irritability."

Now it was proved in evidence that the bare contradiction did not cause irritability in him, because, when he asked \$100,000, and the party to whom he spoke said it was unreasonable, he was willing to take less. If the delusion had been fixed and determinate, it could not have been changed by the party who talked to him. Still, further, he was not only willing to change his mind and take \$5,000, but afterwards he was willing again to change his mind and take \$10,000, and let them do the best they could. Judge Walbridge further says:

"In my opinion, the evidence against his insanity very greatly preponderates. Besides, it is not every degree of insanity or mania that will

justify his being acquitted on that ground. The rule in that respect is most satisfactorily laid down in the *McNaghten* case 10 Cl. & Fin. 200. Notwithstanding the party accused did the act complained of with a view, under the influence of insane delusion, of redressing some supposed grievances or injury, or of producing some public benefit, he is nevertheless punishable according to the nature of the crime committed, if he knew at the time of committing such crime that he was acting contrary to law.

"I think the evidence upon the question of insanity shows that the prisoner did know that he was acting illegally, that he was responsible for his acts.

"In my opinion, a new trial should be refused, and the conviction confirmed."

I need not state, after that, the decision of Judge Taylor, which is very much in the same direction; but I may refer for a moment to the new commission which was appointed to examine into this matter, composed of Dr. Jukes, Dr. Valade, and Dr. Lavell; and in regard to this I need only say, because this has been quoted several times in this debate, that every one of these doctors agree that, although Riel had a peculiar disposition in reference to questions of religion and politics, he ought to be held accountable for his acts because he knew right from wrong, and because he knew, when he was committing those acts, that he was violating the law. I will only further add a few words in reference to the contradictory positions which have been taken by various members of the party in reference to this case. The hon. member for West Durham (Mr. Blake) in the outset of his speech announced that this was not a political question, that the members of his party were not to be bound by party ties but could vote as they pleased. It suggested to my mind that this party had had a caucus, that they had taken into consideration the influence this vote would have in every one of their different constituencies, whether they voted for or against the motion, and that they determined to act according to the complexion of their respective constituencies, and in that way to shape their views for or against this motion. They are not a unit in regard to it. Some of them who profess to be intelligent members of the party do not agree with even the leader of the party himself, who, though he is the leader cannot control his party, notwithstanding his great legal mind and all the argument he has brought to bear upon the question, and we are inclined to believe that he is unable to convince the majority of his friends that he is right in the contention he makes? What position must these hon. gentlemen occupy in the eyes of the people of the country? What feeling must be experienced by the supporters of the leader of the Opposition in the country when that leader is unable to convince even his own friends in the House, and yet he says he is convinced that he is right in taking up the ground he has taken and contending that this man was insane. What position will they be in when they go back to the country? They will appeal to their constituents to support their gifted leader on the ground that he is entitled to occupy the high position which he does occupy because his general policy is right. Now, if they support his general policy, and if they ask the people to support that policy they will condemn their own acts here; and, if they ask the people to endorse their acts, they will condemn their leader. I can only say like the press who support them, the members of this party are of the most heterogeneous kind, holding the most diverse views, arguing from various standpoints, and there is no unanimity of feeling or of opinion amongst them. Now I will take the expression of one of their papers with reference to this subject. When it was announced that Riel was captured on the 16th May last, the *Globe* said:

"This morning at a late hour the glorious news was flashed over the wires that Riel had been captured. There is no loyal heart in the Dominion that will not throb with joy at the announcement. It is much better that he should have been taken alive. A soldier's death, such as has befallen too many of our gallant troops, would have been far too good for the traitor-agitator."

Is that the position that it takes to-day? Is that the position the leader of the Opposition takes to-day? No, we find that it is the very reverse, that they are endeavoring to prove that his was not a crime that ought to be punishable by death, but rather a political offence that ought to be condoned; that while, perhaps, in the eyes of the law, he was guilty legally speaking, still there were other considerations on which he deserved a reprieve. I believe, Sir, that when the vote is taken on this question, we will see a spectacle that we occasionally find in the arena of politics. We will find hon. members in this House who have been cheering every point that has been made in favor of the motion, who have been supporting the contention that Riel was insane and cannot be held guilty of the crime—we will find, I believe, some of those men who will vote against that resolution, thereby saying that they believe the Government did right. I noticed the hon. member for South Grey (Mr. Landerkin), the hon. member for North Wellington (Mr. McMullen), and one of the hon. members for Huron, and various other members, who from night to night have been cheering the arguments made against the Government, and I shall look with some interest to see how these men will vote, because I am satisfied that some of those who have been cheering most lustily the arguments against the Government will be found supporting the Government when they have to vote. Then I believe that when we appeal to the country it will be found that the great mass of the people support the Government and will show that they have confidence in the integrity, the ability, and the intelligence of the men who discharge the high functions of their office here; I believe that the great majority of the people of this country will, at the next election, condemn the vacillating policy of the Opposition, and will condemn the course that has been adopted here, and will condemn the proposition that because the people in the North-West had some political grievances, the man who incited them to rebellion should not be hanged. I have one word to say with reference to a remark dropped by the hon. member for West Elgin when he was on his feet, namely, that the hon. Premier had agreed to give an amnesty to Riel in 1870 long before the offence was committed. Now does it not look very extraordinary that he should expect intelligent people to accept that statement? He asserts that an agreement had been entered into and an assurance given by the present Premier to Archbishop Taché, that an amnesty should be granted to Riel—for what? For offences that had not been committed. Now if he had given an assurance that the instigators of the rebellion in the North-West would be amnestied on account of political offences, knowing that there had been no crime of murder committed, then I could readily understand how it was explainable. But the hon. gentleman endeavors to bind the Government to the position that the Premier had agreed to grant an amnesty for all offences to be committed, which is absurd on the face of it. No person would suppose for a moment that any man possessing ordinary intelligence or judicial ability, would think of carrying out a promise that had not been made, as circumstances show that it was utterly impossible that it could have been made, to cover a crime of this kind even before it had been committed. I can only say that when the amnesty was given to Riel in 1875 by the Mackenzie Government, I believe they did it, not because they thought themselves bound to do it on account of any agreement that had been made by their predecessors, but because they believed they could make political capital out of it and make a good stroke of policy. I say, Sir, that taking the whole question in consideration, I believe the Government did right, and I believe the people of the country will approve of their action when they have an opportunity of pronouncing upon it. I believe also it is my duty, in the interest of law and order, and of the

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country at large, to vote against the motion now before the House.

Mr. GIROUARD moved the adjournment of the debate.

Sir HECTOR LANGEVIN. If there was another hon. member who desired to speak this evening, it would be better to do so to-night, in order to shorten the sitting to-morrow. I know that the hon. member for Jacques Cartier (Mr. Girouard) is not well enough to speak this evening, and if there was another hon. member to speak in his place I think he would withdraw his motion.

Motion agreed to.

THE BUDGET DEBATE.

Sir RICHARD CARTWRIGHT. We have been in session nearly a month, and I suppose that nobody is desirous of protracting it unnecessarily; and I would suggest to the hon. gentleman who is leading the House to consult with the Minister of Finance to see whether, if the debate is completed to-morrow night, the hon. gentleman could not lay his Estimates on the Table after the vote is taken. That would enable the hon. gentleman, if he is ready, to proceed at once, on the House reassembling, with his Budget on Tuesday; whereas, otherwise, if he is not able to lay the Estimates on the Table until Monday, the House would have but one of two days to peruse them before proceeding with the Budget discussion.

Sir HECTOR LANGEVIN. I spoke to the hon. Minister of Finance to-day about this matter. Of course everything depends on the vote on this motion. If the Government are sustained, as I believe they will be, the Estimates will be laid before the House, and then, most likely, the Minister of Finance will proceed with his Budget speech on Tuesday.

Motion agreed to; and the House adjourned at 11:45 p.m.

HOUSE OF COMMONS.

WEDNESDAY, 24th March, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

COLONISATION COMPANIES.

Mr. FARROW asked, Is it true that any person lost his land and home through the existence of any colonisation company? If true, the person or persons, and what the name or names of the company or companies?

Mr. WHITE (Cardwell). It is not true that any person lost his land or home through the existence of any colonization company; and, further, by the terms of the contract with the colonisation companies, no person could have lost his land or home, except by consent of the Minister, who would never give it.

RAILWAY FROM BUCTOUCHE TO THE INTER-COLONIAL RAILWAY.

Mr. COCKBURN asked, Has any application been made to the Government for a subsidy in aid of the construction of a railway from Buctouche, in the Province of New Brunswick, to Moncton, Richibucto, or any point on the Intercolonial Railway? If so, by whom has such application been made, and at what date?

Mr. POPE. Yes. An application has been made by Mr. Murray, Mr. Hutchinson and Mr. Leblanc, delegates. It was made on the 19th of February, 1884.

RIVIÈRE DU LOUP AND EDMONSTONE.

Mr. COCKBURN asked, Whether any application has been made by Mr. Grandbois, M.P., or any other person or persons, for an additional subsidy in aid of the Rivière du Loup and Edmonstone Railway? If so, what is the date of such application?

Mr. POPE. No such application has been made by Dr. Grandbois or any one else.

QUEBEC AND ST. JOHN RAILWAY.

Mr. BAIN (Wentworth) asked, Whether any application has been made to the Government by Senator J. G. Ross, Mr. E. Beaudet, or any other party or parties, for an increase in the subsidies already granted towards the construction of the Quebec and Lake St. John Railway? If so, what is the date of such application, and what is the amount of additional subsidy asked?

Mr. POPE. An application was made on the 2nd of March, 1886. The amount asked was \$2,800 per mile.

PERSONAL EXPLANATION.

Mr. AMYOT. Before the Orders of the Day are called, I beg to rise on a personal question. On the 18th instant, the hon. Minister of Militia, pretending to answer my opening speech on the Riel question, introduced parts of letters and telegrams exchanged between him and myself during the North-West campaign. Those extracts now go round the press, and are calculated to injure my character as a soldier. The *Mail* of the 23rd instant, after having quoted these extracts, goes on to say:

"But now comes the *Calgary Herald* with a chapter of rebellion history which casts some degree of doubt upon Mr. Amyot's courage and capacity, even as a defender of forts and provisions. The *Herald* says that one Sunday night a report reached Calgary that Big Bear was within a few miles of the town. At that time Middleton, Strange and Steele were after Big Bear, whose whereabouts was a mystery. The Calgary home-guards at once carried the rumor to Colonel Amyot, who was in supreme command. The home-guard intended to put a picket at Shaganappi ford that night, and, relying on the Ninth, they requested him to detail a company of his men to share that duty. What does the reader think was the warrior's answer? He refused, says the *Herald*, to let any of his men go on picket, on the broad ground that 'it was too—d dangerous!' And our Calgary contemporary adds that the veterans of the home-guard believe to this day that if Big Bear had swept down upon the town that night Colonel Amyot would have called them out to protect, not the women and children, but Colonel Amyot!

"This story may or may not be true. These wild western newspapers are much given to exaggeration, and it is easily possible that the *Herald* may be slandering the hon. and gallant member for Bellechasse. But it is quite certain that if he is to be Minister of Militia in the Race and Revenge Cabinet, it behoves him to vindicate his military renown without delay, so that, in the future as in the past, the country may confidently 'rely on the Ninth.'"

To prevent the *Mail* from undertaking too soon the conquest of Lower Canada, with which he has threatened us, I beg to state as follows: I deny entirely that accusation contained in the *Calgary Herald*, and of which I never heard before. I know there was, in that place, a so called home-guard, composed of its Captain, as far as I could learn. I did not care to have much to do with that chief for reasons that people visiting Calgary will learn easily on the spot. His personal home-guard did not seem to satisfy the rest of the population, and a volunteer company was formed by the citizens independently of his home-guard. In those local dissensions I did not interfere, but I acted all the time in harmony with the parties designated to me by General Strange. The town of Calgary begins at the buildings of the police, which are no more of a fort than the town itself. No enemy could have reached Calgary without passing by the crossing on the Bow and Elbow River, which we commanded by our situation, and nobody could have reached those crossings without our knowing it at once. My sentinels protected as well the town as the camp. One could not go

without the other. I never heard a complaint whilst I was there, and I am surprised that the *Calgary Herald*, which has always been so friendly to us and paid us so high compliments, eight months afterwards produces such attacks. As to the telegrams read before this House, I beg to state that they are only extracts, conveying a wrong idea of their meaning and bearing, and that their production at this state of the proceedings, when I have no reply, when they will be, perhaps, for a month before the country, injuring my reputation, before I am at liberty to complete them, is an unjust and most unfair dealing, more especially when their production comes from a gentleman to whose friendship they had been privately entrusted, according to his desire formally expressed of his being appraised of my views on the manner in which the war was conducted. I do not intend to delay the discussion on the actual debate, but considering the delay that will take place before I can answer the charges made against me, I hope I will be allowed to refer to one of the telegrams quoted. The hon. Minister said:

"Now, here is another telegram dated at Calgary, 14th May, 1885: 'I add and persist in saying that this war should be made by men fighting in the same way as rebels.'"

In the copy I have of the telegram, immediately preceding the words "I add" are the words "for your private information I add." I think it would be better to read the whole of it:

"Necessity for scouts more evident every day. Wanted to prevent raid on railways. Will you authorize Major Dowling here or anyone else to engage at least twenty for here? Langden, Crowfoot and Gleiche. I warn Government because I am responsible here as senior and commanding. For your private information I will add that I persist in saying that this war should be made by men fighting in the same way as rebels."

In my imperfect English, I mean, that to meet without delay and expenses, an army of mounted men, it requires other mounted men. I was, and I am still of opinion, that the plan of employing infantry, more specially at that season of the year, was a great mistake; and the length of the campaign, the bill we will have to foot, are evident proofs of plausibility of my pretention.

"Volunteers (meaning infantry) more specially adapted for protection of forts and provisions."

That means that mounted rebels, moving with great rapidity, should be met by mounted troops moving equally fast, and that infantry, being rendered on the spot, could have been used to protect towns, provisions and ammunition located at divers stations, on lines of hundreds of miles. That is the meaning of that telegram. Its wording is not perfect; but when all the circumstances will be known, when the questions and the answers will be given, when all the facts will be known, nobody will be able to construe them otherwise. Besides, when we comply with the wish of a friend to communicate him our impressions, we are not so cautious as in writing an official diplomatic correspondence. I added: "Our volunteers are being slaughtered" (which was too true). "Five hundred scouts are worth two thousand volunteers," in other words, five hundred mounted men are worth two thousand infantry men "for actual fighting of that kind; men cheerful." I am not, I suppose, presumed to desire diminishing the value of the troops, of which I formed part. A braver set of men does not exist under the sun. Still, I believe that I was right in thinking, with many experienced and old officers, that the best infantryman is not able to meet a mounted man, in the open prairie, as fast as another mounted man would do. That is the meaning of my private telegrams to the hon. Minister; as I will further explain later on; and they were not altogether volunteered. On the 2nd of the same month, amongst others, I had received from the hon. Minister a telegram, saying:

"I was glad to hear from you; sorry to hear of ——'s illness. You are doing well. Keep me posted.—A. P. CARON."

The hon. Minister seems to desire now to change his telegrams. I will prove to him, when the time arrives for discussing those documents, that I do not change; that I do not alter one word of my letters, telegrams and addresses to him; that I still acknowledge his goodwill and doings towards the troops, and he will see then how wrong he is in the personal war he has undertaken against me for obvious political reasons, to defend what I honestly believe to be a bad cause. Awaiting that, and in spite of the explanations I will then give, some of the papers belonging to the Ministerial press will doubtless go on accusing and insulting me. I cannot prevent it; all I can say is that I resent it, and that that gives my friends and myself the true measure of friendship to be relied upon from those parties, and of their false pretensions, when they say that they desire peace, harmony and mutual respect in the divers parts of the Confederation.

EXECUTION OF LOUIS RIEL.

The House resumed the adjourned debate on the proposed motion of Mr. Landry (Montmagny): "That this House feels it its duty to express its deep regret that the sentence of death passed upon Louis Riel, convicted of high treason, was allowed to be carried into execution;" and the motion of Sir Hector Langevin: "That this question be now put."

Mr. GIROUARD. After this protracted debate and the expression of the desire which has been made that the vote should be taken this evening, I do not intend to make a long speech. I wish only to offer a few remarks to explain the vote I am going to give against the Government. I made up my mind to cast that vote on the 13th of November last, when I joined with sixteen friends and supporters of the Government in the Province of Quebec, in transmitting to the hon. Premier the following telegram:—

"Under the present circumstances the execution of Louis Riel will be an act of cruelty, the responsibility of which we refuse to take."

Having been elected as a Conservative, and a Conservative in principle, I thought I could not come to that conclusion without consulting my constituents. I did so at the first opportunity, on the 15th of November, the day before the execution. I told them that under the circumstances there was no party tie strong enough to hold me in face of the execution of Louis Riel, and I offered them my seat. The answer was not only their unanimous approbation of the course I had taken, but the immediate transmission of a telegram to the hon. Premier in Ottawa informing him that the course I had followed was unanimously approved by my constituents. While voting against the Government and thus obeying the express desire of my constituents, I do not intend to change my political opinions. I am a believer in the National Policy and in the policy of the Canadian Pacific Railway. To quiet the mind of the hon. member for Lincoln (Mr. Rykert), I may even tell him that I do not intend to take back one proposition of the six hours' speech of last Session. Were I of the opinion that the Government of the day were primarily responsible for the rebellion in the North-West, as the Liberals of the Province of Quebec stated at meetings before the execution, I would blame the Government, not only for having executed Riel, but for not having granted him a full pardon; but I never held that opinion. I never contended that Riel was a hero; I always looked on him as a lunatic; and I blame the Government for not having treated him as such. That is the reason why I took part in the agitation in the Province of Quebec—an agitation which was condemned the other day in such strong language by the hon. member for Kent, New Brunswick (Mr. Landry), because he had no accurate idea of its true character and tendency. If he had been at those meetings, as I was, although I was not at many of them, he would

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be in a position to say before the House and the country that there were never any meetings in the Dominion of Canada more orderly, more constitutional and more loyal. The hon. member for Kent has referred us to the example of the good people of Acadia. Everybody knows that the poor Acadians, from the time they were dispersed like slaves all over this continent to a very recent period, if not to the present time, had been a long-suffering people. The hon. gentleman told us that these Acadians suffered quietly the dispossession of their land after seventy years of possession. He could also have told us that to-day they are suffering in silence the closing of a college—if I mistake not, the St. Louis College—because the French language was taught in it. The Acadian people have been, and, no doubt, are yet very patient; but I am very much afraid that under those circumstances their patience is not a virtue but a necessity. I will tell the hon. gentleman that whenever the rights of the French population of the Province of Quebec are assailed; whenever their nationality, their language, their religion, their institutions or their laws are attacked, he will find protests from the Province of Quebec; he will find agitation and resistance by all legal and constitutional means. We had an agitation, one perhaps more important than that which has brought about the present crisis, in the years 1872 and 1873. At that time the members from the Province of Quebec had the humiliation of standing alone. The hon. member for Victoria, New Brunswick (Mr. Costigan) asked the censure of this House on the Government for not having disallowed the New Brunswick school law. The French, I may say the Catholic members from the Province of Quebec, stood alone, except that they had the support of the hon. member for the county of Ottawa (Mr. Wright); but I say now, since the speech of the leader of the Opposition and the other speeches delivered by hon. gentlemen representing English constituencies, I can no longer say that this crisis is one of race or religion. In 1872, we were agitating for religious liberty for the French Acadians and the Catholic minority of New Brunswick. To-day, as far as I, at least, am concerned, I am protesting on behalf of personal liberty; I am urging the importance of showing respect for those laws which have been enacted in this country for the protection of life. To-day the man who is the occasion of this debate may be a poor, miserable lunatic, to-morrow he may be any other member of the community. If I had been called upon to draft the motion of the hon. member for Montmagny (Mr. Landry), I would have worded it differently; I would not have put the question whether the sentence of Louis Riel should have been allowed to have been carried out; but I would have asked the House to censure the Government, not for having allowed the sentence to be carried out, but for having ordered the execution. If Riel had been convicted under the laws of the Provinces, the question would have been properly put as it is; but as he was convicted under the special constitution of the North-West, as he was convicted under a law which says that no sentence of death shall be carried out unless an order be given by the Executive. I say the question is whether the Government was right or wrong in ordering the execution of Louis Riel. The mode of administering criminal justice in the North-West is very different from the mode which prevails in the rest of the Dominion. In all the Provinces the presiding judge is independent of the Crown, and has nothing to expect from the Crown; the jury is composed of twelve members, and if it is the wish of the accused he may have, in the Provinces of Quebec and Manitoba, six of his own language or nationality on the jury. In all the old Provinces, there is a regular mode provided by law of summoning jurors; but what do we see in the North-West? In the first place, the magistrate who is called upon to preside is only a stipendiary

magistrate, and holds his office during the pleasure of the Government; in the second place, we have only six jurors; in the third place, the accused is not entitled, as a matter of right, to a mixed jury; and fourthly, the judge is entrusted with the summoning of the jury. It is perfectly evident that the trial which took place under these laws, although a legal one, was not a fair one, was not British, as we understand the principles of British criminal justice. But, Sir, the constitution of the North-West, special as it is, has provided for certain guarantees against a miscarriage of justice. In the first place, there is an appeal given to the Court of Appeals of Manitoba, an appeal which does not exist in the old Provinces; in the second place, there is a final appeal to the Executive. Section 76 of the North-West Act of 1880 said:

"When any person has been convicted of a capital offence and is sentenced to death, the Stipendiary Magistrate shall forward to the Minister of Justice full notes of the evidence, with his report upon the case; and the execution shall be postponed from time to time by the Stipendiary Magistrate, if found necessary, until such report is received and the pleasure of the Governor thereon is communicated to the Lieutenant-Governor."

It is perfectly clear, therefore, that the review made by the Executive of Louis Riel's case, was a matter of right defined by the constitution of the North-West. The accused, when brought before the Regina tribunal, only raised two issues: the first one was the jurisdiction of the court, and the second the plea of insanity. The Manitoba Court of Appeals has pronounced upon both pleas and dismissed them. The Privy Council disposed only of the question of jurisdiction, but their Lordships took very good care to state that no argument had been offered on the plea of insanity. The case being thus disposed of in the courts, it then came, in the regular order of things, to the Executive. What was the duty of the Executive? I say that the verdict was wrong. If there was a doubt as to the justice of the verdict, if there was a doubt that the verdict was against the evidence, it was the duty of the Government to commute the sentence. In the examination of the case, the functions of the Executive are judicial, but after having arrived at the decision that the verdict was wrong, then the functions became administrative; that is to say, in finding out the means of preventing a miscarriage of justice. The Executive, in examining the case, is not a court of appeals in the sense that it can order a new trial as can the court of Manitoba; but in the sense that the duty of the Executive is to examine every part of the evidence, and see whether the verdict be correct or not. This proposition, I contend, Mr. Speaker, is the necessary consequence of the constitution of the North-West. If, as laid down by the hon. the Minister of Justice the other evening, the Government should not go beyond the verdict, if the Government has no right to examine the evidence and see whether the verdict is correct or not, then where was the wisdom, where was the reason of the law which says that all the notes of the evidence should be transmitted to the Executive, and, more than that, that the execution cannot take place unless the good pleasure of the Governor General has been transmitted to the Lieutenant Governor? But, even if the Government viewed this case as an ordinary case of clemency, even if the case had come from the old Provinces, my contention is that the Government were wrong in taking the view that they had no right to examine the evidence and go beyond the verdict. What is the practice of the Home Office in these cases? Lord Garnarvon said, before the House of Lords, in 1864:

"At present the prerogative of mercy was vested in the Crown, and administered under the advice of the Secretary of State. In the exercise of that prerogative the Secretary of State was called upon to pay regard to the moral aspect of the case, as contrasted with the legal. He had to deal with the representations made to him with respect to undue influence having been allowed to particular facts—that some particular facts had been withheld—that fresh evidence had been discovered, and that, in short, there had been a failure of justice. As matters at present

stood, the Secretary of State was in the position of a court of criminal appeal."

I know that some high authorities have objected to the words "Court of Appeal" being used when speaking of the jurisdiction of the Home Secretary, because the Home Secretary can order no new trial; but it is admitted all round, by all those who are more familiar with the matter, that, if not in name, the jurisdiction of the Home Secretary is virtually a court of review. Sir S. H. Walpole, several times Secretary of State, and who was quoted by the Minister of Justice, said before the Capital Punishment Commission that the practice of the Home Office was:

"To examine the memorial which was sent with reference to the case; to consult the judge who had tried the case; to have a report from the judge of the evidence; to lay before the judge any new facts or any facts which had been brought under the notice of the Secretary of State, and to request from the judge a report as to his opinion upon that new evidence or upon the matter. Upon all these materials being brought before the Secretary of State, he was then in a position, not in the least degree to re-hear the case, but simply to advise the Crown whether there were any circumstances which would justify the exercise of mercy, either in an absolute or a qualified sense—that is to say, either pardon or commutation.

"Q. When you say that it is not the practice of the Secretary of State to re-hear a case, does not the Secretary of State go into the evidence?—A. Every atom of it. The Secretary assumes that, the trial having been conducted before a competent tribunal (that is, a tribunal constituted according to British principle), a right conclusion has been arrived at, unless it can be pointed to him that there is something upon which that tribunal has erred. But in the majority of cases even that point does not arise, because in the majority of cases the question submitted to the Secretary of State is whether there are not certain circumstances which have not been sufficiently brought before the jury which palliate the matter considerably, and which ought to induce the Secretary of State to recommend to the Crown an alteration or mitigation of the sentence.

"Q. And do you remember," continued the Commission to Sir S. H. Walpole, "that you there authorised an intelligent person upon the spot to have the distances measured, to show whether they were in conformity with the evidence which was impugned upon that ground?"—A. Certainly I did.

Sir S. H. Walpole continues his evidence:

"Dr. Lushington.—Q. But sometimes it operates as a court of appeal; take Smethurst's case?—A. It may operate as a court of appeal.

"Dr. Lushington.—Q. In a few cases where the question is one of guilt or innocence, it must act as a court of appeal?—A. Yes; not judicially, but of necessity.

Q. It must advise the Crown whether the case is sufficiently clear to justify the sentence being carried out?—A. Quite so.

Mr. Neave.—Q. In your experience is it not very unusual for the Home Secretary to act at variance with the recommendation of the judge who tried the case?—A. I do not think it is usual to do so in one sense, because I really believe, from my experience at the Home Office, that there is no necessity to differ from the judge who tried the case. Now and then there is such a necessity, and then the Secretary of State does take upon himself the responsibility of differing.

Q. There is no settled rule at the Home Office that you will not act at variance with the recommendation of the judge after you have put the case before him?—A. Certainly not.

"The Duke of Richmond.—Q. The judgment of the Secretary of State is entirely unfettered?—A. Absolutely unfettered."

Sir George Grey, who was Secretary of State at that time, in 1864, was also examined before the same commission, and he said:

"I see that there is an impression, from what is written upon this matter, that the duty of the Secretary of State is to sit as a court of review, and to re-try cases and set aside verdicts. The cases of that kind are extremely few. There was Smethurst's case, which was not decided by me. There the facts of the trial were re-opened; and one case occurred certainly to myself, which was a case of medical evidence, in which I had a great deal of communication with the judge. I did not think it altogether satisfactory, and I think that the judge was of the same opinion."

Since 1864 the practice of the Home Office has not become more rigid. In fact, if we judge from the statement of Sir William Harcourt, quoted by my friend the honorable member for Rouville (Mr. Gigault) in his very able speech to the House, it has become still more liberal and indulgent, following, no doubt, the influence of the age, which is more and more against capital punishment:

"In the practice of the Home Office, where the jury recommended to mercy the capital sentence was never executed. There was the case of difficulty, however, where the jury recommended mercy

and the judge did not second the recommendation, and in that case it remained for the Secretary of State to form his own judgment on the subject."

Speaking of the jurisdiction of the Home Office, when having to deal with a case just like the present one—a case of insanity—Sir William Harcourt says:

"There were cases in his experience where the evidence of insanity was not brought before the judge and the jury. * * * The Secretary of State had power to send medical men of experience and examine into the condition of the prisoner, and when these medical men reported, as they had done occasionally, that they did not regard the prisoner as responsible for his actions, either at the time of the commission of the offence or subsequently, the capital sentence was not carried out."

And Sir R. Assheton Cross, also once a Secretary of State, said on the same occasion, while discussing, in 1881, the Capital Punishment Abolition Bill:

"The right hon. and learned gentleman (Sir Wm. Harcourt), in his (Sir R. Assheton Cross's) opinion, most correctly stated what were the true functions of a Secretary of State in this matter."

Such were the duties of the Government under the Canadian Statute concerning the North-West, or at common law, as dispensators of the prerogative of mercy. Have they complied with these regulations? The first mistake I notice is the misapprehension they have made of their duty. I was surprised yesterday to hear it stated by the hon. Minister of Justice, who is certainly an able lawyer, that in dealing with this case the Government had no power to go beyond the verdict. Then what was the good of that Canadian Statute which says that the execution of a man sentenced to death shall not take place without an order of the Executive? Then, Mr. Speaker, what is the meaning of all the rules laid down by the Home Office, which say that the Crown shall examine into a case like this, regarding the insanity of the prisoner, either at the time of the commission of the offence or subsequently? It is the duty of the Executive to examine every particle of the evidence, to weigh it, and even to afford a chance to bring fresh evidence in order that there may be no miscarriage of justice. I blame the Government for not having complied with these rules. I blame the Government, in the first place, for having no report from the judge. I have read all the proceedings in this case, and have looked in vain for a report of the judge to see whether he was in a position to agree with the jury, in order that mercy might have been exercised by the Government; and I am surprised the Government has ordered the execution of the man without asking whether the judge who presided at the trial agreed with the jury. I blame the Government for having ordered the execution of Louis Riel because fresh evidence was adduced, the evidence of the three medical men, after sentence had been pronounced, and had not been referred to Judge Richardson for his report thereon, contrary to the practice prevailing in the Home Office in England. It was the duty of the Government to ask the opinion of Judge Richardson upon the value of this fresh evidence, to see whether, in view of it, he was in a position to recommend the prisoner to mercy. Mr. Speaker, we find another ground for clemency in the undue influence which was allowed to prevail during the trial in some particular facts. All the witnesses who were examined on the part of the Crown, or a great many of them, attributed the insanity plea to a purpose. They stated that Riel was not really insane, but that he was feigning and simulating insanity for the purpose of succeeding in his rebellion. This opinion, which was expressed by so many witnesses, was due to the great influence which prevailed in that portion of the country against Louis Riel; the witnesses had no reason to suppose that the insanity plea was only put up by counsel, and that the prisoner was feigning insanity for a purpose. When we consider that this trial took place under military guard, to protect the prisoner against public indignation, we can easily imagine the great undue influence that was allowed to prevail against the accused; when

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we examine the petitions which were sent to the Government asking for the execution of Louis Riel, we are surprised to see that not a single petition came from the whole Dominion except from Regina, where the man was being tried and convicted, and another from Moosomin, a short distance away—all coming from the very district whence the jurors were taken, where the judge was sitting, and where, within a short distance from the place, even the judges in appeal were sitting. I also blame the Government for not having exercised clemency, because the judge refused to allow some particular facts to be proved. I do not agree with the leader of the Opposition that the State papers which were asked for had no bearing upon the case, because they could not justify rebellion. I do not pretend that these papers would justify rebellion; I know they would not justify rebellion, but at the same time I think they might have gone a long way with the court in mitigating the sentence, if not in altering it. I blame the Government for the execution, because they were aware that important witnesses could be summoned, but that they did not summon them. The name of Dr. Howard has been mentioned during this debate. I am sorry, indeed, that the hon. member for Montreal Centre (Mr. Curran), sitting here, as he does, as a judge, went to a man, whom he considered to be an important witness, and asked him his opinion on the case. He knows very well that is not the way cases are conducted by judges, or even by lawyers. I would have been very glad indeed if the Government, in issuing the medical commission, had given instructions to examine Dr. Howard, to have him cross-examined, and also to examine Dr. Vallée, of the Beauport Lunatic Asylum, who had Louis Riel under his treatment for two years, and who was unable to attend the trial because he was sick at the time. Sir, I blame the Government for not having heard those witnesses who were specially aware of the facts concerning the plea of insanity. There has been a diversity of opinion expressed on the floor of this House as to the value of the evidence adduced during the trial concerning the mental condition of the prisoner. I do not intend wearying the House by making quotations from that evidence. Every portion of it has already been quoted, pro and con, and is familiar to all the members. But, Mr. Speaker, the way I read the evidence I am convinced that the verdict was against that evidence, so far as the plea of insanity was concerned. It is said that the Court of Appeals in Manitoba was more competent to express an opinion as to whether that verdict was well founded or not than is this House. It is even said we have no jurisdiction in the matter; but I believe I have disposed of the latter point, that it is our duty to examine whether the verdict was supported by the evidence. Let us see whether there is any expression of opinion, either from the jury, the judge, or from the Court of Appeals of Manitoba, or from the Privy Council in England, so far as the plea of insanity is concerned. It is true the jury brought in a verdict of guilty; it is true we should take that verdict as it is—that it means that Riel was not so insane as to escape conviction. But the jury undoubtedly considered the question of insanity when they recommended him to mercy. Are we to be told that the jury really meant nothing by it? What were the pleas of the defence? They were: first, want of jurisdiction by the court; and second, the plea of insanity. I do not agree with the leader of the Opposition that a juror should explain the intentions of the jury. That is not the way a verdict should be attacked. I am more inclined to believe that the recommendation of the jury to mercy was based on what was before the court. What was before the court? Were the grievances of the half-breeds brought to the notice of the jurors? Not at all. Evidence on that point was not allowed by the judge. The only point brought to the notice of

the jury was the plea of insanity, and whatever may have been the views of that particular juror who wrote to the leader of the Opposition, my conviction is that the recommendation to mercy can have no other legal meaning except that the jury had doubts as to the sanity of Riel, not strong enough to acquit him, but strong enough to cause them to recommend him to mercy and save him from the gallows. What has been the position of Judge Richardson? We know the feeling of the jury, that it was a feeling of mercy. Did the judge refuse to agree with the jury? I have already mentioned that the Government did not even trouble themselves by asking his opinion. The Statute says he shall forward the evidence with a report thereon. There is no such report. The practice of the Home Office of England is that the judge shall be consulted upon the evidence. He should have been consulted in this case as to whether he agreed with the position of the jury in their recommendation to mercy. He was not consulted, and it cannot be said to-day that the judge was against the opinion of the jury. I will not say anything as to the Privy Council because they were not called on to examine this question—was the Court of Appeals in Manitoba called upon to give a decision as to the propriety of exercising mercy? That court was called on to express an opinion as to whether a correct verdict had been found; but certainly they never expressed any opinion that there was not sufficient ground for the Government to exercise the prerogative of clemency. I hope the House will pardon me if I offer one or two more remarks upon this plea of insanity, which I believe is the great question in the case, in fact it is the only point at issue, so far as I am concerned. Was Riel really insane? As I have said, I do not intend to trouble the House by reading extracts from the evidence; but I find in that evidence an important fact, which is most important in helping us to decide the case. I find the fact established beyond doubt that Riel was confined in a lunatic asylum in the Province of Quebec by order of the Quebec Government. That he was insane at one time, there is no doubt; he was suffering from monomania on religion and politics. This fact is established beyond a shadow of doubt. He was in the Beauport Lunatic Asylum for nearly nineteen months, and was there when no reason existed for simulating insanity. What could he expect to gain by making such a pretension? He could have lived in liberty if he were sane. I am going to read from medical as well as legal authorities bearing on this case. Dr. Winslow says:

"In cases of murder, when insanity is urged as an extenuating plea, it is necessary to enquire whether the person has on any previous period of his life manifested any signs of mental derangement. If such be the fact, it ought to constitute a *prima facie* case in his favor."

Taylor on Evidence, vol. 1, p. 204, says:

"If any derangement or imbecility is proved or admitted at any particular period, it is presumed to continue, till disproved."

Best on Evidence, p. 372, ed. 1883, says:

"Although the law in general presumes against insanity, yet where the fact of insanity has been shown, its continuance will be presumed."

Let me quote specially from a recent authority. In the case of *Close vs. Dickson et al*, Superior Court of Montreal, 1872, Mr. Justice Johnson said:

"The law generally presumes all persons to be sane, and that presumption only disappears upon conclusive proof to the contrary; but when a person is once plainly proved to be insane, as this man was, the existence of a lucid interval requires the most conclusive testimony to establish it. I have followed the rule laid down in Taylor's Medical Jurisprudence and also in Wharton and Stille's work: 'Testimony to establish lucid intervals or partial or general insanity must possess two characteristics—first, it should come from persons of general capacity, skill and experience in regard to those subjects in all its bearings and relations; second, it should come as far as practicable from those persons who have had extensive opportunities to observe the conduct, habits and mental peculiarities of the person whose capacity is brought in question, extending over a considerable period of time, and reaching back to a period anterior to the date of the malady.'"

Then what becomes of the proposition laid down by the Government, that the onus of proof fell upon the prisoner? This fact being established beyond doubt, that Riel was a lunatic at one time, the onus of proof fell upon the Crown, and I say the presumption of insanity has not been rebutted by the evidence produced in the case. We have, on the contrary, sufficient corroboration of that presumption, at least so far as the state of his mind is concerned, as to leave no doubt that the verdict was rendered against the evidence. I refer especially to the evidence of Father André, Garnot, Father Fourmond, Drs. Roy and Clark. Where is the evidence of the Crown to destroy that presumption? Dr. Wallace is, no doubt, an able man, and a man in a position to judge of a case like this, but he is forced to admit that he had not the necessary time to give it justice. We have also the evidence of Dr. Jukes, who became acquainted with the accused only after the rebellion was over—after the excitement which brought his partial mania into operation was over. More than that, we have the admission by Dr. Jukes, that he is not a competent man. What does the rest of the evidence for the Crown consist of? We have the testimony of Capt. Young, Rev. Mr. Pitblado, Capt. Deane and Capt. Pigott. Many of those men never had any conversation with Riel, as far as those particular subjects are concerned, on which his mind was diseased, and there is a remarkable fact that all these witnesses never had any acquaintance with Riel before the rebellion was over. I think the Crown must have been very hard pressed to prove the sanity of Riel when they felt forced to examine General Middleton. Could they expect that General Middleton, just coming from a victory, was going to say that he had been fighting a fool? Certainly not; he was not going to hurt his own reputation in that way. You may judge of the character of the evidence by the additional fact that went to fight Riel and his followers, were among the witnesses. By this you may judge of the character of the evidence that the Crown brought forward in order to destroy the legal presumption that when a man is once a lunatic, once crazy, once a maniac, he is always a lunatic, always crazy, always a maniac, in the eyes of the law. Under these circumstances, I consider it was the duty of the Government to appoint a medical commission. This duty was so clear—I am not going to refer to private conversations—that we were led to understand by members of the Cabinet themselves that a medical commission would be appointed, and, in fact, the promise was made publicly and reported in all the ministerial organs in our Province. Under the circumstances, the least we could expect in view of—to use a very mild expression—the doubts which the evidence left on the public mind, as regards Riel's mental state, in face of the numerous precedents in England, it was the duty of the Government to appoint not a few medical men to examine the mental state of Riel since the sentence had been passed according to the rules stated by Blackstone, but to examine his state of mind in accordance with the practice of the Home Office. Blackstone, quoted by the Minister of Justice the other evening, did not mention a case where the Executive of the day had to consider whether there had been a miscarriage of justice, where the insanity of the prisoner before the sentence is at stake, but several Home Secretaries of State have provided for that case, and they consider it to be their duty in such case to appoint medical men of experience to examine the mental state of the prisoner not only since the sentence, but also at the time of the commission of the offence. The Government was strengthened in that position, not only as a sense of duty, but also by the numerous petitions which had been sent from the Province of Quebec and other parts of the Dominion asking for a medical commission. Sir, that commission was never appointed; and I blame the Government for not having done so, for

not having fulfilled the promises publicly made that one would be appointed. What did they appoint instead? They appointed three medical men to ascertain the mental state of Louis Riel since the sentence. The jurisdiction of these men should have been larger; and, defective as these men were as far as their competency is concerned, they should not have been limited to an examination of the mental state of Louis Riel only since the sentence was pronounced. The first objection I have to the appointment of these men was, that they were servants of the Government. I feel certain that if these men had been independent of the Government, caring more for their reputation as practitioners than as servants of the Government, the original telegrams which have disappeared would never have disappeared. I also object that some members of that commission at least were incompetent. Dr. Lavell may have had some experience, but there is not a shadow of doubt—it was never pretended that Drs. Jukes and Valade had any. I also complain that this so-called commission—because they are not properly called a commission—were not allowed sufficient time to enable them to pronounce an opinion on the case. The eminent physician, Esquirol, says:

“There are some insane persons so reasonable that it is necessary to live with them and to follow them in every action of their life before pronouncing them mad.”

Dr. Hood says:

“How impossible then is it for casual visitors in passing through the wards of a lunatic asylum, to form a correct judgment of the real mental state of any of the inmates around them.”

Beck, in his *Medical Jurisprudence*, says:

“It is his (physician's) duty, and should be his privilege, to spend several days in the examination of a lunatic before he pronounces a decided opinion. If this be allowed to him, and also if he be enabled to obtain a complete history of the antecedent circumstances, much may be effected towards forming a correct opinion.”

This is also the opinion of Mr. Justice Johnson in the case that I have alluded to, and I believe that no authority can be quoted in support of the contrary view. Take, for instance, the celebrated case of John Trith, decided in 1790. He was charged with attempting an assault on His Majesty the King. His friends pretended that he was insane. He was brought before all the Ministers of State, and was examined and cross-examined by the Attorney-General. There were so many doubts as to his mental state that he was sent to Newgate, and there remained under the immediate surveillance of two eminent medical men—not for two or three days, not for one month or several months, but for two years, and it was only at the end of those two years that those eminent medical men were able to come before a court of justice where the man was tried for high treason, and to swear that, knowing the habits of the man so well as they did from such long observation, they had no doubt he was insane, and the result was he was acquitted of the crime and sent to a place of confinement. That is the way that the laws relating to personal liberty and the protection of life are understood in the old country. Is it only on this continent of America, in this Dominion of Canada, where our institutions are supposed to be modelled after the institutions of the Mother Country, that we may see the example of a man alleged by his friends to be insane, having his fate decided in a very few days—in fact, in a very few hours—and being sent to the gallows? In this Parliament, where there is a good deal of legal talent and as much impartiality as you will find in any court, we find the opinion freely expressed by hon. gentlemen of different races and religions, that that man was insane. Sir, it is a disgrace to this Government and to this country that an injustice of that kind could be even suspected. Another objection I have with regard to the appointment of those medical men, is, that their appointment and all their proceedings were kept secret. The reason given is that it was the only way to arrive at the truth,

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as Riel would be more clever than the doctors, and might make them find him insane although he would be sane. This contention is altogether unfounded. Dr. Winslow—and his remarks apply to the witnesses who contended that Riel's insanity was simulated—says:

“Is the insanity simulated? Persons conversant with the peculiarities of disordered minds, who have been in the habit of observing the manner of the insane, will have but little difficulty in detecting real from feigned derangement. Georget maintains that it is impossible for a person who has not made the insane a subject of study, to simulate madness so as to deceive a physician well acquainted with the disease.”

Now, the proceeding of the medical commission is contrary to the experience of our laws. A year or two ago we had a celebrated case of insanity in Montreal. I refer to the case of Mrs. Lynam. The judge, after having examined many witnesses, had doubts as to whether she was sane or insane, and he referred the case to a man of experience, Dr. Vallée, one of the superintendents of the Beauport Lunatic Asylum. How did Dr. Vallée proceed? Witnesses were heard; he examined the evidence that had been adduced; counsel, I believe, were also heard; the proceedings were open, because, as Dr. Winslow and all the great medical authorities say, it is impossible for a man to deceive experienced medical men in this matter; and on a certain day Dr. Vallée came before the court with his report, which was immediately read. It was not kept back for some weeks by the parties interested, but it was at once opened and delivered to the public in order that the public mind might be satisfied whether justice had been done in the case or not. What did we see in the case of Riel? Not only the proceedings of the medical men were kept secret, but even the report of that so-called commission was kept secret for a long time after by the Government. If the report of the medical men had been in favor of the Government, as is contended to-day, why was it not delivered to the public, in order that the public might be satisfied that justice had been done in this case? I cannot conclude my remarks without offering my view of what is insanity. There is a great deal of diversity of opinion, it is said, on this subject between lawyers and doctors. A long time ago Lord Mansfield, in the celebrated Bellingham case, laid down the law to be that, no matter how a man may be suffering under delusion, he should not escape responsibility unless it could be proved that he could not tell the difference between right and wrong. The doctors went just as far in the other direction. They held that if a man was suffering under mania, no matter whether the matter complained of had any connection with the mania or not, he was not responsible. Between these two extreme opinions public opinion accepted the principle that a man suffering from a disease known as monomania, or is deluded on one or two subjects, is not guilty, if any connection can be shown between the crime complained of and the mania under which he suffers. It will not, perhaps, be uninteresting to show how far the medical profession goes in this respect. I will simply read a resolution unanimously adopted at a meeting of the Association of Medical Officers of Asylums for the Insane in the year 1865. It was as follows:—

“That so much of the legal test of the mental condition of an alleged criminal lunatic has rendered him a responsible agent because he knows the difference between right and wrong, is inconsistent with the fact well known to every member of this meeting, that the power of distinguishing between right and wrong exists frequently among those who are undoubtedly insane, and is often associated with dangers and uncontrollable delusion.”

The case of MacNaghten, which was the occasion of the expression of opinion from the English judges in 1843, will not support the contention of this Government that it is sufficient for the criminal to know the difference between right and wrong. Their Lordships, although giving no opinion upon any case before them, but upon abstract ques-

tions of law, always a dangerous thing to do, stated that a man suffering from monomania to be held irresponsible, must not know the nature of his act, or if he does, must not know that that act is wrong. Such was the opinion of the English judges in the Mac-Naghten case, but even their opinion in that case has not been considered as settling the question in England. Chief Justice Cockburn, in a letter, sent in the year 1879, on the Criminal Code (Indictable Offences) Bill, said :

"The language of the judges in the House of Lords has no doubt been repeated as of general application, but erroneously. Their answers had reference to the specific questions put them by the House."

And immediately after, he goes on to say :

"The point has not come under judicial decision in a case which really raised the question."

This was said in 1879. The answers given by two learned Judges of the Exchequer Court in England, before the Capital Punishment Commission, in 1864, shows that really the lawyers and doctors are not so very far apart on this question of insanity. Lord Cranworth, a long time Baron of the Exchequer Court, answered :

"Is there not a variation between the medical opinions and the legal definitions upon the subject? I am not able to answer that question; very likely it is so."

Take the opinion of Baron Bramwell, another Baron of the Exchequer Court, on the same question, which is to be found on pages 23 and 24 of the report of that commission :

"Mr. Neate.—I observe that in your last letter to the commissioners, as the result of your experience, you use these words: 'Six prisoners in six cases were acquitted on the ground of insanity, and rightly. I do not mean that the prisoners were insane as the law requires.' I observe that you say that they were rightly acquitted, although they hardly came within the limits of legal insanity. Have you alterations to suggest in the legal definition of insanity?—A. No; I think that the legal definition is perfectly right.

"Q. But you say that they were rightly acquitted, although their insanity was not to the extent which the law requires?—A. I will explain that observation, which is, no doubt, an apparent contradiction. What I mean is, that according to the practice of juries, which has met with the sanction of judges, or which has been without any reprobation from the judges, and which is in accordance with public feeling, these prisoners were rightly acquitted."

So much for the doctrine of insanity, and I believe that the law upon that point was rightly laid down by Lord Erskine as early as the trial of James Hadfield for firing at George the Third. He said :

"To deliver a lunatic from responsibility to criminal justice, the relation between the disease and the act should be apparent. When the connection is doubtful, the judgment should certainly be most indulgent, from the great difficulty of diving into the secret sources of a disordered mind."

This is what the Government should have done, and what they have not done, for there is a doubt, and there is more than a doubt—there is, in my mind, ample proof—that this man was insane; but if some hon. members are not willing to go that far, I claim there is more than a legitimate doubt in their minds that the man was insane, and the proposition of Lord Erskine, as to the difficulty of diving into the secret sources of a disordered mind, should be acted upon. I will not trouble the House with citing more authorities.

An hon. MEMBER. Hear, hear.

Mr. GIROUARD. I hear an hon. gentleman say "hear, hear." I think he deserves to be afflicted with a six hours' speech, but I have too much consideration for the rest of the House, though I may not have much for him, to indulge in a speech of that length. I am not going to trouble the House with reading the report of the medical men, Dr. Lavell, Dr. Valade and Dr. Jukes. In my mind their conclusions are that this man was insane. Drs. Lavell and Valade said he was suffering from monomania on religion and politics. Does it require long comment to show there was connection between the rebellion and the monomania on politics and religion. I look upon another por-

tion of the conclusion of these gentlemen as mere sophistry, namely, that with the exception of these two points, monomania on religion and politics, this man knew the difference between right and wrong. It is not within the province of medical men to testify to that fact. Their province is only to state the nature of the disease under which the man was suffering, and let the jurors, court or Government draw from that statement whether the prisoner knew the difference between right and wrong. Dr. Haslam, on that point, says :

"It is not the province of the medical witness to pronounce an opinion as to the prisoner's capability of distinguishing right from wrong. It is the duty of the medical man, when called upon to give evidence in a court of law, to state whether he considers insanity to be present in any given case, not to ascertain the quantity of reason the person imputed to be insane, may or may not possess. It is sufficient," continues Dr. Haslam, "for the medical practitioner to know that the person's mind is deranged, and that such a state of insanity will be sufficient to account for the irregularity of his actions."

I will conclude these remarks, in order to give more time to other hon. gentlemen who wish to explain their position. I heard, the other day, the Minister of the Interior say that it was a matter of very little importance whether petitions were sent from the country or not to the Government, on the question of the proper exercise of the prerogative of mercy. I was never so much surprised as to hear that the Government are not in duty bound to consider such petitions. In most cases they are the only mode that can be adopted to show the Government what public feeling is on a particular case, in order to induce the Government to exercise the prerogative of mercy. Was the public feeling which prevailed throughout the whole Dominion with regard to the fate of this unfortunate man in favor of his execution? It was thought at one time that strong influence was brought from an influential body of men asking for Riel's blood. When the papers were brought down, we found only three petitions from the whole Dominion calling for his execution; one from the Orangemen of the western district of Toronto, and two from the citizens of the Dominion living in Regina and Moosomin. No one else asked for the life of this man; but, on the other hand, we find, at the last page of the report, that there were 75 to 100 petitions asking that his life should be spared, if he were not altogether pardoned. As far as I am concerned, my constituents sent petitions to the Government, not asking for pardon, because, like myself, they were not in favor of giving liberty to this dangerous lunatic, but asking for commutation. Where was the clamor asking that this man should be executed? It is not to be found anywhere, except, perhaps, in the articles of the *Globe* and the *Grits* of Ontario, but since when has it happened that the Government of this country are to be dictated to by the *Globe* and the *Grits* of Ontario? Why did they not take public opinion as represented by the *Mail* and by their own friends, and by the Conservatives of Quebec, as well as the Liberals of that Province? Why did they take the view of the Grit party? I cannot understand it. I say that, in view of the exhibition of public opinion to-day in this House, when we see that an important portion, the Grit party at least, has changed its mind, when we see that the *Globe* shows that it was not serious in making representations asking for the blood of that man, it is perfectly clear that the whole public opinion of the Dominion was in favor of the commutation of that sentence, and I blame the Government for not having understood that public opinion. Now, before taking my seat, I wish to refer to a statement made at the opening of the Session by the right hon. the Premier of this Dominion. He stated that, when he was banquetted by the St. George's Club in London, he was forced to testify in favor of the loyalty of the French Canadians. I am sure that more than one of us last December was surprised to see that the Premier was placed

in that inexplicable position. As to a man having a language different from the language of the English people, having a religion different from the majority of the English people, having a veneration for institutions which may not be the institutions of Great Britain—are the people of England not aware that such a man can be a loyal man? Look at France; look at Alsace and Lorraine—German Lorraine; has France ever found within its dominions men more loyal, although they were Germans, although they spoke the German language, and although most of them professed a religion different from that of the French people, than the inhabitants of those Provinces? Look at Great Britain herself, look at the French population of the Islands of the British Channel; are they not faithful to their language? Do they not love their language, their laws, and their institutions; and has Great Britain any more loyal subjects than the French inhabitants of those islands? Taking the Scotch, the Irish, and the English people, do we not see different nationalities and sometimes different local laws; and who can pretend that these different nationalities are not devoted to the British Empire and to the British Crown? Are we going to be told that, in England, they do not know the history of the French Canadians? That might be said, perhaps, somewhere on the continent, but it cannot be said in Great Britain. They know there as well as we know in this country that in 1776 the French Canadians of that day had to fight General Lafayette and officers under him who had been in the Canadian army a few years before. These French Canadians fought for the glorious British flag, which was then deserted by many of England's own sons. Look at 1812. Was it not a French Canadian—Colonel De Salaberry—and his three hundred braves who repulsed the invasion of the Americans at Chateauguay? Look even at 1837, which, perhaps, will be quoted to us as a sample of disloyalty. We were not then disloyal to the Crown or to the British Empire. It was only an uprising for the redress of grievances and against a tyrannical Canadian Government. We were then fighting for the privileges of responsible government, and without that fighting I doubt very much whether the privileges of responsible government would have been given so soon to the Canadian people. Look, later on, to the year 1865 or 1866, when we were threatened with a Fenian invasion. Were the French Canadians behind their fellow-countrymen of other origins. No, they were to the front; and I recollect well my hon. friend from Montreal East (Mr. Coursol) taking the musket in his hand in defence of the Canadian flag and British institutions. Look, later on yet, to 1869 and 1870. There was then a rebellion in the North-West, which has been brought under the notice of hon. members so often during this debate. Then, as in 1837, the French half-breeds were fighting for liberty, they were fighting for the privileges of responsible government, and against the tyranny of the Canadian Government. I said so last year during that six hours' speech, and the facts cannot be controverted, and they were not contradicted during that debate, that when the rebellion took place the Government had not a particle of title to the lands in the North-West. These men, in the absence of any local authority, took the law in their own hands in order to secure for their people political liberty, and we have to-day the testimony of even the enemies of the half-breeds of that time—the testimony of a man like Mr. McArthur, an officer of the Hudson Bay Company, who was himself a prisoner of Louis Riel in those days, in a statement which he made at a public lecture in Winnipeg, that to the firmness of the half-breeds in 1870 the people of Manitoba were indebted for the privileges of responsible government. And, last year, did our countrymen remain behind? Notwithstanding anything which may have been said, I do not think it

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can be pretended that our men did not go to the North-West for the purpose of defending the Dominion flag and the Dominion authority; and if all the French Canadians did not see fire, there were at least two companies who went in pursuit of Big Bear under Colonel Strange, and Colonel Strange was the first man to admit that he never wished to see better soldiers. Now, Mr. Speaker, in view of all these facts we believe that Sir E. P. Taché was right when he said that the last shot fired for British connection on the American continent would be fired by a French Canadian. Why is it, then, that the hon. Premier, in discussing Canadian affairs at a banquet given by the St. George's Club, had to defend French Canadians against the imputations which were then made upon their loyalty? It was in consequence of the utterances of the organ of the Conservative party in the Province of Ontario, the *Toronto Mail*, who should have known the French people better. That leading paper was not satisfied with denouncing us as bad party men—I would have allowed him to do so in face, perhaps, of some provocation which the *Mail* received from papers in the Province of Quebec—but when the *Mail* branded us as rebels, and threatened us with a second conquest, saying that at that time there would be no Treaty of Paris, I say then there should have been a protest, not only from the hon. Premier, but from every member of his Cabinet, to show that the *Mail* was not expressing the opinion of the Conservative party of the Province of Ontario. Why threaten us with no second Treaty of Paris? I ask the English minority of the Province of Quebec if they ever suffered from any bad treatment or injustice at our hands? Have they not received fair play from the French Canadians? If there is one who can say so, I would like him to rise and say so. No, Mr. Speaker; we have respected the feelings of the English minority of the Province of Quebec—not only their feelings but their prejudices; and, Sir, occupying in this Dominion the position that the English minority occupy in the Province of Quebec, we expect, we have a right to expect, that they will respect our feelings and even our prejudices.

Mr. DESAULNIERS. (Translation.) Mr. Speaker: At this advanced stage of the debate, I understand that this House is anxious to get through with this question, and I shall ask the House to be lenient towards me while I shall explain in a very few words the vote which I am called upon to give on this important question. In assuming the responsibility of the execution of Louis Riel, the Government have placed themselves towards us in a position which is beyond the limits assigned to party discipline. The Government cannot, on the present occasion, rely on that strength of organisation which is necessary to all constitutional and parliamentary Governments. Therefore, Mr. Speaker, I ask this House to be allowed to address it for a few moments, in order to explain the vote which I am about to give on that question. The question, to my mind, is of the highest importance. The Government and those who support it on this occasion are trying to diminish the importance of this question. According to the Government and their friends, it is simply the execution of a murderer, it is simply the carrying out of a very ordinary law. For my part I do not look upon it in that light. The execution of Louis Riel is certainly not the carrying out of an ordinary law with regard to an ordinary crime. Louis Riel was charged before the courts in the North-West with the crime of high treason. In order to fully understand and thoroughly consider this question, and to judge it as we ought to do, it is necessary for us to know what were the grievances of the half-breeds, what was their situation in 1869, what it was in 1885, what were the faults of which the Ottawa Government had been guilty of towards them; and we should also know whether, for all these reasons, the half-breeds were not

justifiable to a certain extent, or whether, at least, their rebellion of 1885 was not excusable. In the Province of Quebec when the people learned the execution of Riel, they rose as one man. There was in the Province of Quebec an agitation which was reported throughout the world. Not only was there an agitation among the people of the Province of Quebec, but the whole press of the Province, including *Le Monde*, *La Minerve* and *Le Canadien* protested against this execution. On the next day after the 16th of November there was not a single dissenting voice in the Province of Quebec. The Ontario press, and also the press in the United States, in England and in France took an active part in the discussion. And since this debate has been going on in this House we have seen the inhabitants of our capital thronging into our galleries in order to hear the discussion. Numberless citizens came from all parts of the Dominion to hear the debate. Well, Mr. Speaker, would all this have taken place if this was simply an ordinary question? Would all this agitation have taken place with regard to the just punishment of a crime? No, Mr. Speaker: Riel, alive, was the leader of the French half-breeds; Riel, dead, is to day the emblem of their cause. The Province of Quebec being a French Province sympathised with the half-breeds, and understood and felt that it had been humiliated when Louis Riel was executed. The Province of Quebec had, time and again, during the last fifteen years, forgiven numberless faults which had been committed in the North-West. The representatives of the people in this House, during the last fifteen years, may have forgiven to their friends in power the extortions which have been committed by the Government employees in the North-West; they may have forgiven to their friends numberless other faults which deserved censure, they did not wish to be too severe on them, and this was the case under the Conservative Administration as well as under the Liberal Administration. But in presence of the Regina scaffold, I do not believe that we would be justifiable in showing party spirit, and I think it is our duty to vote, one and all, without regard to party ties, and without flinching, against our friends in power. Not that I wish to say that those who will vote in favor of the Government will commit a fault against themselves and against the country. I do not view the question from that standpoint. I will bow with respect before the opinion of each one, and each one will vote as he shall deem proper. As for myself, I hope that while I am bound to dissent from my friends on this question, it will be believed that I do it in the interest of the country, as I understand it, and to satisfy my conscience. In this country the best way to preserve peace, and to maintain that harmony which is necessary to our prosperity, is to give equal justice to all. The people of the Province of Quebec believe—and I am one of those who think that they are right—that on this occasion the Government did not give equal justice to all. What makes me think so is that I have heard, at the beginning of this debate, the hon. Minister of Public Works making a comparison between the execution of Riel and that of Thomas Scott. Well, Mr. Speaker, certain rumors, certain reports lead us to think that, to a certain extent, the Government have in part acceded to the demands of the Orangemen of Ontario, who insisted that Riel should be executed as a punishment for the murder of Scott. I have heard the hon. Minister of Public Works making such a statement, and it is not the only occasion on which I have heard Ministers speaking in that sense. Neither was this the only occasion on which I took cognizance of the fact—either through newspapers or otherwise—that the execution of Scott had actually exerted a strong influence on the decision arrived at by the Government. However, it seems to me that this question of the execution of Scott should have been sufficiently understood before the 16th of November last to make it impossible for the Government to order the execution of Riel on the ground that he was guilty of the execution of

Scott. What are the facts with regard to this unfortunate Scott case? We must go back to a period which is anterior to 1869, when the Dominion Government sent their employees in the North-West Territory, and even before the transfer of the territory by the Hudson Bay Company to the Government had been finally settled. It is well known that these employees committed extortions against the half-breeds and created great dissatisfaction among them. After the beginning of the negotiations and the various transactions which took place between the Dominion Government and the Hudson Bay Company, in order to effect the final transfer of the Territories, it will be remembered that Governor McTavish deemed it proper one day to resign the authority which he held as Governor of these Territories. It was then that Riel, in concert with the half-breed population of the North-West, formed a provisional Government. This provisional Government was established with the consent of the people, since forty delegates were duly elected by the people of the North-West. When these forty delegates, forming the Council of the nation, were assembled in a meeting, they formed a certain organisation and elected Louis Riel as President. This organisation had within it a council called "Council of War." Thomas Scott who was opposed to the establishment of the provisional Government, and who refused to submit to that Government, was then brought before that Council, and that, independently from Louis Riel. It will be remembered that, according to records which we have seen on that question, and the evidence heard when the investigation took place in 1874, Louis Riel had no power whatever on the Military Council of the provisional Government. Consequently, Thomas Scott was executed independently of the personal desire of Louis Riel. Now, to hold him responsible to-day, and to have held him responsible on the 16th of November, 1885, of the murder of Thomas Scott, was, and is still, an injustice which is contrary to the history of the North-West; and consequently the Government could not, in any way, take their decision on the ground that Riel was more or less guilty of the execution of Thomas Scott. Moreover, Mr. Speaker, even if Louis Riel had been guilty of that crime in 1870, it may be asked, why should a man be punished twice for the same crime, and under what law can a man suffer two punishments for the same offence? Had not Riel been sufficiently punished when, after his trial, he was exiled from the country? Lepine was also tried and imprisoned for a year; Goulet was drowned in the Red River, in atonement for the murder of Scott. Were not all these punishments sufficient to satisfy those who desired to avenge the death of Thomas Scott? I am of opinion that the case of Thomas Scott should in no way whatever have influenced the decision of the Government in ordering the execution of Louis Riel. Still less should it influence the proceedings of this House to justify this execution. The only ground on which the Government should have based their decision, was the fact that Louis Riel had instigated the rebellion in the North-West. Well, Mr. Speaker, when fomenting that rebellion, had not Louis Riel some causes for dissatisfaction and some reasons for rebelling against the authorities in the North-West? Did the grievances of the half-breeds amount to absolutely nothing? Was not the fact that the Government of Canada had taken possession of the North-West Territories, in 1869 and 1870, without in any way consulting the half-breed population of the Red River and the half-breed population of the Saskatchewan and of the Territories, a grievance in their opinion? Was not the fact of sending there a swarm of officials who spoke only one language, which language was unknown to the whole half-breed population; was not the fact of having sent their leaders sent to penitentiary in 1874 and at various times after their legitimate defence against the Government of Canada in 1869 and in 1870,—were not all these facts causes for

dissatisfaction among them? Was not the fact that laws were made without consulting them, a cause of dissatisfaction for the half-breeds? Was not the fact that they had to make such frequent claims for the rights which they pretended to have on lands in the North West, which they had always considered as their property, that they had to travel hundreds of leagues and to send thousands of petitions without ever receiving a satisfactory answer, a sufficient grievance to explain the rebellion if not to justify it? If the half-breed rebellion in the North-West, if the fact that Riel became the leader of his countrymen to claim their rights, are not justifiable, they are at least excusable; and if the cause is due to the fault of the Governments of both parties in this House, should not the present Government have taken all these facts into consideration before the 16th of November and before the execution of the sentence pronounced against Louis Riel? Mr. Speaker, have we not had from the present Government the admission that the half-breeds in the North-West have suffered for the last fifteen years; have we not the avowal from the Government that at least for the last fifteen years the half-breeds have been ill-treated by the Canadian Government? Have we not repeatedly heard the hon. Minister stating that when the Liberals were in power from 1873 to 1878 the half-breeds had been ill-treated? What have the Half-Breeds to do with our politics? What difference do they make between the Tories and Grits, between the Rouges and Bleus? They know nothing about them, the Government is always the same thing for them. Therefore, we have at least, out of the last fifteen years, at least five years, while the Liberals were in power, during which the half-breeds had been ill-treated by the Canadian Government. And since that time, since the rebellion of 1885, did not the Government put Mr. Macpherson out of the Cabinet? Was not the dismissal of Mr. Macpherson an avowal that the half-breeds had been unfairly used with regard to their claims for land? Have not the Government, by settling about 2,000 claims during the last seven or eight months, admitted that the half-breeds had been ill-treated? Now, if the Government, when it was a question of ordering the execution of Riel, had considered that they had committed wrong themselves, when the life or death of Riel was in their hands; if they had considered that they had not done their duty towards the half-breeds, would they not have felt that it was just and reasonable at least to show mercy towards the half-breeds and towards Riel? Now, what kind of a trial did Riel have? Did the trial of Louis Riel offer all the guarantees which are necessary in a trial of that kind? The laws and procedure in a criminal case in the North West are laws and procedure of an exceptional kind. When the Act of 1880 was passed, so well did the Legislature understand that the provisions of the Act of 1880 were exceptional provisions, that it enacted that in the case where there would be a sentence of death, the execution would not take place without the interference of the Government. The Government were obliged to interfere to have Riel hung. I have often heard the hon. Ministers saying since the execution of Riel, that they had not deemed it their duty to interfere, and that the law had to follow its own course. Was the trial conducted with all the cautiousness which was required? A Protestant judge, six Protestant jurymen; an English judge, six English jurymen. The very fact that the accused, Louis Riel, was arraigned before a jury of six instead of twelve, the very fact that Louis Riel was arraigned before a wholly Protestant jury, should have militated in his favor when his case came before the Government. And why? Because the Act of 1880 seems to carry the impression that when the Legislature passed that law, it was well understood the right of putting a convict to death ought not to be left with a magistrate and six jurymen of a nationality and creed different from that of

Mr. DESAULNIERS (Maskinongé).

the accused. The Legislature having understood that it could not avoid passing exceptional laws for the North-West enacted at the same time that the life of a convict would not be left within the hands of a court organised in that way. When Riel's counsel asked for a month's delay to enable them to prepare their defence, to come in the Province of Quebec after their witnesses, the stipendiary magistrate refused to grant them such a reasonable request, he granted them the derisive delay of eight days. Was it possible for the counsel for the defence to go to Quebec in eight days, or even to write and secure the necessary witnesses to prove the only defence of the accused, that is that he was unsound in mind. This delay of eight days, I repeat it, was simply derisive; Riel's counsel could not within these eight days secure their witnesses and prepare their case in a proper manner. What was the consequence? My hon. cousin, the member for St. Maurice (Mr. Desaulniers) wrote a letter in which he informed the country that as a medical expert, that as a specialist in the employ of the Government of the Province of Quebec, as inspector of the asylums, he could state that Louis Riel had been confined for several months in the asylum of St. Jean de Dieu, and in that of Beauport; that on several occasions he had seen Riel during his madness and had ascertained that he was really insane. Well, the member for St. Maurice, in spite of his good desire to help the cause of Louis Riel, did not know, and could not know, that Riel's counsel at Regina wanted his deposition. On the other hand, Louis Riel's counsel at Regina did not know what information the member for St. Maurice had on this point. Therefore I say, Mr. Speaker, that it is fully certain that if the deposition of the member for St. Maurice had been heard at Regina, that deposition would have had a great weight. In face of the fact that the trial did not seem to have been conducted with all the necessary care, were there no reason to use clemency towards the prisoner when the question came before the Government? Now, when the jury returned their verdict, so little did they seem to be convinced themselves of the true moral guilt of Louis Riel, that after having fulfilled what is technically called the formalities of the law, they appointed one of their members to tell the court that it was their intention to recommend the prisoner to mercy. Why did not the Government follow that recommendation? What reasons were given by the Government? What reasons were given to the public on which they could base their refusal to follow the verdict as a whole? I have heard no plausible reason on their part. I have seen nowhere any reason given to uphold the pretension that the Government should not have accepted in its entirety the verdict of the jury. The Government have stated through the Minister of Justice that the trial of Louis Riel had been perfectly legal. On that point, Mr. Speaker, I do not believe there is any doubt that Riel's trial was conducted in a perfectly legal manner. Others before me have had doubts on the legality of the trial, and they have taken the responsibility of dispelling those doubts. It is with that object in view that Riel's counsel took the cause of their client before the Court of Appeal in Manitoba, and before the Privy Council in England. The judgment of these two courts was that the trial of Louis Riel had been perfectly legal. But it is not especially for that reason that we protested against the execution of Riel, because we have no more doubts on the legal technicalities of the trial, and even if we had, we should say nothing about them, because the courts in Manitoba and England have decided on the legality of the trial; but what we complain of is the fact that the Government have not used clemency towards Riel, under the circumstances. Besides that, it was proven that Louis Riel at the time of the trial was not sound in mind, and consequently was not responsible for his acts nor for the part he had taken in the rebellion of the North-West. This question of insanity is extremely difficult to solve. If we are to take the evidence of the medical experts who have

been sent by the Government, I believe that it is difficult to say whether Riel was really responsible or not for his acts during the rebellion, and whether or not he was responsible for his acts when he was executed. There are so many contradictions in the different reports that the conclusion to be drawn from them is, at least, that there was a doubt as to the mental state of Riel. And, Mr. Speaker, I have myself asked the Government to be pleased to let the House know whether they had taken the necessary steps to obtain information on the intention of the jury at Regina when they recommended the prisoner to the mercy of the court. Even more, I have asked the Government whether they had received information or communications on this subject from any of the jurymen, and the Minister of Justice has answered that none had been received to his knowledge, and that, at all events, if there were any they would be laid on the Table of the House. Well, Mr. Speaker, the jury of Regina themselves had conceived a doubt as to the moral responsibility of Louis Riel, and it is for that reason that they recommended the prisoner to the mercy of the court, or rather to the mercy of the Government, because, as regards the jurymen, the word court was delusive, for they knew perfectly well that they were appealing to the mercy of the Government, since the court could not help giving the sentence which was given. Can it be supposed that a jury composed of six Englishmen who had been victims of the rebellion of 1885, could, at that moment, show enough of goodwill and leniency towards Louis Riel to recommend him to mercy out of friendliness towards the prisoner. This is not plausible. Now, if the jury at Regina have recommended the prisoner to mercy, it was because there was at least a doubt in their mind, as to Riel's responsibility for his acts. The Government, by carrying out that part of the verdict as they carried out the other part, would have done absolutely nothing contrary to the interest of the public; they would have done nothing contrary to the interest and future quietness of the people of the North-West, by giving the prisoner the benefit of the doubt which the Government could not help conceiving, having before them the returns of the trial such as they were brought down before the House. I shall now quote a short extract from Guizot, whose authority as a writer is already established before this House, which makes it useless for me to insist upon it. Here is what he says:

"It is especially for political crimes that the right of pardon seems to be reserved, for those crimes whose character is sometimes doubtful, with which may be allied errors in good faith, sentiments worthy of sympathy, when society is not evidently or entirely threatened, when danger, the chief element of the offence, is dispelled; finally, when the example of utter failure is more efficacious than punishment would be."

And further on:

"It may even be presumed that in this sphere the customary use of clemency, instead of discouraging the severity of the judges and jurymen, gives it more freedom and makes it less timid. So, natural is this idea, that the public have, at times, seemed to think that a given political sentence was only pronounced in view of the prospect of a pardon which would palliate its severity. Thus, apart from the economy of blood there might be the advantage of the facilities for examples; the power would have all the benefit of moderation, and the citizens who often hesitate before the courts, and with great reason, when a man must be sent to the scaffold, would manifest with less anguish their disapprobation of his attempts or designs."

Thus, Mr. Speaker, it will be seen that, according to Guizot, the Government could have taken it upon themselves to have followed this last part of the verdict without at all running the risk of exposing the North-West to new troubles. It is a matter of regret that this House has not in its possession what I believe to have existed, to wit: the documents which must have informed the Government that the intention of the jury, in recommending the prisoner to mercy, was that he should not be executed, on account of a doubt as to the moral responsibility of Louis Riel. Here is what I have read in a newspaper, and what, besides, I have learned personally from persons who came from the North-West some few weeks ago. That is what gave me the idea

of asking the Government whether they had received information from the jury explaining their intention in recommending Riel to mercy. Here is what *Le Progrès de l'Est* says:

"The following are new details of the highest interest with regard to the intention of the jury in recommending Riel to mercy. Young Brooks, mentioned here below, is a nephew of Mr. Justice Brooks, of our city. He is very favorably known, and noted for his intelligence, uprightness and love for justice. The details are furnished to the press by a friend of Mr. Blondin, a settler at Qu'Appelle—where Mr. J. Z. O. Miquelon resides—who is now on a visit at Three Rivers:

"A settler from Qu'Appelle, Mr. Pierre Blondin, is now on a visit in this city. Mr. Blondin has for a neighbor at Qu'Appelle a Mr. Brooks, formerly of Sherbrooke, who went to the North-West some time ago, and who was one of the jurymen at the trial of Louis Riel. Mr. Blondin states that his neighbor has repeatedly declared to him that the unanimous desire of the jury, in recommending the accused to the mercy of the Crown, was that he should not be executed. The jury certainly found him guilty of rebellion, but, owing to the peculiar circumstances which were established during the trial, they were unanimously of the opinion that he did not deserve the extreme penalty of the law.

"Another very extraordinary circumstance is the fact that, according to Mr. Brooks, the jury, after the trial, informed the Government of the exact sense of their verdict of recommendation, in order to prevent any error."

Well, here are facts which, of course, are not proved before this House, so as to dispel every doubt; far from it; but they are facts which, with a great many others, have created, and are still creating, in the Province of Quebec, a dissatisfaction which has been, and is still being, manifested in a manner which has been noticed by everybody. Mr. Speaker, I will conclude my remarks, and I believe that the conclusion which we ought to draw from the present situation is that the 16th of November, 1885, is and will ever be a fatal day for our country. The execution of Louis Riel is a dark spot in the history of the Conservative party. History will tell in one of its bloody pages that civilisation, at the beginning of its work in the vast regions of the North-West, has stained its flag with the blood of a political martyr.

Mr. MASSUE. At this stage of the debate I do not intend to make a speech upon the question so fully and ably discussed on the floors of Parliament. I simply rise to explain the vote I am about to give, and to say why, upon this question, I am not in accordance with the political friends with whom I have acted since I have had the honor of a seat in this House. When, in November last, along with others, I signed a telegram to the right hon. leader of this Government, informing him that, under the circumstances, it was a cruelty to hang Riel, and that I would not be responsible for it, I was under the impression, as I am now, that he was insane. I was assured, after the trial at Regina, that a medical commission would be named to enquire into the mental condition of Louis Riel, and the commission was named. I took no part in any of the public meetings that were held all around me, but waited calmly and patiently for the opening of Parliament where all the reasons required should be given. I listened very carefully and very attentively to what has been said, and when the medical report was laid on the Table I read it very carefully. In reading the report of Dr. Jukes I thought there was something wrong in the mind of Riel. Reading that of Dr. Lavell, I find that he says that Riel suffered from religious and political monomania, and Dr. Valade says that he was under religious and political hallucinations. As it was a political trial, why should not the Government have given him the benefit of the doubt and sent him either to prison or a lunatic asylum for the remainder of his days? For these reasons I shall vote in favor of the motion of my hon. friend from Montmagny (Mr. Landry).

Mr. BURNS. I rise, not for the purpose of making a speech on the question before the House, but for the purpose of correcting a statement made by the hon. member for Jacques Cartier (Mr. Girouard). I think it is very much to be regretted that matters totally irrelevant to the

subject under discussion should be introduced here; but, having been introduced, it is well that when an hon. member makes what I consider a misstatement he should be put right. The hon. gentleman, in his allusion to New Brunswick and the Acadians, stated that the College of St. Louis was closed because the French language was taught there. To that statement I wish to give a denial. I am satisfied that if the College of St. Louis is closed at all, it was not because the French language is taught there. That statement implies a charge against the ecclesiastical dignitary under whose particular care that institution is, or was. I think it can be said of that ecclesiastical dignitary that to him is due, in a very great measure, all the advancement made by the Acadians in his diocese since he has been at the head of it, and that is over twenty-five years. I am safe in saying that the Acadians in New Brunswick—at all events in that diocese—advanced more within the last 25 years than they did in the 50 years preceding. I need only instance the fact that all over that diocese are established institutions in which that language is taught, institutions presided over by ladies and gentlemen of French origin. I need only refer to the fact that in the town in which I reside there are two institutions, and in the neighboring parish there is one institution. In Chatbam there is a large educational establishment for both males and females, and in the neighboring town of Newcastle there is also one. All these institutions are taught by ladies and are presided over by Sisters of the Congregation of Notre Dame, and the great majority of those ladies are French. Therefore I think it is not correct to say that the College of St. Louis was closed because the French language was taught there.

It being six o'clock, the Speaker left the Chair.

After Recess.

SECOND READINGS.

Bill (No. 39) to incorporate the Emerson and North-Western Railway Company.—(Mr. Pruyn.)

Bill (No. 49) to incorporate the Ontario, Minnesota and Manitoba Railway Company.—(Mr. Royal.)

Bill (No. 56) to incorporate the Nova Scotia and Western Railway Company.—(Mr. Dodd.)

Bill (No. 58) to incorporate the St. Lawrence and Atlantic Junction Railway Company.—(Mr. Colby.)

Bill (No. 59) to incorporate "The First Synod in the Dominion of Canada of the Reformed Episcopal Church."—(Mr. Beaty.)

Bill (No. 60) to incorporate the Colonial Bank of Canada.—(Mr. Macmillan, Middlesex.)

EXECUTION OF LOUIS RIEL.

Mr. CHAPLEAU. Mr. Speaker: A newspaper having announced last evening, which announcement I read the first thing this morning, that I had become suddenly a penitent, that I was very near abjuring the errors which, with my colleagues in the Government, I had been suffering under of late, and that I was, in the near future, going to bid adieu to political life—I only wish that could be true—and that I would retire repenting; and as the paper wished I should employ the last days of my life in prayer, so as to be forgiven by God and man, I thought I would take this first opportunity of making my last confession of the great crime of which I have been accused during several months past, and I hope I shall make it as plain, as complete, as full as possible, so as to satisfy both friends and foes. I do not know, Mr. Speaker, whether I can do justice to this debate. I know it is, perhaps, out of place for me to apologise for not speaking in the language which is my

Mr. BURNS.

mother tongue; but every time I rise in this House, every time I have to express what I feel deeply and vividly in my heart, and have to express it in a language which is not my own, I think it is necessary for me to apologise, for the English language, that has taught the world the great lessons of liberty, does not give me that full freedom of expression which I would have in my own language. What a change a year can make in the ideas of men, in the feelings of men! What differences do we remark when we look over the proceedings of last Session, as I did yesterday! Read over *Hansard* and compare dates with this year. The 19th of March last year, St. Joseph's Day, the day named after that great saint, whose name is synonymous with fidelity and loyalty, was chosen by Louis Riel as the first official day of his rebellion in the North-West. On the 9th of March Louis Riel inaugurated the rebellion, in acts, in his official declaration, in his open opposition to both civil and spiritual power in the North-West. On the following days, the rebellion was in full blast, and the day after to-morrow will be the anniversary of one of the sad events of our history—the anniversary of the Duck Lake fight—when some of our bravest soldiers, some of the good men of the North-West, fell under the bullets of traitors and rebels, led by Louis Riel, fell victims to the treachery of a criminal band, who, after destroying Government property, after ransacking and plundering the stores of industrious citizens, after having seized and taken prisoners the men who were doing their duty under the laws of their country, in the protection of the Canadian and the British flag, had torn down the flag of Her Majesty and had begun that rebellion of which I hope we will have to-day the last recollection. I hope that the memories of men will not recollect it, after we have done our duty to-day and said that the country cannot countenance those who would like this House—representing the interests, the desires, and the wishes of the people,—to say that that event was one which would be excusable and justifiable in the eyes of true Canadians. We all remember the feeling that pervaded this House when, on the 22nd, 23rd and 24th of March, the news arrived that really a rebellion was existing in the North-West, and that the agitation which had begun many months before had taken the form of an open revolt. We remember the feeling that existed in this House. It is true that then, as since the beginning of this Session, some gentlemen on the other side, exercising their rights as members of Parliament, had been asking for information, had been clamoring for papers, but still the House went on with the performance of its duties until the day we heard the sound of rebellion, and learned that the sons of Canada, at the call of the Government, had to go up and fight that revolt. Sir, when the news of the Duck Lake fight arrived, there was not one man to be found here who would not have said frankly and openly that those who had commenced that rebellion, those men who were ignoring the laws of the country and rebelling against them, were deserving the severest punishment of the law. I remember a few days later, when a newspaper in Ontario had had the audacity, as it was then styled, to say that my hon. friend sitting on your left had been actually giving countenance to the rebellion, that he had been aiding the conspirators against the peace and integrity of the country, that the hon. members sitting on that side of the House were accomplices of those in the North-West who were trying to take those large Territories away from their allegiance to our Sovereign, I remember what took place in this House. I remember seeing the hon. leader of the Opposition rising in his seat, his features altered, trembling with emotion and saying, with tears in his voice, that there never was such a slanderous insinuation cast upon him and his party as to say that he and they might be called accomplices or even sym-

pathisers with the rebellion in the North-West. We all remember the hon. member for West Durham stating that he had a relation whose blood had already stained the snow of the prairies, that he had a nephew whose life was in danger, that his son and his brother's son were ready to shoulder their muskets and go to the Saskatchewan and fight against those who wanted to commit that attempt against the liberties of the empire, and the good name of the people of Canada. At that time we responded to the expression of those feelings; and I remember the right hon. Premier in this House getting up in his seat and saying that whatever differences of opinion there might be between him and hon. gentlemen opposite, he thought the article in question was an ill-advised one—that we all here in this House sympathised together in supporting the laws of our Dominion, and keeping in its integrity the fine country which we are now administering to the glory of those who acquired it, and the glory of the Sovereign who rules over us. Who would have said then a word of justification of that criminal band that was beginning a rebellion on the shores of the Saskatchewan? Who would have thought, when the hon. gentlemen who left this House to take upon themselves the arduous and dangerous task of leading their men to the field of battle—who would have thought when we were all shaking hands with them,—who would have thought when we said good-bye and farewell to the late lamented and regretted member for East Durham, whose name has been revered and cherished, and loved amongst us, since he lost his life in the defence of his country—who would have thought then that in this House, twelve months afterwards, we would have been asked to vote regret for the lawful execution of the leader of that rebellion? When Colonel Williams left us here, shaking hands with us, and telling us: "Yes, gentlemen, I am going, and I am proud and happy to perform my duty to my Queen and country, proud to leave you whilst you are doing your duty here," who would have said to him, "Oh, yes, you are going there to risk your life, but twelve months after this, from his seat in Parliament, a member will rise and say: "I want to declare by my vote that those who killed you and your brothers deserve the sympathies of Canada, and that we regret their punishment!" Mr. Speaker, I regret the execution of the late rebel leader, Louis Riel, because I cannot find in my heart a place for a feeling of pleasure or rejoicing at the ignominious death of a fellow-being. I regret the execution of Louis Riel as I regret those painful occasions when a sacrifice of human life has to be made for the vindication of the law or for the protection of society. I regret, Sir, the execution of Louis Riel because of the unhappy trouble he has caused in one of the finest Provinces of this Dominion. I regret the execution of Louis Riel because of the occasion it has given for discussion in this House, in which, to use the expression of the hon. member for West Durham (Mr. Blake), "words have been said that should not have been said, things have been uttered that should not have been uttered, and sentiments have had room for expression which should not have been expressed in this House." I regret the execution of Louis Riel for those reasons; but I cannot condemn the punishment of his crime. Providence, Sir, suffers the mysterious agencies of human passions and the free will of men, to mark dark hours in the history of nations. Louis Riel has written with his own hand and with his own deeds the darkest pages in the history of the North-West of this Dominion; he has signed those bloody pages, and sealed them with his blood on the scaffold of Regina on the 16th of November last. The scaffold has spread its hideous shadow over the newly christened town of Regina—christened after the name of our beloved Sovereign; and the virgin soil of the Province of Assiniboia was torn open to receive the dead body of a man who had sown the seeds of discontent,

of revolt, and of war and death in a land which should have been reserved for peace, unity, happy tranquility and industry. The solemn sanction which was then given to the law should deter all other men, and deter, I hope, all other evil-disposed and evil-thinking men from imitating his example. Unfortunately, Sir, from the cell of the doomed agitator, from the scaffold, and the grave of the executed criminal, there came the wind of revolt and the poison of national animosity, which pervaded one of the great Provinces of this Dominion, and which threaten even now, perhaps to a larger extent than we believe, the future tranquility and destinies of the Dominion. Mr. Speaker, if I bring to your recollection these sad events, it is only to show you the unfortunate position in which are placed those who in the Province of Quebec have espoused—some with sincerity and good faith, others with schemes for political supremacy—the cause of rebellion, which, it cannot be denied, has produced in this country one of the most unfortunate periods in our political history. Mr. Speaker, it is the deep feeling of the danger arising from the present crisis which has animated me during the whole of that period, and which has often driven away from my lips and from my pen words of anger and words of violent rebuke, which would have been justified by the treatment to which I and my hon. colleagues in the Government have been subjected for over three months past. During that time, Sir, we have seen an infuriated and maddened mob tearing to pieces our likenesses, and hanging and burning us in effigy; but this has had upon me no other effect than to make me feel more pity than anger towards the crowd who had been excited against us. In the city of Montreal my portrait has been for days exposed in windows, bearing on the forehead a large stain of blood, to convey the idea that I was the murderer of one of my fellow-countrymen. Sir, I forgave that villany. As one of my friends in Montreal remarked: "The poor individual who did that has himself on his brow a stain which neither rubbing nor washing will ever take away," and calls back to my memory the following lines:—

*"La mer y passerait sans laver la souillure,
Car le gouffre est immense et la tache est au fond."*

I forget easily those attacks prompted by the public excitement, but there is one thing from which I have suffered—it is this: These demonstrations were called by men who had been associated with me in friendship, and knew me better than with sincerity to call me a traitor and a coward. I, a traitor! Mr. Speaker, I have been now over 27 years in active public life, and I think I could ask from friends and foes this testimony, that I have been true to my Sovereign, true to my country, true to my party, true to my friends. Sir, if there is one reproach which I do not deserve from either side of the House, it is the reproach of treachery. I have been at times accused, and accused by the press of my hon. friends opposite, of having perhaps too much political loyalty. They have also called me a coward. Well, it is hard to speak of oneself, but I might say of those who have uttered this charge, that their hearts would, perhaps, have faltered if they had had to go through the ordeal through which I have passed since the 13th November last. To have retained the courage I have retained, to have faced what I have faced, to have refused what I have refused, to have done what I have done—does not, I ask those who have called me a coward, merit for me that epithet! But, as I have said, feeling that the occasion was one which seldom presents itself in the life of a man, feeling deeply the danger which, I thought, was menacing our country and our nationality, I kept away from my lips and my pen any words of anger against those who abused me. I might also say here, there was another reason that prevented me from resenting those insults. I am frank, and I must say that, whatever might be the cause, the movement that spread

through the Province of Quebec did not surprise me, and if I have not reproached, in bitter terms, my friends for what they have done, it is because I thought that, although we, the Ministers of the Crown, had not failed in our duty towards the Crown, towards our oath of office, towards our country generally, perhaps we were in fault to a certain degree in not having taken more care in the direction of public opinion in the Province of Quebec. The cause, the main cause of the trouble in that Province has been the exaggerations of the Conservative press. I have stated to my friends that the trouble we have had, the dangers we have run, the consequences from which we may probably suffer, would not have been occasioned if the press, and especially the Conservative press, had been better directed. It is true that, as people say, it was in the wind, it was everywhere, the atmosphere was full of it, and nobody could escape; but I am surprised to see that men, such as some of our friends in this House, should have been caught with the disease—let me call it that name—yielding to that movement, forgetting their old associations, and becoming parties to what I consider to be one of the greatest mistakes that our population in the Province of Quebec has ever made. I know that they have yielded to what they considered a good feeling, a national sentiment. I am not one of those who believe that that natural national feeling is not one which deserves praise. The population in our country, being divided, as it is, in different nationalities, the affirmation of the rights of one fraction of the people is not bad in itself. That pride in one's nationality is a thing that might be productive of good results; but, as all strong passions, it is dangerous; like all powerful motives, it must be regulated, otherwise disorder will result; like all those strong agents on the human organism, taken in a moderate dose it is a splendid remedy, but taken in an immoderate dose it becomes a poison. In this instance our friends have exaggerated that feeling, and hence we have seen in the Province of Quebec that outburst of sectional animosity which we all deplore, and which, I trust, will end after this House has taken its determination and has given the vote which moderate, deliberate men are asked to give. But, Sir, we have not here to deal with those demonstrations; we have to deal with the question which is proposed to us, and that question is this: Was the execution of Louis Riel one which we, the House of Parliament—we, the House representing the views, feelings and ideas of the country, should condemn or approve? My hon. friend from Montmagny (Mr. Landry) has put his motion in a particular way, and in his opening remarks he said: "I have not qualified the expression of regret for the execution of Louis Riel; I have left to everyone the right to choose the reason why they should regret that execution." I must say this was perhaps in the idea of the mover a skilful arrangement with a view to draw as many votes as possible for his motion, but I understand that he wanted to say that everyone might express his reason why the execution should be blamed or should be approved. As I have said before, I would be ready to unite my sympathies with his if he only wanted an expression of regret, if there was not coupled with that an expression of blame for the action of the Government in asking that the law should be carried out. The hon. member for Quebec East (Mr. Laurier), who has taken upon himself the defence of the rebellion in the North-West, was very careful, in the beginning of his remarks and during the whole of his speech, to say that the movement which had been carried on in the Province of Quebec was not a political movement; secondly, that it was not a national movement; and further, that the House had not to decide upon those questions. My hon. friend said it was not a political movement. Well, Mr. Speaker, I ask everyone of those who saw the beginning of that agitation to say whether it was so or not? I ask those who saw the press, before this Session opened and during

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this Session, whether there was nothing in that movement of a political character, whether there was nothing but a sincere desire to see if the law had been justly administered or if a great injustice had not been done in the execution of the law? My hon. friend will allow me to ask him, how did the agitation begin in Montreal? It did not begin with the meeting of the Champ de Mars; it did not begin with the outburst of the Conservative press which made it a general question in the country; it began when two of the friends of the hon. member for Quebec East started the movement. I must give credit to those to whom it is due. Mr. L. O. David, of Montreal, was the originator and initiator of that movement. He was assisted, it is true, in his effort by a man whose name and profession are more modest, by a bailiff of the name of Phaneuf, one of the agents of the Liberal party in Montreal. They began to create an agitation in Montreal, and everyone knows how easily that is done in a large city. Then, in regard to the delays in the execution of the sentence, there were the reporters who had been sent by the press to report the proceedings of the trial at Regina, and who, instead of reporting truly and boldly the proceedings of the court, were sending to the press in Montreal fantastical reports having more the color and shape of novels than of true reports from a court of justice. These were the beginnings of the movement in Montreal. After a while, when it had taken shape, everybody was expecting—what? I must say it, Mr. Speaker—on one side, among the Conservative friends in Montreal, some were expecting that the Government would take the side of mercy, would treat that question with the view of trying to preserve peace by the exercise of the royal prerogative of mercy, and the Liberals were only speculating upon the Government carrying out the law to its fullest extent and to its direct execution, so as to have a lever upon public opinion for political designs. I do not dissimulate what was public opinion in the city of Montreal. What was the state of things in that city in the month of October? I arrived in Montreal in the beginning of October, and I was met by friends who said: "Well, there is a great movement pervading the country, and it is for you to be at the head of it; it is for you to see that justice is done, but at the same time that mercy is given by the Government; we must lead public opinion; we must not allow the Liberals to take the lead; we must not allow them to gain the confidence of the electors, to arouse a national feeling in the country." This was the state of things in Montreal in October. One party was looking for political aggrandisement and triumph. The other party was looking truly, sincerely, earnestly for something which they thought was due to the national services that have been rendered by the Conservatives and the French Canadian nationality. One party was looking for power; the other party was looking for mercy. The hon. member for Quebec East (Mr. Laurier), said: "No, we have been careful to abstain from any political declaration on that subject." Yes, Sir, and that is true in words; that is true like that loyalty on the lips of which my hon. friend from Quebec East spoke, and to which I will allude in the course of this debate. My hon. friends were saying: "No, let us cast aside all political differences, let us all be united as one man to ask the Government to do justice." But, Mr. Speaker, I who knew what was going on, I who was made the confidant of many indiscreet confidences, knew one thing, after petitions had been sent, after all influence had been exercised to try to obtain the result of what was then asked by, I might say, the whole population of the Province of Quebec, I heard this, and I shall quote the words from a letter which was sent to me, after it was announced in Montreal that the Government had taken a decision, from one of the hotels in

Montreal where a little conclave of Liberals had been held waiting for the news from Ottawa; and, learning that the Government had decided that the law should be carried out, one of them said:

" Eh bien ! tant mieux.

" Nous avions bien peur que le vieux Sir John n'eût arrangé cela pendant qu'il était en Angleterre pour en laisser la responsabilité au gouvernement Impérial, comme dans l'affaire Letellier. Mais cela nous vaut vingt comtés dans le Bas-Canada."

This declaration, Mr. Speaker, cannot be denied. It has been sent to me quite warm from the lips of the man who said it, and it is a secret to nobody in Montreal that all the Liberals openly said: "We have got them now; we have taken the Conservatives with us, and now that the Government is obliged to see that the law is carried out, twenty counties will come to us in the Province of Quebec. We thought that the great schemer, Sir John, would have arranged it in England." I received a letter to that effect whilst I was in Paris, in which one of my friends, not belonging to my own political party, said: "I know very well how it will be done. You will be a partner in that scheme, and you will arrange it so that the Imperial Government will take the responsibility, and then you will go flying along, sails to the wind, and again you will carry your elections." Sir, that has not been done, and the right hon. gentleman at the head of the Government had no such design when he was in England. But that was said, and it is an indication that the movement had not that character which the hon. member for Quebec East gave it, that is non-political and non-national, but having only for its object the fair and just administration of the law to all, and mercy to who deserves it. The hon. member for Jacques Cartier (Mr. Girouard) has said that those who were asking for the head of Riel were not, friends of the Government. Those who were asking for the head of Riel were the organs representing the Liberal party in Ontario. They were clamoring for his death, believing, as the Liberals of Montreal had said, that the Government would be unable to settle that question without appealing to the Imperial authorities. But I will not take up the time of the House to show the insincerity of those who pretend now that they are working in the cause of humanity, and who were then asking for the head of the man whose fate they now pretend to deplore. They did not want—what shall I say? to save Louis Riel from death? No. The moment they knew that his fate was sealed, the moment they knew that the grave would soon be closed over him, they began the agitation. Their sympathy is only for the corpse of the man, but it was not for the body and soul of the living man. It is true, Mr. Speaker, our Province got excited over it, and it is one of the traits of my nationality to have that chivalrous spirit for which due credit is not given to us. It is not the first time that spirit has shown itself in favor of others—I hope it will be the last. We saw the same thing in 1872 in reference to the New Brunswick school question to which my hon. friend for Jacques Cartier has alluded. The whole Province of Quebec was aroused. The Conservative party was split in two; more than that, I think the majority of the Conservative party in that Province left the ranks for the moment. What did the leader of the Conservative party in the Province of Quebec say then? Sir George E. Cartier said: "Gentlemen, you are taking a course which you ought not to follow; you are the minority in the Dominion, and you are setting a precedent which will be turned against you." That lesson, Sir, was one which should have been remembered. As soon as our friends opposite came into power, the sympathies which they had shown us previously, soon vanished, and even those for whom the Conservative party had fought came up and said that they expected to find the Province of Quebec satisfied with the law against which it had nearly revolted. Mr. Speaker, the hon. member for

Quebec East; in his speech, has tried to make the House and country forget his speech on the Champ de Mars—not by repudiating it, but by making, in this House, even bolder assertions than those he made on that occasion. What do we find in his speech? First, a plea in justification of the insurrection; second, the cruel treatment which the Government meted out to a defeated man in his struggle for liberty against a despotic Government; and at last—I was surprised to hear the last part of his speech, which actually pulled down the fine edifice he had built up; after having crowned his hero with the halo of a martyr—he finished his portrait of Riel by saying that the Government had not taken sufficient pains to prove that his idol had nothing more than feet of clay and legs of sand, but that even his head was not in the right place, and that his hero was an insane, forgetting that Riel or any other man could not be both a hero and an insane. Well, my hon. friend has said the Government had acted badly towards the half-breeds, and that the insurrection on the Saskatchewan was justifiable—not only excusable, but justifiable, he said. And how, and why? He said the legislation of 1879 concerning the half-breeds of the North-West was nothing but the completion of the legislation of 1870. But he added: You have taken from 1879 to 1885, the whole of that time, to give justice to those people who were entitled to what you gave them in 1885, under the Act of 1870. I admit, for argument's sake, the delays of the Government have been faulty. But they were only delays. And has the hon. gentleman considered that the responsibility for those delays bears much more heavily on the Government to which he belonged than it does on this Government? No, he forgot that circumstance. If his own Government had not given as an answer to the half-breeds that they would not be treated otherwise than as white settlers, those delays might perhaps have been avoided and the revolt of 1885 averted. In that great display of eloquence we had from the hon. gentleman, he declared that the Government had only moved when bullets were coming upon them. But the hon. gentleman was obliged to admit that on 26th January the Government had decided to grant those rights, and to send a commission to see that those rights were granted to the parties entitled to them. He has stated that the Government did not want to give the half-breeds their rights and do justice to them, and that they only intended to take a census of the half-breeds who might have been entitled, under treaty rights, according to the Acts of 1870 and 1879. He thereby dealt the heaviest blow at the Government, of which he has been a member, and at those who have taken up arms against this Government, in stating that we had had the prudence to think as to who were entitled to the rights according to the Act of 1879. The hon. gentleman was forgetting, that of all those who rebelled and fought on the Saskatchewan, not more than 21 had really a right to claim land under that title. The other half-breeds, who were acting with Riel, had already obtained land by virtue of the Act of 1870, after the transfer of Manitoba and the North-West Territories to the Government. In that list, it is true, a few names were given among the rebels, but those were probably the greatest proportion of those who had reasons to urge their claims before the Government. If that hon. gentleman had occupied a seat on the Treasury benches, he would have said what we have said, and he would have said more than the hon. member for Bothwell (Mr. Mills) said, when he refused the whole of the rights demanded by the half-breeds. I was surprised when I heard the hon. member for Quebec East say that what is hateful is not rebellion but the despotism that induces rebellion; what are hateful are not rebels but the men who having the possession of power did not discharge its duties. The sentiment expressed by the hon. member might be very good for a rhetorical display, a very happy answer to the remark of the Minister of Militia, who

said that in his heart he hated rebellion and hated rebels; that might be a very fine answer in a debating club, but in the mouth of a Privy Councillor the statement that what he hated was not rebellion and not rebels was an expression which should not be heard in any deliberative assembly. The hon. gentleman thought he could answer the declaration of the Minister of Militia by saying that if Sir George Cartier, the great leader of the French Canadian Conservative party for years, had been here and had heard the statement of the Minister of Militia, holding the same portfolio that Sir George Cartier held, he would have reproached him for his words, for he, in 1837, had been a rebel. I wish Sir George Cartier could have been here to have heard the words of the hon. member. He might have said perhaps that in his youth, carried away by ideas of liberty, he joined a movement which was much more justifiable than the North-West rebellion, and he might have been found in the ranks of the rebels. But that distinguished statesman would probably have said to the hon. gentleman what I heard him say one day, that if he had been taken with arms in his hand and been executed he would have received nothing but what he deserved. The hon. gentleman cannot quote words from Sir George Cartier that he was right in rebelling against the authority of his sovereign; he never heard him mention a word to that effect. But if Sir George Cartier had done so he would have been speaking of an occasion, not at all identical with the insurrection of 1885 on the Saskatchewan; and although the hon. gentleman may be able to show that rebellion and rebels, when viewed through the magic lantern of his eloquence, were justifiable, he would never convince good Canadian subjects that the recent rebellion in the North-West could be properly compared with the movement of 1837. I have to thank the hon. member and his friends for not having repeated in this House what they have stated all over the country, that those martyrs of the North-West should be honored and applauded equally with the victims of 1837-38, to have the veneration, and the admiration, and the respect of our fellow-citizens as those heroes have. My friend from Quebec East could not have repeated these words in this assembly. He knows that his old friends in Lower Canada, who were associated with the agitation of 1837 and 1838, would have repudiated him. I have a letter here from one of those men of 1837, who says it would be a mockery to think of it—and this man is a true Liberal, a Liberal in heart and not a mere political schemer—he says: "I told my friends: Do not be guilty of putting the mockery of a martyr for liberty among those who have been real martyrs to the cause of freedom? Do not desecrate that tomb in the cemetery in Mount Royal, at Montreal, and do not class those who sleep in that tomb with this man. They would blush to see his name associated with theirs, and would ask him what he has done with the money which his ambition and his cupidity wanted to have, while they gave their blood for their principles when treachery was offering thousands of pounds for their surrender." My hon. friend did not make a happy allusion when he wanted to assimilate those two cases, or when he said that Sir George Cartier, if he had been here and had been the leader of the Conservative party, would never have allowed the execution of Riel. I can recall one case which occurred when Sir George Cartier was Attorney-General, and when he had the sad duty to perform of reporting in favor of an execution. In that occurrence, Cartier stated himself that he had gone so far as to consider that he could not remain in the Government if his opinion as Attorney-General was not adopted in a case where the judge had refused to concur in the recommendation to the mercy of the Crown. My hon. friend from Quebec East (Mr. Laurier), in a great outburst of Liberalism, said that he knew what Tory loyalty was, and he went on to state what it was in his estimation.

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I do not want to follow him in that line, but I will only refer to one point. He has spoken of Tory loyalty, and I might perhaps on this occasion speak to him of Grit and Rouge political honesty, and I will not look for many past occasions in which that honesty shone with great brilliancy, but will confine myself to the one now before us. I ask, Mr. Speaker, is it honesty to take up this question, which has already been decided by the hon. gentlemen, for they have decided what Riel was, as far back as 1871. They said what they had to say of him in 1874. Every one of their organs, after the insurrection of 1870, had given their opinion about him, and when, the other day, I heard the hon. member for West Huron (Mr. Cameron) rising in his seat and speaking as he has spoken—the gentleman who is represented to be the very essence of Gritism in the Province of Ontario, I was astounded to hear him and to see what he was doing, and I asked myself, where is Liberal honesty in politics when they champion Riel as a martyr now that he is dead, and have never done anything to save him before the 16th of November? Why it looks like a put up job, and lower party politics to mere trickery. I think, Sir, that against Tory loyalty we might fairly set up in comparison the Liberal-Rouge-Grit honesty on this question. I do not believe that there is one man in the Dominion, I do not believe that there is one man on that side of the House, who honestly and truly and sincerely thinks that the issue which has been raised on this question is one which they do truly in their souls and hearts approve of.

Some hon. MEMBERS. Oh, Oh.

Mr. CHAPLEAU. My hon. friends need not get up and tell me I am not speaking parliamentary language. I have as much right to say that I do not believe in their sincerity upon this question, as my hon. friend had to say that we were traitors, that we were the men who should have been punished. But my hon. friend from Quebec East thought he could bring to the House recollections of the past, that he could quote to the House all those instances where insurrections had been decided by history to have been not only justifiable, but to have been the steps by which, one after another, the great nations of the world have reached the height of liberty. My hon. friend has given a list of them all. He said he had admired, and he still admired, and felt a sympathy for, the French people who had tried to win their liberties in the insurrection of 1870; misguided though he says they were, they are still worthy of admiration. He said that his sympathies had been with the Italians when they were endeavoring to liberate themselves from the yoke of their oppressors; and with the Americans when they were fighting in the great cause of national unity. It is true my hon. friend made a great rhetorical spread, but he forgot that the great fight for freedom, for state rights, if it had any application to his case at all, would have been the fight in the South for their liberty against the despotism of the North. However, that was a splendid occasion to deliver some magnificent rhetorical periods, and that was all the hon. gentleman cared for. After enumerating the revolutions which he glories in, my hon. friend said:

"And when at last—at last—a section of our own countrymen rose in arms to claim rights long denied them, rights which were immediately acknowledged to be just, as soon as they were asked with bullets, are we to have no sympathy with them?"

There are three great errors in that sentence. First, those rights which he says were not acknowledged to them, he has said in another part of his speech they were acknowledged to them, but that delays had occurred in the execution of that acknowledgment. Next, it is not true, that their demands were only answered when bullets were sent. They were acknowledged, and the execution of that acknowledgment took place before the bullets

came; and, as I shall prove in a moment, the bullets came from Riel's partisans only because justice had preceded him, and he was afraid of the effect of justice on his deluded partisans. The last heresy of the hon. gentleman is in asking our sympathy with them in their rebellion? But, Sir, let us see another sentence which I find in my hon. friend's speech:

"Though these men were in the wrong, though the rebellion had to be put down, though it was the duty of the Government to assert its authority and vindicate the law, still I ask any friend of liberty if there is not a feeling rising in his heart stronger than all reasoning to the contrary, that these men were excusable."

Mr. Speaker, I cannot reconcile those two ideas. Since those men were wrong, since the Government was right and did well to put down the rebellion, what is the conclusion from my hon. friend's premises to his vote? If the Government was right, if the rebels were wrong, should we regret the punishment of the man who took up arms against the Government of Her Majesty, and who has been the cause of the death of hundreds of good citizens? Should we regret the execution, because they were wrong and the Government was right, or should we regret it because a feeling of generous sympathy comes into our hearts because those men, as my hon. friend said, took their lives and their liberty in their hands to put them in place of petitions and protests and demands which they should have sent to the Government? Had my hon. friend gone one step further he would have fallen into the anarchical doctrines of Jean Jacques Rousseau who speaking in his "*Contrat Social*," says:

"Les clauses du "*Contrat Social*" sont tellement déterminées par la nature de l'acte que la moindre modification les rendrait vaines et de nul effet..... en sorte que chacun rentre alors dans les premiers droits et reprend sa liberté naturelle."

This is another endeavor to adapt a social theory to the unfortunate rebellion of which an apology has been attempted. My hon. friends have recalled the memory of great agitations which in the past century have changed dynasties, have inaugurated new charters of liberty, and have moulded new destinies for some of the nations of Europe. The revolution of 1870 was recalled by my hon. friend—that revolution which gave the *régime* of the *Commune* and the reign of that liberty *rouge* with the blood of General Lecomte and of Mgr. D'Arbois, *rouge* with the incendiary lights of the Tuileries and the Hôtel de Ville, which the *petroleuses* had ignited as fitting torches for the altar of triumphant demagogism, *rouge* with the atrocities that all the world has deplored—that last revolution of France my hon. friend has taken as a model.

Mr. LAURIER. Hear, hear.

Mr. CHAPLEAU. My hon. friend shall not say that he has not cited it. He said:

"I appeal to every friend of liberty, to all those who during twenty-five years past, have felt their hearts thrill whenever a struggle for freedom was going on in any corner of the world—

And when he comes to the French revolution.—

"with the French themselves, in their generous though misguided efforts to establish amongst themselves the blessings of freedom and parliamentary and responsible government."

My hon. friend could not have left aside the word "misguided"; but his thrill of generous impulse for the friends of liberty was for that *régime* of 1871, as I have stated. My hon. friend also cited the revolution of Italy. It is true, that revolution is worthy of his sympathy. It was the revolution that wrested from the Papacy, with the temporal power, an independence that for ages had been the safeguard of the thrones of Europe, and which at the present moment the greatest statesmen of Europe are thinking of restoring, in the hope to save the Old World from the anarchical wave which socialism and nihilism are bringing over it. My hon. friend also referred to the French revolution of 1789 which

invented the guillotine and deified the *sans-culottes*. That also was one of the great impulses of human liberty. If my hon. friend and his colleague sitting beside him have chosen those events as examples to us of the right of resistance and revolution, I decline to accept their conclusions. My hon. friend from Quebec East has attempted to draw a parallel between the conduct of this Government towards the half-breeds, and that of the United States towards the South. He tried to be particularly eloquent on this point, but his comparison lacked of justice, and if he had carried it out to its proper terms, he would have found himself in the painful necessity for him to praise this Government. Let us briefly recall a few facts connected with the American rebellion and that of Riel. The South, after having been tyrannized by the Federal Government for years, saw his enemies pressed by the rabid Abolitionists, ready to wipe out slavery, a course I should approve with all the friends of Liberty, but which meant ruin for the South if the slaves were to be set free without compensation for their owners. The South took up arms and waged, for four years, one of the most terrible wars of modern times. There was unanimity in the course of the Southerners? The whole nation went to war; they were not particular persons against whom alone could be charged the crime of rebellion. The whole South was guilty in the same degree, and it would have been ridiculous to bring Jeff. Davis before courts of justice, charged with high treason. He was simply elected chief and did assume command on the authority imposed to him. Besides, as the South had suffered wholesale slaughters, it would have been absurd and useless to shoot or hang one individual after the war. But these were not the only reasons why Jeff. Davis was not tried. Had the hon. gentleman forgotten that the South were recognised as belligerents; that all through the war constant exchanges of prisoners had taken place between the contending armies, and that the articles of capitulation quoted by the hon. member accepted to some extent their standing as belligerents. Now, if we turn to Canada we find quite another state of things. Did we deny the rights of the Métis? Did we not recognise them from the first, and that, after the previous Government had distinctly declared that it did not see any reason why the half-breeds should be treated otherwise than white settlers? Delays were the cause of the troubles, but if the Government, of which my hon. friend was a member, had recognised, as we did, the rights of the Métis these delays would have been less, and the war might have been averted. The Government, I am ready to concede, may be responsible for some delays; but the Métis, by their demands which could not be granted on account of their in practicability, must also be responsible, as those who had no claim at all on the Saskatchewan, their claims having been settled in 1870. But, Mr. Speaker, people do not go to war for questions of details, for a question of delay; when the principle is admitted, the main point is settled; and they would not have rushed to arms, at the very moment when the announcement came that justice was coming to them, if Riel, rebelling in one breath against Church and State, had not blinded them altogether, in his desire to achieve his own objects. And here, Sir, I cannot refrain from remarking that the hon. gentlemen who have magnified Riel's claims so as to justify his rebellion, have forgotten to tell us what claim he had against the church, against the missionaries; they have prudently omitted to justify his rebellion against spiritual power. I hope they will attempt it before this debate is over. But now, to revert to our comparison, how have we dealt with the rebels after the war, and how the Government which my hon. friend points out as a model in its dealings with defeated rebellion? We have taken the poor Métis, crushed, ruined by their faith; we have fed them; we have repaired the evil brought on them by the folly of their

leader, we have saved them from starvation; we have opened the doors of the prisons where the most compromised had been interned after trial. And our great models, what have they done? Let history answer. Not satisfied with having laid the South waste, they robbed the slave owners by setting free, without compensation or preparation, a most dangerous class, not fit for liberty; and to crown their horrible conduct, they threw the South into the hands of a new Egyptian plague, the carpet-baggers who, for almost twenty years, have persecuted and tyrannized the unfortunate down-trodden Southerners as no nation in the present age has been!—Such has been the glorious conduct of our models towards a defeated enemy. But perhaps my hon. friend has taken those examples to prove that after a revolutionary movement or a great political commotion no blood should be shed for political crimes and that mercy should be exercised, for he said that during the last century nothing of the kind was done except in the despotic countries of Europe. My hon. friend has forgotten his history on the shores of the Saskatchewan; his historical reminiscences are as rusty as the musket he wanted to shoulder. It was a very unfortunate recollection that took him back to the revolution of 1870, in France. We know that hundreds and thousands of men were sacrificed as political offenders after that terrible war. I cannot compliment him on the fitness of his choice. It was indeed a most unfortunate precedent for one who contended that political offences are no more visited with capital punishment, since the French revolution of 1870. With the record of the post of Satory, with the hecatombs of victims sentenced and executed after the defeat of the *Commune* that page of history hardly bears testimony in favor of the cause of my hon. friends. It is true that all governments have not acted as we have, and in recommending us to follow the example of other governments, no doubt hon. gentlemen opposite believed that, in our paternal care of the North-West and the poor deluded people who were carried away by the rebellion, we should have done what we did not choose to do, namely, proclaim martial law. Hon. gentlemen opposite would no doubt have done this, and all those rebels would have been executed, their families deprived of their support, and my hon. friends would have claimed that was right because it was the effect of martial law and not the revenge of society against political offenders. But the Government did not do that; the General in command showed that sympathy and humanity which should not be made a reproach against him. He is a good general and he is also a good-hearted man, and he tried to save the lives of those who fought against him as he did throughout the whole campaign the lives of our best youth in arms for their country. It is an insult to history, it is an insult to logic to pretend that there is any point of similarity between the great social perturbations which were cited and the events of the North-West. My hon. friend from Quebec East may show the treasonable revolt of Riel through the magic lantern of his eloquence as often as he pleases, he will never succeed in magnifying it to the dimensions of the rising of nations, breaking the shackles of servitude and shattering the walls of the social edifice to breathe the refreshing air of liberty. Hon. gentlemen have been speaking about papers being wanted, petitions sent in connection with the North-West grievances. I ask the hon. member for Quebec East (Mr. Laurier) if he has quoted a single instance in which those appeals would indicate a refusal of justice by the Government, that would justify the insurrection. The hon. member for West Durham (Mr. Blake) says that since last year they had been asking papers. Why, there is not a scrap of paper written in the North-West which has not been published in the press all over the country. There are papers in condemnation of the rebellion, in condemnation of

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the arch traitor, and in condemnation of the theories of hon. gentlemen opposite,—and what papers are they? They are the letters of Riel to the Indians, the Proclamation sent to the half-breeds calling on them to rebel, the Memoirs of Riel written by himself, his letter to Dr. Fiset, the confessions he has made—all these are papers you know of, and which condemn not only those who have rebelled, but those who are upholding the rebellion. There are the letters of the missionaries and the bishops, who have said the leader of the insurrection was wicked in intention and treacherous in conduct, both to the Government and the interests of the people; there are above all, to condemn those who plead for the rebellion, the Statutes of the land. These are the papers which hon. gentlemen should have read; these are the papers the people will read, and in which they will read the condemnation of hon. gentlemen opposite. But when I heard the theory advanced by my hon. friend in favor of the right, as he called it, the sacred right of resistance, and I could not help looking into those books which we studied and were taught in our youth to respect. The hon. member for West Durham (Mr. Blake) called it the sacred right of resistance; the hon. member for Quebec East (Mr. Laurier) called it the right of rebellion and insurrection. I maintain that my hon. friend has laid out a doctrine which is repudiated by the authority to which he must submit, in those matters. What is the true doctrine in relation to legitimate resistance to the established powers? The rules, if rules they may be called, which have been expounded on that subject, in the most liberal as well as the most prudent formula, are those which we find in the works of Thomas Aquinas. I quote the illustrious doctor without fear of being accused of bigotry. Protestant writers have agreed to say that his definition of the law is the boldest and noblest which could be devised. The law, says the great Catholic philosopher, is "*Rationis ordinatio, ad bonum commune, ab eo qui curam habet communitatis promulgata*," a decree founded on reason, and for the common good, published by him who has charge of the community. On reading to-day the definition of law by Blackstone and Chitty, and the comments of Chitty on Blackstone's definitions of law, I remembered having read somewhere in the works of a Protestant author that Thomas Aquinas' definition of law was really the noblest that had been written by man. That author, who defines the law to be a decree founded upon reason for the common good, and proclaimed by the ruler of the community, adds: "In certain cases resistance to that power might be legitimate." But when is the right of resistance legitimate? When the prince has decreed laws which are against the principles of justice, of honor, of morality; when he has put aside the care which is entrusted to him of keeping the community for the good of the people, and when he has taken it for the sole satisfaction of his appetites, of his passions, or of his caprice; and then even the right of resistance can only be exercised when long and personal suffering has been sustained, when prayers, petitions, protests, summonses have been sent—

Some hon. MEMBER. Hear, hear.

Mr. CHAPLEAU. Yes, I hear my hon. friends say "hear, hear," and I tell them that their "hear, hears" are of no account—when prayers, petitions, summonses, protests have been presented, when those who are most qualified to advise the people, who are most qualified to know the common good of the community, have decided that the rule of the ruler is intolerable and is producing more harm than would a revolution, which is always productive of harm, and when those who are in a position to judge of the wants of the people and to advise the ruler, and who have advised him, agree with the nation that a rising is legitimate. That is a doctrine which the Church has not proclaimed, but

which she has tolerated as being the doctrine founded on real and true Christian principle. Are those the conditions which my hon. friend from Quebec East has found for his eulogy? Are those the conditions which the rebel leader in the North-West Territory had in view? No, Mr. Speaker, I assert here what I have said before when I wrote on the 9th June last year—not to Mr. Dubuc, as the Liberal press has been always saying, not even taking the trouble to inquire the names of those to whom I wrote—but to Mr. Plante and Mr. Charland in Fall River, that, since the entry of Riel into the Dominion of Canada in 1884, no petition had been presented to the Government by him or by his government or council, and that I—his former friend, I, the friend of the half-breeds, I, the man who had shown my friendship and my sympathy for them in a substantial manner—I had received nothing from them, not even a letter; and that no protest or summons had been sent to this Government since the beginning of the agitation of Louis Riel. No; Louis Riel, when he arrived in the North-West, commenced his work, as the evidence which has been brought before the House shows, by trying to captivate the sympathy of the people. He was a master in that art. After having succeeded in that, what did he do? When he saw that the people were not ready to accept all his views, he began a political agitation. He did not address himself to the Government, but went on with his agitation; and, when, as in one instance, a venerable bishop, Bishop Grandin, had him at a meeting, and said: "Perhaps this is not the course you should follow," immediately you see Louis Riel not only trying to captivate the sympathies of the people and alienating from them the Government and the officials, but even alienating those who, according to the words of the great writer, whose authority I have cited, "are in the best position to know the wants of the people and to advise the rulers of the country." He alienated them from his cause, he created a new religion, he was a renegade and an apostate. Then, Mr. Speaker, Riel did nothing of what is considered to be the necessary conditions in order to justify the rising of a nation. He is inexcusable, if he is judged according to the rules accepted by the Church. But there is another rule by which he, perhaps, wanted to be judged; that is the political rule which is this—the man who rises against the Government, if he succeeds, might be a hero; if he succumbs he is a traitor and he is executed. Riel has chosen what he wanted to have—not the rule of a justifiable rising, but the human political rule, to be applied to him; to be considered a hero if he succeeded, or a felon and a traitor if he failed, and to be acted upon as such; as he was treated and as the law acted upon him. Mr. Speaker, I will ask permission of the House at this moment to refer to a point taken in this debate, that Riel, who had been arrested and tried for high treason, was considered by the courts, by the Government, and by public opinion, as not being entitled to any special kindness at the hands of the Government because he was a rebel for the second time, and that, though not convicted, he had been already accused of and outlawed for another criminal offence. I shall not take up the time of the House to expound the jurisprudence upon this question. The Minister of Justice has said that a conviction, on a previous occasion, of the same offence, is a real and just consideration for a judge to take into account in sentencing an offender. But my hon. friend from Quebec East, and the hon. member for West Durham, have tried to put me into contradiction with myself for having been a defender of Lépine in 1874; and I only allude to it because the press throughout the country has been harping upon it. I did say in my letter to my constituents that I knew that Riel had been guilty of a previous murder, had been guilty of rebellion before 1885. I do not see my hon. friend for West Durham in his seat at this moment, but I must say that he was not generous on that occasion, he, a member of the profession of

which I am proud to be a member; and I was sorry to hear him speak as he did. In 1874 Ambroise Lépine and Louis Riel were indicted for the murder of Thomas Scott. It is well known that at that time there was a great deal of excitement in the country, especially in the Province of Quebec. Many considered that the transfer of the North-West by the Imperial Government to Canada not having been completed when the Canadian authorities took possession of the territory, the Government then instituted by Louis Riel was a *de facto* government, and that the crime of which Riel and Lépine were charged, might be defended upon the same grounds as the then insurrection. I must say that that ground was taken in this House by hon. members sitting on both sides of the Speaker. I was asked then to go and defend Lépine. I remember, as if it were but yesterday, the letter which I received from my esteemed friend the hon. member for Provencher (Mr. Royal). He had volunteered to be the counsel of the accused. Riel had fled from the country, Riel, the principal guilty party, if there ever was a guilty party in the country, had not surrendered to justice, but Ambroise Lépine came up for his trial. My hon. friend from Provencher wrote to me, as near as I can remember, to this effect: "My dear friend, I am charged with the defence of one of the most important cases that ever presented themselves, and certainly the most important case which I shall probably ever have. I ask you—you having such a reputation as a criminal lawyer—to come and assist me in that work, which I consider as the duty of a fellowman to a fellowman." I think my hon. friend added in his letter: "I shall share with you my fees in the case—I plead *in forma paup'ris*—all I can offer you is a hearty hospitality." Sir, I left Montreal at the first bidding. I did not myself take, nor did I ask my friends to take the hat around for subscriptions. I knew that a man of warm sympathies was waiting for me. I knew that the trip, long as it was, was one that a brave man could undertake, and I left Montreal with my clerk and secretary, Mr. Forget, who is now the much esteemed secretary of the North-West Council. We found in Manitoba the kind hospitality of an old friend the hon. member for Provencher, and I acted with him as counsel for Lépine. We fought that case. The judge who presided, and who is no more of this world, had no more sympathy for the rebel than have my hon. friends opposite, in their hearts, for Riel. The case was a hard one to fight. We lost our case, but on that occasion, Mr. Speaker, the trial was not only a legal trial, but it was a British trial such as my hon. friend for Jacques Cartier wants to have. On the jury we had six French Canadian half-breeds, five English half-breeds and only one white man; and the verdict went against our half breed client, whom I then thought and whom I still think, was innocent of the crime of which he was accused. He was tried, because Louis Riel had not had the manliness to surrender himself, an act which would have saved Lépine. He was accused of murder. I do not want to plead the case over again, but I say that, that being a case of murder, we proved that he had nothing to do with causing the death of the man who was shot. We proved that Lépine had not even voted for the death of Thomas Scott, that he was opposed to it; that he had not been a party to the execution, that he was absent from the execution, and that Riel had himself been supervising the execution as a corporal of a guard would have done. The jury, however, found Lépine guilty. I bowed to the decision, although I believed in my heart that my client was not guilty. I went to Quebec, the Legislature was sitting. In the Quebec Legislature I proposed a resolution which was read the other day by my hon. friend from West Durham, who tried to find fault with my actions on that matter. The resolution had reference to the murder of Thomas Scott, but in a greater degree concerned the demand which

we were making for a commutation of the sentence in the case I had defended, and our request was couched in respectful words. For whom were we then petitioning? For Ambrose Lépine; the document was not prepared for anybody else. It set forth particulars with respect to the insurrection, and stated that one of the most deplorable incidents was the death of Thomas Scott. We stated that we deplored that murder, yet we thought the event was so much interwoven with political events that it had not for my client the significance of an ordinary murder. I wish hon. gentlemen opposite would fairly consider the resolution and the speech I made at that time. I was warm with the feeling that the verdict of the jury was not what it should have been, that the judge's charge had been given against the prisoner in a manner not warranted by the rules which should conduct judges in addressing juries; and still what did I say? The hon. gentleman quoted my words in French only the other day. I wish he had done me the justice of giving also a translation. My speech, as reported in the newspaper, was as follows, when translated:—

"I now come to the burning question, to a most unfortunate event which has set fire to public opinion over the whole of Canada, the great fault which has marked the conduct of the provisional government of Manitoba."

Remember that was in 1874 when everybody was clamoring for an amnesty, and I then said it was "a most unfortunate event" a "great fault." I continued:

"It has been attempted to cast upon a few individuals the responsibility which must lie upon all those who had charged Riel and his companions to protect them and lead them. This unfortunate event, which I condemn, has been committed by persons who believed it in good faith to be necessary for the safety of the society and the Government which they judged was legal because it was issued of popular will. All that can be said on the execution of Scott has often been repeated. It is a subject which it will be well to allow to fall into oblivion, in order not to arouse national susceptibilities. I ask that it be forgotten in the same way that I desire that the murder of Goulet and other Half-breeds be no longer spoken of. Blood calls for blood, and there has been enough shed to satisfy both sides, admitting, what I will not admit, that the two nationalities in conflict upon that point required that barbarous reparation."

I ask all men who are not prejudiced if I, as the lawyer of Lépine, speaking in his name, was using any language which entitles me to condemnation to-day. I then said that the execution of Thomas Scott was the most unfortunate event that had happened in that unfortunate movement of 1870. I said it was to be deplored that such a thing had happened. I said I condemned it. Is that any contradiction of what I have said to-day—that in adjudicating the fate of Riel, the Government had a right to enquire into his antecedents, into his previous convictions, and although punishment had not to be inflicted for an act for which he obtained pardon, though he had not performed the conditions of his pardon, yet, we had a right to say that he had been once guilty of rebellion and once guilty of murder, and we could not give him our sympathy to-day as we might have been ready to have given him our sympathy at a previous time? I wish I was allowed to read here the testimony of the witnesses in the case of Thomas Scott. I heard the other day an hon. member read a letter that had been written by the Rev. Mr. Young about the murder of Scott. I desire to refer to a witness who before the court gave testimony with respect to that unfortunate event. The evidence was given by a French half-breed, Joseph Nolin, and what did it establish to the court? He stated that Thomas Scott had been accused before the so-called council of Louis Riel in 1870, that his trial had taken place, if it can be called a trial, that sentence had been passed, that he had been condemned to die, and that during the whole of that mock trial the prisoner himself had not even been brought face to face with his accusers, those who judged and condemned him. He stated that Thomas Scott was brought and informed by Riel that he was to be shot the next day at 12 o'clock, and when the witness, a friend of

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the rebel leader, was asked whether any questions were allowed to be put by the prisoner, he replied: "No"; he was told that he had been found guilty that he had to be shot the next day and that he might write to his minister to come and comfort him in the few hours that were left to him. These were facts which I knew, and if in 1874 I said that pardon should be given to my client, Ambrose Lépine, it was because I knew then that he had nothing to do with the murder, as he was one of the members of the tribunal who had refused to vote for the death of Scott, and were opposed to the death sentence. Lépine was at the time the lieutenant general, as he was called. It was he who was charged with the execution of the orders of the president, and it was proved that when the sentence was put in force, he was not even guilty of being present under orders at the execution. Then I referred to the to be regretted murder which I deplored, which I thought everybody should forget. But, I must not keep the House much longer, and I will summarise the points which have been raised by my hon. friends opposite. The first was a justification of the rebellion, and this was the task imposed on my hon. friend from Quebec East. Then it was argued that it was a political offence; that a reprieve had been granted which should imply the commutation of the sentence; that insanity had been pleaded, and that the Government had not given the necessary care to an inquiry into the sanity of Louis Riel; that the recommendation of the jury to the mercy of the Crown had not been heard; and lastly, that the prayer of the whole nation asking for pardon had not been listened to by the Government. Mention has been made of the fairness of the trial which has been given to Riel. I shall not discuss that question, but shall content myself with quoting the words of the hon. leader of the Opposition, as I think they will dispose of the whole of that accusation. The hon. member for West Durham has said:

"From what I know of their leading counsels, I should think it impossible that in their management of the case there was anything unfair to the prisoner or derogatory to the high character they deservedly enjoy, and the responsible duties they undertook to perform."

No better testimony than this, Mr. Speaker, could have been given to the fairness of the trial. Then, Sir, Mr. Fitzpatrick, the leading counsel for Riel, has stated on different occasions, as this House knows, that the trial was a fair one and that his client could not complain of the legality of the verdict which had been rendered against him. Insanity has been pleaded, but how was it pleaded? It is a fact well known to everybody that no special plea of insanity was put in at the trial of Louis Riel on his behalf. I shall be answered that a general plea of not guilty would include the plea of insanity. But, Sir, the authorities which have been read in this House will show that if insanity is to be pleaded only as an insane impulse at the time of the commission of the crime, then, the general plea of not guilty including the plea of insanity, to excuse the act of which the prisoner is accused, is the proper plea, and why? Because at the time of the trial, the prisoner is not supposed to be insane; because it is only intended to prove that under a certain disease of the mind, at a certain time, the prisoner might have been then insane, and the general plea covers that plea of insanity if it is intended to be proved at the trial. But is that the theory of my hon. friends? Is that the plea of those members who are saying as the hon. member for Richelieu (Mr. Massue) said in his remarks: "I do not agree with what has been said on the other side, but I think that during the insurrection, before the execution, and at the time of the execution, there were doubts as to the mental sanity of the prisoner, and I think the Government should have given him the benefit of the doubt." The law is that in cases of insanity the benefit of the doubt must not be given to the pretended insane, but in favor of the reason and responsibility of the man who

has committed the act. But let us take the declaration of my hon. friends, when they say that the man during the insurrection, before the trial, at the trial, and after the trial, and up to the time that he expiated his crime was insane. My friends will believe me when I tell them that, in such a case, the plea of insanity should have been a special plea. The plea of insanity should have brought all those medical men, whose duty it would have been to examine the prisoner with care; and I am sure the tribunal would with pleasure have allowed that examination. But they chose to raise the general plea of not guilty. Every member of the legal profession knows how difficult it is, when it is not a special plea, to prove that insanity was the ruling disease of a man at an anterior date. No, Mr. Speaker, insanity was not pleaded as being the actual state of the prisoner at the time of his trial, and why? Because the prisoner did not want it; because his counsel did not want it; because they knew that if the prisoner had been examined at the time of the trial the plea of insanity would not have been a good plea, then, any more than it is a good plea now. What is legal insanity? We have heard of it here, and we might be kept for months listening to the opinions of doctors. It is true, doctors are called as witnesses to give their opinions in cases where insanity is pleaded; but the proof of insanity is not the opinion of a doctor. We must take the law as it exists for the protection of society, and when it is said that insanity should be declared so as to prevent the execution of an offender after the sentence is pronounced, or to prevent the finding of the jury when the case is before the jury, legal insanity is not what a doctor says, it is what the verdict of the jury declares it to be. If we took the medical books as authorities of what insanity is, we should have to believe that three-fourths of the world's brains are not exempt from mental disease. Therefore we must accept the decision of a jury selected according to law. I was surprised when I heard my hon. friend from Rouville (Mr. Gigault) quoting from Sir William Harcourt to the effect that the Home Secretary had the right to make an enquiry as to the mental state of an offender, at the time of the commission of the offence, as well as at the time he was about to be executed. That is not what Sir William Harcourt said, and it is not what the law says. The quotation made by my hon. friend was to the effect that in certain cases in which the judges had not enquired into the sanity or insanity of the prisoner, owing, perhaps, to the prisoner being too poor to bring witnesses, the Home Secretary had taken upon himself, after having been duly advised that insanity existed, to hold an enquiry which the court had not made; but in England when the plea of insanity is raised, and the verdict of the jury is found upon that plea, it is not true that the Home Secretary orders an enquiry, to take up again the work that the court and the jury have done, or takes new evidence to prove that insanity existed at the time of the commission of the offence contrary to the evidence taken at the trial. It could not be so, because if that were done the Home Secretary would have the right to take up the case again and institute another court in order to try the prisoner anew. This would be subversive of the administration of justice, and I am sure the practice is not so understood by hon. members on the other side of the House who belong to our profession, and it should not be asserted in the House as being the true principle which should guide the action of the Executive here.

Mr. BLAKE. Hear, hear.

Mr. CHAPLEAU. I know that the whole of the evidence has to be scrutinised by the Minister of Justice and by the Privy Council, and if that evidence is found to be defective, then it is the duty of the Execu-

tive to say so. But to hold another investigation and try the case anew I say is heresy in law and would be a subversion of the administration of justice. Now, I come to another point—the recommendation to mercy by the jury; and I must say that with the people this feature of the case has had great influence. I do not agree with my hon. friend from Rouville (Mr. Gigault) that in every case in England where a recommendation to mercy has been given by the jury no execution has taken place. That was not the real meaning of the authority my hon. friend quoted. That authority said that if the judge did not agree with the recommendation to mercy, then the Home Secretary had to judge by himself upon the evidence and the record brought under his consideration. My hon. friend from Jacques Cartier (Mr. Girouard) felt the weakness of that argument, when he said: "I have looked over the records and I have not seen anything to prove to me that the judge did not coincide with the recommendation to mercy by the jury." Mr. Speaker, I need not take any more than what the judge said in passing sentence. He said:

"I cannot give you any expectation or hope that the recommendation to mercy will be taken into consideration by the Executive."

Would it be possible for the magistrate to say in plainer terms that he could not agree with the recommendation of the jury that the clemency of the Crown should be exercised? What would be the result if the theory of my hon. friend from Rouville were put into practice? I have had some experience in courts of criminal jurisdiction for over fifteen years; I have been practising in those courts, and I know the danger of a recommendation of mercy by the jury. That danger is on both sides. There is a danger for the administration of justice, because the lawyer, who has a bad case to plead, can, almost in every case, save the life of his client by asking the jury to recommend him to mercy. It would be danger to the prisoner also, when the prosecutor of the Crown, unmindful of his duty, would tell the jury to find a verdict of guilty and couple it with a recommendation to mercy, which would save the life of the prisoner. The law has enacted that the administration of justice should be set apart from all political prejudice or passion; the judiciary should be above partisanship, and yet if we are to believe the advocates of Riel, we should put the Minister of Justice—who should be, with respect to those cases on the same level as the judiciary since he is exercising the same functions—at the mercy of political opinion, political bias or passion, or any excitement in the country. And hon. gentlemen ask that we should take no account of the delicate functions he has to exercise, but subject him to the influence of every wave of public opinion. On that point I will give the opinion of the hon. member for West Durham:

"As Minister of Justice, I have had to advise in many capital cases, and I do not forget the heavy responsibility which rests on those in whose hands are the issues of life and death, and whose task is rendered all the more difficult by reason of the large measure of discretion vested in them, and expressed in the word 'clemency.' I know how much these difficulties are enhanced by a heated partisan and popular discussion."

And the hon. gentleman added:

"And I declare the occasion must be grave which renders discussion opportune and the case must be clear which renders censure expedient."

This should have been the rule in appreciating the delicate position of the hon. Minister of Justice and of the Executive in the question. I now return to the main point raised in this discussion, that is: the question of the insanity of Louis Riel. I have explained what insanity is, in a legal point of view and how insanity should be considered in the administration of justice. It has been said that Louis Riel was insane; first, because he had been confined in an insane asylum as an insane man; next, because he had religious mania, and then

the new argument is advanced that he must have been insane because his secretary, Jackson, was insane, as otherwise he would not have employed Jackson. On this subject, I may perhaps be allowed to allude to an incident in the debate. The hon. member for West Durham (Mr. Blake) accused me of having stated in my county, at St. Jérôme, that Jackson, Riel's secretary, was a frenchified Anglo-Saxon. I do not know what conclusion the hon. gentleman was trying to come to from that, but at all events he said the secretary should not have been set at liberty when his master had been condemned to death. I told the hon. gentleman at the time that I blamed him for not taking the word of his colleague when I said I had not used those words on the occasion referred to. I must tell him now what I did say. I said that newspapers had mentioned that Jackson was not more English than French, and might have been one of those frenchified English, and that there was no reason why he should have been set at liberty; and in reply to the newspapers, I stated that Jackson might be a Frenchman, but whatever his nationality he was one of Riel's secretaries and Régnier was the other; I stated that the counsel for the prosecution had decided that neither should be subjected to a trial, but they be set at large, that Régnier was set at large; and if Jackson was put on his trial, it was because his friends and family urged the Government not to let him loose, because he was insane and should be put in the asylum, as an insane man and cured if possible as they believed his insanity was only temporary. I had had that information from one of the counsel for the defence and I repeated it then. This disposes of the little aspersion of my hon. friend from West Durham (Mr. Blake) in that respect. But let us come to the main issue. Was Riel insane at the time of the insurrection, and is that insanity a reason against the verdict obtained against him, and against the sentence rendered against him? Riel had been put into an asylum, it is true. I was the Minister in the Government at Quebec who signed the papers for his entrance into the asylum at Longue Pointe. I am at a loss to know, even at this moment, whether the man was insane then or not. I shall state in a few moments why my doubts exist. Previous insanity is not a proof of insanity at a subsequent period. Where shall we take then the evidence of the insanity of Riel if we do not take it at the trial from the verdict of the jury? The insanity of Riel is proven by whom? By the missionaries who were at that time in that region? If they had believed that Riel was really insane, as insane as a man is legally, would they not have taken the means, during that time, to have him arrested as a lunatic, and interned as a lunatic? I take the testimony of his fellow-countrymen. The first man who said that the Government had hanged an insane man in hanging Riel, was slandering the Métis nation. We have the testimony of those who were with him, and we are told by one member of this House that he might have been insane and yet might have led sane men, that we have seen on some occasions an insane man creating a riot. That might be the case for a few hours in a sudden rising, but have we ever seen, and can we say as sensible men, that a lunatic, that a demented man, from the month of July, 1884, to the month of April or May, 1885, could have acted as he did without anyone protesting against him, where men were placing in his hands their liberties and their lives, and could not perceive, by their daily and nightly communication with him, that he was not in possession of his senses? We might go further. Take the plan of his campaign. I do not speak of the plan for the organisation of the party of Louis Riel, but the plan of his campaign. We are supposed to be sane men; we might be acting under delusions, as my hon. friends have been acting under delusions since November last that this Government would see its last days in consequence of this crisis, but we are supposed to be sane men, and yet did we not last year suppose,

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and do we not now think, that his plan of campaign was not only the work of a sane man but of a very cunning man? The season when the outbreak took place, the 19th March, at the beginning of spring, is a time when the roads are almost impassable, and when in that country even vehicles can hardly be used on those prairies, and when the use of cannons and batteries, which Riel probably thought would be brought into the field, would be impossible on the prairie in that wet season. Take the plan of his campaign. The Canadian Pacific Railway was not then finished, and Riel knew it as well as we did. He knew it better than the leader of the Opposition did, who was asking at that time what gaps of the railway remained uncompleted, how many miles remained to be constructed, and what were the difficulties to be encountered in building that road? The railway was not completed. Was it not the work of a sane man to choose that time for an insurrection, when that road would have been impossible to use for the entrance of troops into the North-West? We did not think ourselves that it would be possible. We doubted it, and we were asking ourselves whether the American Government would permit the transportation of men, ammunition and arms through American territory. We knew that international laws might have prevented it. We knew that on a certain occasion, the transportation of troops had been prohibited by the American Government, across the St. Clair Flats, where only a few miles had to be traversed in a neutral part of the country, and we thought that the Government of the United States might have prevented this, especially on such an occasion, and Louis Riel knew it also. He knew that, at a time when a political campaign was just over in the United States, when the two parties were fighting, it was probable that the Canadian Government would not have the authorisation to transport troops through the American territory. Was that an evidence that he was an insane man? Louis Riel knew all that, he knew the difficulties we had to encounter. He knew that, just in the beginning of spring, before the grass would grow, as he said, we would have a rebellion such as we had never witnessed in the North-West. He knew that the Indians might have risen, and at that season, though the food might be sufficient for the horses of the prairies, food for horses coming with troops from this country would be difficult to be found or to be transported there. He knew that thousands of Indians might have taken part in that uprising. If the rising had been a successful one, if the Indian warfare had been a successful one, who knows what would have become of the half-breed population who remained faithful and loyal to the Government and to their Sovereign—and I hope they were then, as now, really loyal—who knows what might have been the consequences of that uprising; who knows what might have been the consequences in the Province of Manitoba; who knows if the success would not have brought to him thousands of arms to aid him; who knows if he had not planned that the rising of the Indians, scaring the settlers from our North-West, would give cause to the thousands of Indians in the United States to join in that rising and flood the North-West, so that he might, in his own prophetic words, have taken possession of Manitoba and of the North-West; who says that we did not believe that ourselves last year, and that, in the feeling we had that that country was to be submerged by rebellion, warfare and bloodshed, we did not believe that that man was the sanest man who ever planned a rebellion, selecting that particular time of the year, with the means at his disposal, and knowing the small means which were at the disposal of the Government? His design has been frustrated, it is true, but who can say that he had not the free use of his mental faculties when he planned that campaign? We expressed those fears last year. Hon. gentleman opposite expressed those fears, and we then heard the hon. leader of the Opposition telling the Minister

of Militia: "Sir, you shall be held responsible for the lives of the sons of this country who are going to the North-West if you do not supply them with the best of arms, because we have been told that the Indians and the Half-breeds have been supplied with the best of weapons for the warfare they are undertaking." This was our conviction. How has it changed since that time? How has it come that my hon. friends opposite believe the whole of that was nothing but the phantasy of a deranged mind? That there was no danger, that the people should have known the man was crazy, and that every one of his words, that every one of his actions, every one of his plans would have been frustrated on account of his insanity? It is true that he had not collected the means necessary for the insurrection; it is true that his scheme was not such as would have been planned by a man accustomed to campaigns; but the wickedness of a man who contemplates a crime has always some weak point. A great criminalist said once to a lawyer who argued that his client could not be guilty because his utterances and actions were those of an insane man, and if he had been really a criminal he would not have spoken as he did—the celebrated judge answered: "Sir, this is no proof; fortunately, the insanity of criminals is the protection of life and of society." Mr. Speaker, there is one point to which I am surprised that my hon. friends on this side of the House have paid so little attention. I refer to a piece of evidence which was received in this House—I would be disposed to say providentially—and that evidence the hon. leader of the Opposition himself has brought before us. I would not apply the words of the judge that I quoted a moment ago that there is always some degree of insanity in wickedness; but the wicked idea which presided at the origin of that letter from a jurymen on the trial at Regina, which was given before the House, is a most extraordinary thing. I do not want to qualify the act, but I was surprised to hear a counsel learned in the law, a man accustomed to the dignity of courts of justice, coming up in such a solemn debate as this, and reading a letter from a jurymen, who gives under his own signature, though no name was disclosed, the secret deliberations of the jury and the motives and reasons for their verdict. But, Mr. Speaker, inopportune as this might have been, improper as this has been, a great point, the real point, lay at the bottom of it. The pleasure of reading it was only the pleasure of seeing the conclusion of that most extraordinary letter, in which it was stated that if the Prime Minister, the Minister of the Interior, and the Lieutenant-Governor of the North-West, had been tried as accomplices before the courts, they might have been adjudged guilty with the criminal, and they recommended one to the mercy of the court, because the others had not been indicted with him in the accusation. I do not want to comment upon the impropriety, upon the indecency of the act of the man who wrote that letter, and who had the audacity of saying that he would have found a verdict of guilty against persons when not a word of evidence had been given against them at the trial. And yet the jurymen who knew that, came and gave his declaration that though no evidence had been given against those members of the Government and the administration in the North-West, though they had not even been charged with any offence, this jurymen, who was sworn to give a verdict according to the evidence, declares that he would have found them guilty. We cannot doubt the document nor suspect the intentions of the writer. In that document it is stated that not one of the jury for a moment thought that the prisoner was insane. This man says: "We do not declare to you that each and every one of us, when he answered the roll call, said: 'He is guilty and perfectly sane.'" The question had been put frankly and in a judicial manner by the judge "Do you find him guilty of the rebellion? And if so, say

guilty. Do you find him guilty of the rebellion, but if you think that his mind was deranged at the time, that he was not responsible for his acts, say that he is guilty but insane." And he said: "We answered that he was guilty and perfectly sane." Mr. Speaker, if there was a corner in my conscience where the shadow of a doubt had existed, that shadow of a doubt was cleared away, and I must say that I felt as if a heavy weight was taken off me when I heard the hon. gentleman disclosing the secret deliberation of that jury, and telling me: "You were right in surmising that there was no evidence of insanity, and if the whole jury had recommended him to the mercy of the court, that would have been no reason for granting it." My hon. friends opposite have contended that a recommendation for mercy was justified only on the ground that there was a disease in his brain, but that is cleared away by the letter which the hon. member read to this House. What documents could prove more than that? I have other documents which I hesitate to place before this House, though that would not be improper as the production of a letter from a jurymen disclosing the deliberations of the jury; the documents are before me, and if I am asked why were not the men who gave those documents examined before the court at Regina? I shall answer that they did not volunteer to be witnesses because men are not obliged to be informers against their fellow men and to give evidence to secure their conviction and send them to the gallows. I have the evidence; I have not asked for it. I have not enquired about it although I knew it; I did not want to ask for it, it was sent to me. I will ask the permission of the House to read these documents. I did not need them to influence my own feeling about the case, my own conviction as to the case and the conclusion at which I arrived; but they may assist the hon. member for West Durham (Mr. Blake) as being confirmatory of the evidence of his friendly juror at Regina. Here is a letter dated 19th March, 1886, from Longue Pointe. It is given by the attending physician of the asylum since the opening of the institution—Dr. Perrault, a man against whose character, honesty and integrity no man in the Dominion can have a word to say. Here is his certificate. As I have told the House, I knew it before; I knew it from authorities that I would not like to disclose. I will translate the paper:

"I, the undersigned physician of the asylum of St. Jean de Dieu, certify that a few days after the entrance of Louis Riel into this asylum I perceived that with him insanity was simulated. The exaggeration of his acts was such and so much beyond what we generally remark in subjects affected with real insanity that with a physician accustomed to treat such cases there would be no room for doubt. Upon making the observation to him that I was not to be taken for his dupe, he confessed to me in effect that he was shamming the insanity. And the evidence that I was right in my surmise and that his confession was really sincere is that on all occasions, and they were many, I have been along conversing with him, he has always talked in a manner absolutely lucid and sane upon all and every subject with which he has entertained me.

"F. X. PERRAULT, M.D.,
"Asylum of Longue Pointe."

As I said before, this information was given to me a good while ago. I knew it, I must say, even before this House sat. I knew it even, but not in a satisfactory manner, some time after the so-called insane man was admitted in the asylum. I knew it from some of the guards, but I would not have taken their authority. Hon. gentlemen may say: "How is it that a man who has been visiting doctor of an institution and knew a patient was not insane and yet allowed him to remain in the institution where he was shamming insanity?" I ask hon. members, and all those who know the circumstances under which the man was detained in the asylum, whether it would have been prudent even in the public interest to have at that time revealed that secret and set that man at large. It was in 1877. The amnesty had been proclaimed, but the crime of the murder of Scott had not been forgotten, and it would not have been in the interest of anyone that this

poor man should have been made a target for a bullet which would have been sent in revenge for the murder of Scott.

Some hon. MEMBERS. Oh, oh!

Mr. CHAPLEAU. I hear some hon. members laugh. I wish they had been in the Province of Quebec, in the counsels of their own friends, some of whom came to me as Provincial Secretary and told me in effect that the man was Louis Riel, but his name had not been made public for the reason I have mentioned. They said that his retention in the asylum would not be made a reproach to me. I do not reproach myself for having admitted in the asylum Louis David, whom the hon. gentleman's friends told me afterwards was Louis Riel. No good could have been obtained by not doing so. The evidence put before me was the evidence to which as a member of the Government I had to submit. The other document which I bring here in support of the letter of the juror at Regina is the certificate of a man whose name I would hesitate to place before the House. It might subject him to difficulty, to persecution; but I have the document in my hands, and the person to whom it has been given said I could place it before the House and the writer would not object. I do it upon my responsibility. It is the certificate of a man who stands high in the medical profession, a man who can be vouched for by some of the best men in the medical profession. It is the certificate of Dr. Brunelle, house-surgeon of the Hotel-Dieu, of Montreal, a professor of the medical faculty of Victoria University. Dr. Brunelle was an intimate friend of Riel. He knew him both in Montreal, at Beauport Asylum, and afterwards in the United States where he lived for several weeks and months with Riel. The certificate reads:

"I, the undersigned, certify that during the time Louis Riel was confined at Beauport and afterwards, that I had known him particularly both in Montreal and the United States, and during the time he was confined at Beauport and afterwards I have been able to ascertain on divers occasions that outside the eccentricities in his manner which were little to be noticed, he was perfectly lucid in his mind and sane in his intellect, and spoke absolutely well on all subjects when he was not observed. I attest, moreover, that in my presence the said Louis Riel has been simulating insanity in such a manner as to leave no doubt in my mind as to the character of his pretended insanity."

And then I may add that the writer of the last certificate has stated that he had on several occasions conversed with Louis Riel, and had from him the whole secret of his sham insanity. Although I have given to this House the evidence which I have received, I do not intend to make use of it to ask for the decision of the House upon the question before us. My hon. friend from Bothwell (Mr. Mills) is laughing. I do not know whether he is laughing at the sanity or the insanity of Louis Riel, whether he is laughing because these certificates are overwhelmingly against the poor unfortunate man, but I say that I think what I have given to the House is nothing but a corroboration of what I have stated and what I believe, that when Louis Riel was found by the jury at Regina to be a sane man, the finding was one which every man in this House would have found if he had been on that jury, after the evidence which was brought against him. Outside of the insurrection, one of the reasons that prevented clemency being exercised in his case, was his inciting the Indians to warfare. Upon that I might also claim the authority of my hon. friend from West Durham, who said that there was a most aggravating character to the rebellion in the fact that Riel had incited the Indians to warfare. I say that that aggravating feature, the greatest of all the crimes that Riel has committed in the North-West, has not been answered by anyone in this House except the leader of the Opposition. He said that we should not hold our heads very high with regard to that accusation of inciting the Indians to warfare, because the Indians had been pressed into war centuries ago to assist brave soldiers and humane men in wars against other nations. I do

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not want to dwell upon this. The Minister of Justice has done justice to that pretension. I would remind the House, however, of the letters which Riel wrote to the Indians telling them to come and plunder, as was stated in the case of the Indians who were put on trial before Judge Rouleau, and that before the 1st of June the order was given to the Indians to rise, and the whole of the white race was to be exterminated in the North-West. I would ask if there is any similarity between the case of soldiers fighting in the citadel of Quebec, the walls of Montreal, or of the forts of the old Province of Upper Canada, having Indian allies in their struggles, and the case of Louis Riel? No, Sir, there is not, and we have proof of it. What is the answer of the Indians to the messenger that Louis Riel sent to them? Their answer proves the demand, and proves the intent of the man who sent these messengers with presents to the Indians. Crowfoot, in proof of his loyalty, refused these presents, because if he accepted them he would have been obliged to go on the war path with him. Here is a letter which was written by a number of Indians to Louis Riel:

"Mr. LOUIS RIEL:

"I want to hear news of the progress of God's work. If any event has occurred since your messengers came away let me know of it. Tell me the date when the Americans will reach the Canadian Pacific Railway. Tell me all the news that you have heard from all places where your work is in progress. Big Bear has finished his work; he has taken Fort Pitt. 'If you want me to come to you let me know at once,' he said, and I sent for him at once. I will be four days on the road. Those who have gone to see him will sleep twice on the road. They took twenty prisoners, including the master of Fort Pitt. They killed eleven men, including the agent, two priests and six white men. We are camped on the creek just below Cut Knife Hill, waiting for Big Bear. The Blackfeet have killed sixty police at the Elbow. A half-breed who interpreted for the police, having survived the fight, though wounded, brought this news. Here we have killed six white men. We have not taken the barracks yet, but that is the only entire building in Battleford. All the cattle and horses in the vicinity we have taken. We have lost one man, a Nez-Percé, killed, he being alone, and one wounded. Some soldiers have come from Swift Current, but I don't know their number. We have here guns and rifles of all sorts, but ammunition for them is short. If it be possible, send us ammunition of various kinds. We are weak only for the want of that. You sent word that you would come to Battleford when you had finished your work at Duck Lake. We wait still for you, as we are unable to take the fort without help. If you send us news, send only one messenger. We are impatient to reach you. It would encourage us much to see you, and make us work more heartily."

There is the demand and the answer. It is a proof that the Indians were asked to rise, and that all the white settlements should be defaced from the prairie and the white men exterminated. The laws of nations have declared within the last century that alliance with Indians was not only unwise and imprudent but inhuman and outside the pale of international law. The United States Government, which has been quoted as a model for us, have decided it very quickly because of the risings in their North-West, risings near Mexico, and the risings during the building of their railways. There they have given them no kind of trial except the trial of bringing them before the authorities, shooting them, or hanging them by the dozen or the four dozens, as was done after the Custer massacre. The Government of the United States, that model Government, do not allow any scruple to interfere; but when an Indian war is raised, the law of the land is enforced and executed by the military authorities. It is useless for my hon. friends on the other side to try to make of this rising, as my hon. friend from Quebec East (Mr. Laurier) has been trying to make it, an insurrection that might be justified and excused. It is of no use for them to try to make of Riel a martyr, as my hon. friend from Maskinongé (Mr. Desaulniers) said he did, or a hero, as my hon. friends opposite have tried to prove him, or even an insane man, as some of my friends on this side have been disposed to think him, giving the benefit of any doubt they had, not to the law, but to that humane tenderness which exists for a man who is condemned to the gallows. No, Sir, history, in its impartiality, shall not decree him a hero. The *bonum commune*, the interest of the nation was

not the motive of his actions. He had dreamed of being a Napoleon, but he was ready and willing to be the chief of a guerilla band, ruling by violence and terror over the region of his exploits, living on plunder and waiting for the accident of a fortunate encounter to secure a heavy ransom with the safety of his own life. Here is, in my opinion, and I speak with the sincerity of my heart and of my conscience, such is my opinion of Louis Riel's campaign, surrender and death: Riel was not an ordinary criminal, who, under the impulse of strong ruling passions, and for lucre, lust and revenge, committed murder, arson and pillage, with "malice aforethought." Riel has been an unscrupulous agitator, getting up a rebellion against the Sovereign for the sake of personal ambition and profit under the color of redressing public grievances. Riel was a born conspirator, a dreamer of power and wealth, frustrated in his designs but not subdued by his former defeat, which had shaken his brains without eradicating the germ of his morbid ambition, he had been patiently watching his opportunity to come to the surface, until that opportunity came to him; fully cognizant of the nature of the insurrection he was planning and preaching; fully aware of the grave consequences of that movement, ready to accept the full responsibility of the loss of his life in the prosecution of his design. He considered the alleged grievances of the half-breeds more in the light of the opportunities it would give him to resume power in the North-West, than with the view of redressing those wrongs. He had always advocated that the Hudson Bay Company's privileges and Government were an usurpation, and as a consequence that the Canadian Government, who had acquired from the Hudson Bay Company, were not the legitimate rulers of the North-West and the half-breeds. He was a convinced, although an extravagant, pretender. He believed in his mission, and to accomplish it, he willfully agreed, with his conscience, to kill or to be killed. He measured the distance between his ambition and the success that could crown it, and he deliberately consented to fill the gap, if necessary, with the corpses of his enemies or even of his friends. Devoid of the courage of a soldier, he believed in his own shrewdness as a plotter. He expected success by a surprise, not from a regular battle. He was a wilful and dangerous rebel. If rebellion, with the sacrifice of human life, with the aggravating circumstance of having incited to an Indian war, deserves the penalty of death, Riel deserved it as a political offender in the highest degree. It has been pretended that in his extravagant career, Riel was not sound in his mind and could not reason, although he accepted, the responsibility of his actions. After the most careful examination of all the evidence which came before us, I cannot help saying that Riel, from the moment he left his home in the United States for the avowed purpose of assisting the half-breeds in their demands for redress of alleged grievances, until the end of the North-West insurrection, has deliberately pursued the object he had in view, namely, to obtain full control of the North-West half-breeds and Indians. To obtain his object, he aroused in himself, and communicated to others, to an intense degree, a sort of national and religious fever. This was a comparatively easy work with an excitable and credulous people. Having thus subdued the half-breeds, his next effort was directed towards alienating them from the Government and from their clergy. When he had succeeded in doing this, he sought the alliance of the Indians and of American sympathisers. All that, he planned with a great amount of sagacity and with great pain. But the extravagant confidence he showed in his success, the smallness of the means he collected, his absolute impassiveness when reverse came, the unfeigned faith he had in what he called his mission, all point out to the conclusion that he was the prey to exaltation, to hallucination. Though not insane, in the legal

sense of the word, he was, to use a common expression, a "crank," but a crank of the worst kind, knowing well what was good and what was bad, what was wicked and what was kind, what was the value of life and what was death; but his notions of what was right and what was wrong had been distorted and altered by the determination and fixity of his purpose, by an ardent and selfish ambition, leading to injustice and cruelty. He was certainly, and without affectation, convinced that what he did was permitted by divine and moral laws, and that his treason was justifiable. Up to the last moment he supported himself with the fixed expectation that the heroism of his struggle, the stoicism he had displayed when arraigned by the law, would bring him a timely deliverance. The death knell alone, that supreme shock which usually increases the nervous irritability of the maniac, when not subdued by illness, had the effect to bring him back from the exalted atmosphere which he had purposely selected for himself. He then seems to have carefully put aside his fantastic character, and resumed the collected and solemn demeanor of a Christian at the threshold of eternity. That kind of delusion is natural to political fanatics and to religious maniacs. It is the paroxysm of a prejudiced mind, which has wilfully distorted in itself the true notions of law and of right. It cannot excuse a criminal act. The perversity of the intelligence is as much punishable as the perversity of the heart in its wrongful direction of the will for the performance of criminal acts. The ruling passion has for its origin the criminal purpose which the perverted intellect has consecrated and transformed into a sense of duty. In this case the purpose was supreme power, both civil and religious. The redress of grievances on one part, and the desire of personal pecuniary advantages on the other, do not seem to me to have been the principal motors of Riel's actions, though they certainly were important factors in his conduct. But that object, supreme power, was criminal and could not qualify, could not excuse him. It is a wrong theory, and it would be a dangerous doctrine to excuse and leave without punishment crimes committed with the conviction that the act accomplished is one calculated to redress a wrong or to bring good results to the community. I am not a free thinker. I believe that free thinking is the most pernicious evil of this country. It has engendered the worst utopias against moral, social and religious order. But those who claim the right to the most absolute liberty for human thought, will restrict that liberty to the theoretical regions, and they are ready to punish it when it comes in conflict with existing laws. They will punish the manifestation of the idea after having given to that idea the freedom of the world. I agree with their conclusions, but I am logical, and I believe in the right, nay in the obligation, of punishing the perversity of the doctrine. I believe that a man is guilty when he does not preserve his intelligence from the contagion of false doctrines; in the words of one of the most eminent Catholic writers of this age, in speaking of those whose guilty leniency towards the errors of the mind, gives an excuse to revolution and socialism:

"They go so far as to say that error is no guilt, that man is not bound to search the inmost of his soul to see whether there are not some secret causes that lead him away from the path of truth. They declare that in the spheres of human ideas, all human and divine laws are useless and out of place. What insanity! As if it was possible to exempt from any rule the highest and the most noble portion of human nature! As if the essential element, which makes of man the being of creation could be dispensed from the rules of that divine harmony of the various part of the universe together and of that universe with its divine maker; as if that sublime harmony could exist or even be conceived with man, unless the first of human obligations be the constant accord with truth, that eternal attribute of divinity!"

This is the solid and only logical foundation for the legitimate punishment of a number of crimes which otherwise would find their excuse in the erroneous but firm convictions of their perpetrators. In such cases the law is at liberty to admit that the criminal was actuated by a wrong

ful notion of his intelligence, but it declares guilty the idea which has brought that erroneous conviction in them; and if the accused invokes the testimony of his own conscience, the law reminds him that it was his duty to keep his conscience right or to rectify it. I am often pointed out to my countrymen and coreligionists as an unmitigated catholic liberal, and I presume that my theological searches, in this case, will be found fault with as usual. I console myself, in advance, as I did before, in the idea that my detractors will be harmless, if not charitable in their denunciations. The crime of Louis Riel had been committed, the criminal had been taken and tried. The trial had been an impartial, a fair trial. A verdict had been rendered against Riel, the only verdict that could be found according to the evidence. Sentence of death had been passed against him. The sentence was a just punishment of the crime committed. It would serve as an example, a warning, a terror to all future criminal impostors; as a remedy against the increasing contagion of cranks. Riel had been pardoned once for the commission of a great crime; a second exercise of the prerogative of royal mercy would have looked as an inducement to treason and homicide. A commutation into life imprisonment would have been a danger to society. The people whom he had deluded, those whose prejudices had been aroused, and those who would have found an interest in working up a continuous excitement in the country, would have found themselves greatly assisted by the prolonged existence of Louis Riel. The clamor outside was loud, asking for pardon, for commutation of the sentence, but no protest against the correctness of the verdict was made since the decision of Her Majesty's Privy Council. The time fixed for the execution was nearing, when a last appeal was made on behalf of the convict, stating that he was, at that moment, so unsound in mind, so diseased in his brain, that to punish him would be useless cruelty, and a request was made that medical men be appointed to go and examine Riel and report upon his sanity or insanity, that is whether he could rightly understand the nature of his crime and the measure of his punishment. That demand was supported by the almost unanimous prayer of the people of one of the Provinces. The Government yielded to that demand, and the enquiry took place. Medical men whose character and respectability are above suspicion, made the examination of the prisoner and agreed in their conclusions that Riel was an accountable being for his actions and that therefore he could discern right from wrong, he could understand the verdict found against him and measure the severity of the punishment inflicted upon him. And after that report the Executive agreed that the sentence should be carried out against the unfortunate man. A great deal has been said about the *personnel* of that medical commission, as it is called; I am ready to admit that the selection of more prominent men in the profession, men more specially prepared by their particular studies, for the examination of such cases, might have given more satisfaction to those who had asked for that commission. At the same time I affirm that a more correct conclusion would not have been arrived at, and I am sure that the clamoring multitude would not have been satisfied. The verdict was a correct one. The zealous ministers who administered the last rites of the Church to Louis Riel had themselves, and more than all others they were in a position to know the word of the mysterious enigma, they had adjudged upon that point to a large extent, in receiving the abjuration of his past errors, in being made the confidant of his last recommendations and his last will, in admitting him to the most august Sacrament of the Church, on repeated occasions. He had consoled their hearts in searching into the inmost of his own for the humble confession and the sincere repentance of his faults against God and man. He had proved to all that he was enjoying the full usage of his mental faculties, the full force of the good impulse of his heart and soul by the letters

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he had written to his friends, to his mother, to his family, by the memoirs full of dates, of names, of figures, which he wrote from memory and without the assistance of persons or books or of notes, by his last will and by his whole demeanor in the face of death. He died as he had lived, a strong willed man, he died a sane man. Such is what the missionaries had said in the beginning, what the half-breeds who followed him said, what the witnesses said who were produced against him, what the doctors said, what the courts said in rendering the verdict; and it is for having ourselves said the same thing that we have been censured, that we have been accused, that we have been branded, as I said before, as traitors to our nationality, as traitors to the law, as murderers, as we have been accused in this House by hon. members sitting on the opposite side. I have been very often asked how I could forgive the malignant aspersions which have been thrown against me by those who have initiated the agitation of the 16th November. I have put to myself very often the same question, and I have had only one answer. I could not believe in their insincerity; I could not believe that such an outburst of passion, that such a violent disruption of social and friendly associations, that such a rupture of party political ties could have been nothing but the unprincipled result of political apostacy; I could not believe that our friends who left us on the 16th of November on this question were not sincere; and it is because I believed in their sincerity that I appealed to them, without threats of violence, without promises of favor; it is because I believed in their sincerity that I have resented the insult contained in the insinuation which was cast in their faces by the member for West Huron (Mr. Cameron), and the member for Iberville (Mr. Béchard). It was because I believed in the sincerity of my friends, that I was appealing to their better informed judgment, that I hoped that their better judgment would come at last to their rescue, that I was not willing to distrust their honesty of purpose. I know that my hon. friends can have no political sympathy with hon. gentlemen opposite. After this question is disposed of, none of the numerous matters which remain, as the programme of the party, can reconcile their views and their convictions with those of members sitting on the other side of the House. I have appealed to them, and if my appeal is in vain, I hope I shall not be found fault with for having believed in them. I cannot, I must say, give the same testimony of sincerity to the hon. gentlemen whom I see in the immediate following of the hon. member who leads the Opposition. I should not be telling the truth if I were to say that I can reconcile sincerity with the action which the hon. the leader himself has taken upon this question; but I must hasten to say, at the same time, that I cannot blame him, knowing, as I think I do, the motive of his action on this occasion. The hon. member for Quebec East, carried like so many others by the popular cyclone which over-ran the Province of Quebec, on the 16th November, on the Champ de Mars, in Montreal, had committed one of those mistakes which outlive the political existence of a man. He had made then the declaration, that if he had been living on the shores of the Saskatchewan, he would have been ready to shoulder his musket against the Government of Her Majesty. His declaration had resounded throughout the Dominion like a bugle call to arms for a civil war, and had been resented by the whole of the volunteer force of Canada as a condemnation and insult. The English Liberal party in the Province of Quebec—and I must give them that testimony that their loyalty is above suspicion—had risen in a solemn protest, and the Reformers of Ontario had joined in the repudiation of a declaration bordering on treason in the mouth of a Privy Councillor. It is a secret to no one that an excuse had to be found to prevent the hon. ex-Minister from having an unpleasant reception in Toronto, and his former popularity, his much

admired eloquence, would not have saved him from popular reprobation had he ventured to go before an English audience even in Montreal at the time. His star was waning. *Son étoile pâlissait*, as was said at the time, and for a moment his downfall was eminent. None of the meetings which followed the Champ de Mars gathering had the benefit of his eloquence. In the meantime the leader of the Reform party had landed in New York, a mysterious conclave took place there, we are told, in the house of an ex-Minister living in that city. The tidings which were brought from that mysterious interview were not of a consoling character to the agitators of the Province of Quebec. The leader went to Toronto and a few days afterwards the speech of London came. But then the word uttered there was the word of a sphinx. The press say that a still more mysterious interview took place here, in the capital, between the leader of the Reform party and the young chief of the Liberals in the Province of Quebec. Since that day the attitude of the hon. member for West Durham was an enigma for the public. We have had the explanation of that enigma by his speech the other night. What was it? The young and impetuous leader of the Quebec Liberal party was not to be dethroned; on the contrary he was to be supported, and he was to be applauded, a great blow was to be struck to arouse the sympathies of the party in his favor. His declaration of the Champ de Mars had been a bold one. His declaration in the House of Commons was to be an audacious one, and he had to be supported and applauded here. Hence the speech of last Wednesday. I must say, Mr. Speaker, that the hon. gentleman has done it bravely, to say the least. Audacious in its affirmations, polished in its diction, brilliant in its delivery, the speech of the hon. member for Quebec East, if it was not a model of sound logic, was, at least, a splendid effort to rally around his banner the wavering sympathies of his friends in Lower Canada. But that was not sufficient to restore confidence in him, to bring back the former sympathy, and the hon. leader of the Opposition chivalrously came to his rescue. He lent to the fervid eloquence of his neighbor the assistance of his vast erudition, his powerful dialectics, his most ingenious argumentation, for five hours. The leader has risked his own popularity to save his first lieutenant. There are officers for the sake of whom a general will defy danger. It may not be according to the art of war, but it shows courage, and courage challenges admiration. However Mr. Speaker, we saw, everyone in this House could see, the laborious effort, the most ungrateful labor, which the hon. member for West Durham was performing. That great master of the language was uneasy in the work of propping with carefully shaped arguments, of covering with his most elaborate periods what he felt his great talent could not force into the minds of his followers. Overwhelmed by the weight he was carrying, at one moment he was obliged to confess that the vote he would give in this case was "an inexpedient vote." Yes, Mr. Speaker, it will be an inexpedient vote, not only an inexpedient, but a useless vote, inexplicable and indefensible. In Ontario, in the Maritime Provinces, it will be received with hostility; in the Province of Quebec it will be received with suspicion."

An hon. MEMBER. Hear hear.

Mr. CHAPLEAU. If the hon. gentleman opposite, who says "hear, hear," listened to his own intimate feelings, he would say that it is preposterous to think that the loyalty of the Dominion will accept, however eloquent it may have been, a plea in favor of that revolt such as was claimed by the hon. member for Quebec East. That plea will not be accepted. The Dominion of Canada cannot accept it. I regret to be forced to say that the hon. gentleman by the course he has taken has not "caused the House of Commons to speak with a voice and in a sense which posterity, after these heats have cooled and these mists have cleared,

shall ratify and confirm." If the vote of the hon. member for West Durham, if his voice, if the sympathy he has been attempting to raise, received, even in the Province of Quebec, the answer he has invited, I would say that the, contrary to his own protestations, he would have the sad glory of having built a political platform on the scaffold of Regina, that he had cemented party ties with the blood of the condemned man, and he would be one of those who had dared

"To attempt the Future's portals with the Past's blood-rusted key." That would be his success. But I hold that this design will be frustrated by the desire in the Province from which I come to combine—using the word of the hon. gentleman—the affirmation of one's rights with forbearance in favor of other people's rights, to secure that common citizenship to all which will make of Canada a great and glorious country, inhabited by a united and happy people. I hope that what the hon. gentleman himself has said will prove true, and that the people of Quebec will believe that to create the harmony which is necessary for the good of the country, we must not act in the way which those who have begun this agitation would like us to act. It is with that desire of unity and peace that I have followed my course with the people of our Province; it is with that desire that I appeal to my hon. friends whose sympathies have been surprised and whose scrupulous sense of honor has been unduly stimulated for fear of their old party fidelity. To them I appeal, with confidence, not to be carried away by a mere popular cry, not to give countenance to a movement, the final issues of which might be disastrous to the party, to the nationality, to the country. Mr. Speaker, a last word and I address it to those in this House who belong to the same nationality as myself: Let them beware. This hour is one of the greatest importance. Upon them a vast responsibility rests in respect to the vote which they will give to-night upon this question. The future condition of the Province of Quebec will largely depend on the vote which hon. members are about to give. I have already warned hon. members of the inexpedient attempt which was made to create a so-called political union of all French Canadians throughout the Dominion, and I have said that this was a most unpatriotic step to be taken, that it was one fraught with danger to the Dominion, and fraught with special danger to those who, being a minority in the Dominion, are asked to work together as a unit without considering questions of opinion. I have often repeated that opinion to my fellow-countrymen. I have often said it, though never so appropriately or so feelingly as I do today. In the whole of this agitation I have tried to be true to my country as well as to my duty. I have not followed the dictates of anyone, I have not been biassed in my appreciation of facts and things; I have not perhaps followed the path which would be in my own private interest. I have been offered - I would not say it if it had not been stated by the leader of the French Canadian party in the Province of Quebec himself, that he had charged one of the hon. members of this House to come and give me his message about it—I was offered the leadership of all my fellow countrymen in that unpatriotic mission of collecting together all French-Canadians in the Dominion, to make of them a kind of political association. I refused the offer. I refused it because I thought the proposal was fraught with danger to my own fellow-countrymen. A Canadian writer who understands this question has said that the structure of the French Canadian nationality in this Dominion had been laid, stone by stone, by the hands of men in whom were concentrated the most consummate wisdom, allied with the greatest prudence. That writer also stated that the only danger to the French nationality was the hour in which the people allowed themselves to be carried away by faction and by passion, and ally themselves together as a faction. It is true, if we look at the history of this coun-

try, that the French Canadians have achieved what has not been achieved in almost any other country. We know from the lessons of history how difficult it is for a minority, in a conquered country especially, to escape encroachments, to escape absorption by the majority; however well disposed the majority may be. In this country, we have prospered, we have grown, we have increased our wealth without any sacrifice of our liberty. We, the minority, have achieved something more. We have, even when the cry of race and religion was raised by a part of our population, succeeded in impressing on the majority a system of laws peculiar to ourselves—I speak of the introduction of the civil laws of Lower Canada into the Eastern Townships with the concurrence of the majority. We have achieved more than that. We the minority have secured the good will, the esteem, the respect, the sympathy of the majority in the work of protecting our own peculiar institutions. We have done this, and it is true what the writer I have quoted has said that the structure of the French Canadian nationality in Canada must have been the work of consummate wisdom allied to the greatest prudence. But at the same time his words were prophetic: "Do not allow yourselves to be led away by faction and passion. Do not become a faction in the country because although you are strong with your allies you will be weak as a faction, however strong a faction it might be." It has been stated in public meetings by men who have been led away by their passions, that the French Canadian should become a party similar to the Irish party in the Imperial Parliament under the guidance of Mr. Parnell. I have not to judge the issues of that Parliament. I say if the Irish people in their struggles for liberty have been obliged to do what they are doing and to unite themselves under one leader, it is a course they have been obliged to take because they do not enjoy the freedom, respect and sympathy we possess in this country. Ask Mr. Parnell if he would not resign the leadership of his faction in the Parliament of England if he could have the leadership of the French Canadians where they enjoy the freedom and liberty such as we enjoy in this Canada of ours. No; the great danger with us is that we shall make a faction of the minority in this country, that we shall make what is called a good political alliance amongst ourselves, but in reality one which would be most unpatriotic and disastrous to the French Canadians. I ask hon. members, therefore, to look at this question as it should be viewed, to look at the laws as they exist, to look at the difficulty of the position in which the Minister of Justice and the Government were placed, to judge not from feeling nor from the relations of blood or creed or nationality. It is natural with men of one Province or of one blood to feel more warmly in regard to the case of men of their own Province, of their own blood and religion. But we must not judge of this matter in that light. These have been my sentiments during the last four months. I have not changed my mind to suit men and circumstances; I have relied upon the reward given to men who do not flinch before the cries of the multitude, and who do not seek their political fortune in the success of the moment. I have walked straight before me in what I thought was the right path as a citizen of Canada. I have followed that conduct, I have not been biassed, and in the whole of what I have done, in the whole of what I have said through that painful crisis, I trust I have not lost the sympathies of my friends, the respect of my enemies, nor the confidence of the country.

Mr. BERGERON. It may seem somewhat presumptuous on my part to rise in my seat at this stage of the discussion, and I am sorry to be obliged to do so at this late hour. But I have taken too active a part in the movement which has taken place in Quebec last fall not to explain the vote

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which I intend to give. I believe, Sir, that I owe it to the Parliament of this country, I owe it to my colleagues, to my county, and to myself. We have been assisting for a fortnight back in a great trial which has taken place within these walls. Standing here in the independent portion of this House, I may say that I have listened with a great deal of attention to the charge brought against the Government by my friends and by the Opposition, and I have listened to the defence which has been made by members sitting opposite to me, and I have found out, Sir, that the answer to the charge has not been complete. It is true that on the Government side the best lawyers have been called upon to defend them, and we have to-night, Sir, an example of the strength of the arguments of hon. gentlemen opposite. The hon. Secretary of State, who has the reputation of being one of the most eloquent men in this country, has done his best to keep up his reputation as a great criminal lawyer in defending his client of to-day. I am sorry, Mr. Speaker, that I am bound to speak on the motion of my hon. friend from Montmagny (Mr. Landry), and I may say that a great deal of what has been said by speakers on both sides has relation to that point, as I will show. If the hon. gentleman when he made his motion, had wanted to censure the Government in the way in which we in the Province of Quebec understood it, he would not have brought a motion forward simply stating that we regretted that the Government has brought about the execution of Louis Riel, meaning that we are sorry that that man was executed, because probably he was a French Canadian. Then the hon. Minister of Public Works stands up and moves the previous question, so as to prevent any man in this House from rising and saying we want to add something to that motion, we want to say that we are not opposed to the Government for hanging Riel because Riel was a French Canadian, but we are opposed to the Government for having so badly administered the affairs of the North-West that this state of things was brought about. I would have been glad if the hon. gentleman in making his motion had spoken to us, and united with us in harmony with the object which he must have had in view, when he wanted to censure the Government, and Sir, that is a reason why we have heard as much about the murder of Scott as about the rebellion of 1835; and I felt sorry when I saw my hon. friend—I beg his pardon; I may not call him that, since he does not bow to me—I was sorry to see the Minister of Public Works stating to his supporters that since the murder of Scott had been committed in the North-West under a Government of which Riel was president, the people of this country should be satisfied that when he hanged Riel they were only doing an act of justice. That is the way they want to impress the House and the people of the country—that the execution of Riel was to punish him for the execution of Scott fifteen years ago, and they give to the people of this country and the world at large an example of what fanaticism may do in a country like ours. Why, Sir, even if it was true—which I deny—that Riel was the cause of the death of Scott, he was pardoned for that. Like every man in this country, I regretted that deed, and though I was a child at that time I remember that I heard everybody in my Province declaring that it was a calamity that the death of that man should have occurred, because Quebec is a place where regret is felt for anything that deserves sympathy. We were told then that Riel was premier or president of a council legally constituted, a council which has been recognised by England afterwards when the British Secretary of State for the Colonies dealt with Louis Riel, as chief of the provisional government, to give to Canada those immense possessions of the North-West. Even if it were true that Riel had something to do with that act, which I deny, because it was done by a council, and he could not of himself order the death of Scott or prevent it; but admitting it was true, for the sake

of argument, I say he was punished when he was expelled from this country, when he was sent from lunatic asylum to lunatic asylum in our Province, when he led for about six or seven years the most miserable life that a man can lead on earth; and it was an act of cruelty, if it were true, to hang Riel, in 1885, to avenge the murder of Scott in 1870. But, Sir, it is not like that, and I am sorry the Minister of Public Works had to resort to such means to make the House and the people of this country understand the act which took place on the 16th of November last. We have had just now a very eloquent speech. We have had a very bad figure of Riel, and we have heard from those who support the Government, the history of the North-West in one way. If I may be allowed to—since the hon. gentlemen are good enough to listen to me—I shall say also what I think of the history of the North-West. This country has belonged to us for about fifteen years. It has been, according to what Archbishop Taché—whom I believe as well, and perhaps better than a good many members of this House, because he is not interested in telling anything but the truth—he tells us that the country has been badly administered since it belonged to Canada. In saying that, of course, I am blaming the Liberal Government as well as the Conservative Government, but I am bound to say what did happen. Hon. gentlemen will understand immediately that with regard to that, the greater blame falls on those who used to be my friends, because the other party were only in power four years, whilst my old friends were in power from 1867 to 1874, and from 1879 to the present time, and the two rebellions which have taken place in the North-West have taken place under the administration of hon. gentlemen opposite. Sir, had the half-breeds grievances? I wanted to read through the papers which I have before me—but I do not want to inflict them on the House—I could show that Archbishop Taché has said that the half-breeds have had grievances for many years. More than that, if I wanted to impress hon. gentlemen opposite, I would say that the *Toronto Mail*, on the 8th of July last, said that the half-breeds had grievances, and that the Government had neglected them. If I wanted to go further to convince my friends on the other side who, through what they call their loyalty to their party are perhaps sacrificing their country, I could state that the Government acknowledged last year that the Metis had grievances, for they appointed a commission to grant them what they were asking. But when they appointed that commission it was too late. It is true that last year I voted confidence in the Government on that question and against the motion of the hon. chief of the Opposition; I had confidence in the Government. On that occasion I remember the hon. Secretary of State told this House that there were no grievances in the North-West, that there were no claims from the Metis at that date; and yet it was found, a few days afterwards, that at the very time the vote was taken over 2,000 claims were lying on the table of the Hon. Sir David Macpherson, then Minister of the Interior. When the commission was issued it was too late; the cannons were firing at Duck Lake. Riel did not come into Canada of his own notion; he was sent for in Montana, where Archbishop Taché said he was teaching little children and earning an honest living. He did not want to come to this country when the Metis sent a delegation to ask him for God's sake to come and help them to get their rights from the Dominion Government. As Archbishop Taché says, the Metis had sent delegation after delegation to Ottawa; they had sent their priests in whom they had confidence, and they had sent their bishops who came and told the Government that if the grievances were not redressed, the half-breeds would rebel, and that it would cost millions to this country to put down that rebellion, whilst it would cost very little to render justice to the half-breeds if it were done in time. Yet these

demands were not listened to, or rather they were not attended to. The delegations were well received, and well treated, and promises were made to them. But nothing at all was done; just as promises were made to Archbishop Taché when he came from Rome on purpose to settle the difficulties of the North-West in 1870, and nothing was done afterwards. So the delegations were invited to dinners and receptions, but they went back to the North-West and nothing was done to redress the grievances of the half-breeds; and having in Parliament no representative to defend them or present their case, they sent to Montana and brought Riel, a man who fifteen years before had fought for the redress of the grievances of the half-breeds of Manitoba. At that time he had been king of the North-West, and had been able to control millions of dollars, and yet we are told to-day that he was ready to sell himself for \$35,000 or \$40,000. The half-breeds do not believe that, Sir, and I will prove that that insinuation is false. The Metis had confidence in him, and they sent for him and begged him to help them; and if Louis Riel had been anxious to become a great leader and a great man, would he not have accepted their invitation at once? But he did not do so. He had possession of his mental faculties at that time. Living quietly in that little village in Montana, he was not excited, and like a sane man he took time to reflect; he asked the delegation for a night to think over the matter. He was not free, as he had been in 1870; he was a married man, and he had a family whom he did not wish to neglect; but the next morning, I am sorry to say, he showed more heart than brains, for he accepted to go with them to the neglected district. Did he go there to levy war or to raise a rebellion against the flag of England? If he did, all the speeches of hon. gentlemen opposite amount to nothing. If he was not a crank and a fool, how could he hope with 300 poor men, who were made poorer by the neglect of the Government, to raise a rebellion against the flag of Britain? No, Sir; but he wanted to help the Metis by holding meetings and passing resolutions to be sent down to Ottawa. Some of these resolutions wanted representation in this House and the Senate. This was the kind of agitation Louis Riel wanted to have; but who prevented him from carrying out his plans? Let us ask Major Crozier. When he met the Metis, of course they had arms, some of them. Did he speak to them in the way that he should under such circumstances, and ask them to be quiet and lay down their arms? No, they were addressed with bullets; they were fired at; and like men of heart they defended themselves. That was the commencement of the rebellion which brought that unfortunate man to the scaffold. It has been proved that at times Riel had not the complete control of his mental faculties. Being there in the midst of the agitation, surrounded by men talking and declaring that it was time for the half-breeds to vindicate their rights, his mind became affected; and the testimony which was read by the hon. Minister of Justice to the effect that Riel said that when the grass grew he would have foreign armies in the country and light fires all over the country, that he wanted to conquer England and that he would go to Rome and be a pope—all shows him to have been insane. He had no interest at that time to pretend to be a fool; all his interest was in the contrary direction. The proof that he was insane is that he took Jackson, who was tried and found to be an insane man, and made him his secretary. Would he have done that if he had been sane? The hon. Minister of Public Works said in his speech that Riel acted as a coward—that there was no heart in the man. Let me tell the hon. Minister that last summer in the St. Lawrence Hall, in Montreal, I met Captain Howard, of the Gatling gun, and I asked him in the presence of the hon. member for Montreal East (Mr. Coursol) what he thought of Riel. He said that he saw Riel at Batoche fighting all day. "Was

he a brave man?" I asked. "Yes," he said, "he fought like a hero, and I remember him because he had a peculiar rifle." I said: "I am glad to hear that." I would rather know that that man acted and died as a hero than that he acted as a coward, and I would be glad if anyone would challenge Captain Howard—though, of course, if asked, he would have to say the same thing—and ask him to repeat it. At Batoche, after 2,000 of our troops, as the Minister of Public Works said, had been besieging that place for four days, which was defended by but thirty-two Metis, they entered it. I have great respect for our volunteers, but it is probable they had not been well commanded in that expedition, otherwise thirty-two men, who were half-starved, would not have been able for four days to hold the place and then abandon it because their provisions had run out, not one of them being caught except Riel who surrendered. If Riel had been sane and intelligent, as Dumont was, is it likely he would have put himself into the hands of Mr. Middleton? No, but he had this idea, that he would give himself up to the general, who would take great care of him, that he would be brought to Ontario or Quebec, and stand in either Province his trial before twelve of his countrymen, that the trial would be a *cause célèbre* and he would have an opportunity of making the people know all the grievances under which the Metis had suffered. Just as when he was asking money he did not ask it for himself but to establish a paper, and was willing to seize the opportunity of his trial to publish to the world the grievances of the Metis, which otherwise would not be made known. He pretended that money was due to him, his object being to establish a newspaper through which he would publish to the whole world how the half-breeds had been treated for 15 years by the Canadian Government. But if he had any such ideas when he put himself in the hands of General Middleton, they soon vanished from his mind. He was brought to Regina, and his trial took place. We have been told it was a legal and constitutional trial. No one had denied that. In every meeting which took place in the Province of Quebec, not one orator has said the trial was not legal or constitutional. The people of our Province are too intelligent to know that, so long as anything is done by Parliament, it is legal, because Parliament can do anything, even something that is bad; and I think it did so in that case. The tribunal was a legal and constitutional one, but not British. Last year, on the 16th July, when the hon. member for Quebec East (Mr. Laurier) asked the Government to only put on trial the chiefs, and not the other half-breeds who had been arrested, I asked the Government if they could not go a little further and change the law as it existed in the North-West, so as to put it on the same footing as the law in the rest of the Dominion, and give to that man twelve jurymen before whom he would have a trial and a judge of the Superior Court or Court of Appeal, as any British subject has a right to ask for in the older Provinces. I will, with the permission of the House, read the answer of the Minister of Public Works:

"With respect to the suggestion made by the hon. member for Beauharnois (Mr. Bergeron), it would be hardly the thing just now to change the law of the country for the purpose of trying these men or any other men. The law is on the Statute-book."

Everybody knew that.—

"If there was a change it might be for better or for worse. Why should there be a change made in the law?"

Why? To give a fair trial to that man; because it would have given him twelve jurymen, six of whom would have been of his own nationality and creed; and surely I will be allowed here in the House of Commons, where we are all united to discuss the best interests of the country, to say frankly I would have more confidence in a jury of twelve men, six of whom would have understood his sentiments and intentions, men of his own creed, than in a jury of six men all of a different creed and nationality.

Mr. BERGERON.

"The law will be exercised with justice, and although there are only six jurors, those jurors are to be selected in the same way as we select them in other parts of the country."

This is not correct. In other Provinces the sheriff calls a great panel of them; they are called into court, and there are sixty, at least, on the list. The prisoner on trial has the right to challenge some of them, has the right to choose his jury, but there were only thirty-six men called at Regina, called by Mr. Richardson, and they were chosen before they came into court; and if Riel had been able to challenge six of them there would have been thirty more to choose from.

"There is to be the right to challenge on the part of the prisoner as well as on the part of the Crown—[I said this would not amount to much]—therefore, we need not be uneasy or afraid that there will be a packed jury. There will be nothing of the kind; there will be justice and a fair trial, and I hope when the affair is over, hon. gentlemen will be able to say that though we have to see that the law is executed, whenever we have been in a position to recommend mercy, mercy has been granted."

At that time, when my hon. friend and myself were asking that, we were very far from entertaining the idea that the jury at Regina would recommend the prisoner to the mercy of the court. The hon. Minister of Public Works said that the recommendation to mercy did not amount to anything. Why did they say so? Why did the jury, having heard the evidence and being convinced that Riel was a crank and a fool and did not deserve to go on the scaffold—though he was sane enough to be found guilty—recommend him to mercy, except that they were of opinion that the Executive had enough knowledge of the law to declare that he was properly found guilty but did not deserve to be hanged? When the people of our Province heard of such recommendation, and after seeing the Ministers themselves and talking to them, they did not say he would not be hanged, but left us under the impression that he would not be executed. At that time, in our Province, there was a sentiment appealing for mercy which started from every county. They remembered that their sons had been called upon to go to the North-West, and defend the British flag; they remembered that the 9th and the 65th Battalions, and other French battalions of Quebec, would have been proud to go there and defend the authority of the law; and they thought, when Riel was arrested and found guilty, it was a decided thing he could not be put again at liberty, but they asked that the scaffold be not erected in those distant possessions. They said that that country had cost us a great deal too much. Punish that man, they said, if you wish, but do not erect a scaffold; do not show to the whole world that a man who was once the leader of that immense country is going to dance at the end of a rope, to the admiration of the new settlers. That demand was put aside, and the Ministers, the leaders of the French Canadians and of the Province of Quebec, forgot that in 1775 French Canadians were fighting under the walls of the city of Quebec against American invasion under General Montgomery; they forgot that in 1812 French Canadians fought like heroes in defence of the British flag on the shores of the river Chateauguay, and rolled back an American army; they forgot that last year even our battalions had all offered to go and defend the authority in the North-West. They forgot that in 1874 this same man, Louis Riel, whom they were sending to the scaffold, gave his seat for Provencher to Sir George Etienne Cartier, and so enabled him to conduct this country into the state of prosperity in which he left it. They forgot that in 1871 Louis Riel offered his sword and his life to defend the North-West against the Fenians who were coming from the United States; they forgot all that, and yielded—to what? I leave the inference to be drawn by the members of this House and the people of this country. The Minister of Public Works has said that they received petitions in favor of the hanging and petitions against the hanging. It was a matter of weight, Mr. Speaker, and we had less weight than the others, and we

lost our case. The people of our Province, believing that, very sincerely, have held meetings in different counties. We were called to address them, and sometimes the member for the county would be there and would help us, and share in our opinion, but most of the time the member was not there, but he would send a letter and say that he did not want to blame the Government at that time, but that when Parliament opened, explanations would be given by the Government.

Mr. DUGAS. Hear, hear.

Mr. BERGERON. I am surprised to hear my hon. friend from Montcalm say "hear, hear." When some members called for more explanation and more information, these very men voted no, and said: "We have had enough information, and we have had enough explanation." I leave that to be attended to by their own electors when the time comes. I said a moment ago that Mr. Jackson, the private secretary of Riel, was sent away. A little trial of about twenty minutes was granted to him, and the lawyers were fighting among themselves who should say first that he was a fool, and should be sent away. After being kept in gaol *pro forma* until Riel was hanged, he was set free. Where is he now? I see in the *Chicago Inter-Ocean* something which it may be good to know before we render our judgment:

"William H. Jackson, private secretary of Louis Riel, lately hanged by the Canadian Government as a rebel, lectured to a small audience last evening at Central Music Hall. The lecture was a very full statement of the trouble between Canada and the half-breeds of the North-West, but for a popular lecture it was at least four times too long. The speaker began at 8 o'clock. He was still talking at 11.30, when the reporter left. The whole history of the territory north of the United States was given, and if the statements made concerning its early history be true, the North-West Territory certainly would seem to have the same right to a local provisional government as the remainder of Canada. To verify the statements made would involve much labor, for not only were the charters of the Hudson Bay and North-Western Companies discussed from a legal as well as historical standpoint, but the character of the claims of England and other European nations to the territory was given in full. The speaker evinced the most minute knowledge of every phase of the question. According to his statement the North-Western Territory has the same right to an independent provisional government as has Canada, and Riel was a lawful president, and not a traitor or rebel."

That is what Mr. Jackson is doing in the States to-day, going from one city to the other and saying the North-West has been badly administered by the Government and that Louis Riel was not a rebel, but was the president of a people deserving to be better treated by this Government. We were given a medical commission. The hon. the Minister of Public Works promised, I believe, in a speech delivered at Rimouski, in answer to an address presented to him, that a medical commission would be instituted in order to see whether Louis Riel was sane enough to be hanged or not. It seems that that promise was made without the authorisation of the Premier, because, if I remember well, I saw in the papers that it was decided, before the Minister of Militia started for the North-West, to hang Louis Riel. A letter was published in the newspapers to that effect—a letter addressed from Sir John to Sir Adolphe. It was decided to hang Riel in spite of our Ministers, who, I have no doubt, endeavored to prevent the hanging of that fool on the 16th November, and to prevent an act of injustice being done. But they were told they had to abide by it; it had to be done. Now suppose a conversation took place, and one of them said: "For God's sake, give us a medical commission, so that we may say to the people of our Province that the man was examined to prove that he was not a sane man." That is why it was appointed. It was a farce. No one could believe that it could possibly do any good. The three men who were appointed on that commission were honest men, I am sure, but they did not know any more of insanity than I or any member of this House. The Government should have chosen scientists who knew altogether how to deal with cases of

the kind, but they did not, and the telegrams in ciphers came back to Ottawa, and we are told now that the man was sane enough to be hanged; that he was crazy on religious and political points, but that, as the offence was not a political one, necessarily he was sane enough to be hanged, and he was hanged. There was in our Province a sentiment of indignation which arose from everybody, even from our English speaking compatriots of Montreal. In the city council of Montreal, some of the English speaking Protestants spoke in favor of adjourning the council on account of the act which had been committed that morning. And I am sure that our Ministers felt as we did, but they were not ready to leave the Government. I am not imputing to them any bad motives. I was under the idea at one time that they had sacrificed themselves in order to prevent a war of races in this country. I was not sure but that I ought to praise instead of blaming them. But, a few days afterwards, when the wise men who were concerned in the movement, who were working with me to prevent the people from hanging them in effigy and making processions, which I thought would do more harm than good—and in my own county I told the people who had acted in this way that they should not have done such a bad act—when we were doing as much as we could to put down the clamor, the Ministers' organs commenced to say that the Ministers were right. There was no doubt about it. Louis Riel was a bad man and the Government was a good Government, and if we lost that Government we would never get another one like it. Of course, articles like that went through the Province, and members of Parliament, wise men, no doubt, waited until they came here to say whether the Government did right or wrong on that occasion. Sir, if I remember right, I read in the papers that Bishop Grandin, a few days before the execution, was asked by the Ministers his opinion on the fate of Louis Riel. The venerable old bishop said, if the papers told the truth, that it would be better to leave that man in gaol, or put him into a lunatic asylum, and then the people would forget him in six months, than to send him to the scaffold and make a martyr of him, in which case the people would talk of him for ten years afterwards. And Sir, Bishop Taché says, in his letter published a few weeks ago: "If you think you have diminished the trouble in the North-West by hanging that man, you have made a mistake." And what did we see a few days afterwards? Why our Ministers were running away, some across the Atlantic, some down to Quebec, surrounded by a posse of police, and others to New York. At that time Louis Riel was being buried in the cathedral of St. Boniface, carried upon the shoulders of sixty men, and followed by 2,000 Metis who were proud to follow the man who had been their chief and obtained for them in Manitoba the liberties they are enjoying to-day, and who obtained for the half-breeds on the Saskatchewan the justice which has been granted to them in settling over 2,000 claims since last fall. Now, Sir, I remember my hon. friend for Lincoln (Mr. Rykert) making a very fine speech, as he always does, and reading extracts from the *Globe*. Why, it is most amusing, Mr. Speaker, to hear hon. gentlemen in this House spend hours in reading extracts from the *Globe*, or from the *Mail*, or some other newspapers. Notwithstanding, I would not say that the Liberal party is more responsible for what the *Globe* writes than is the Conservative party for what the *Mail* writes. I am sorry to say that the press of our country have gone too far. I have often heard the right hon. Premier rise in this place and say that he was not responsible for what appeared in the *Mail*, and I have heard the chief of the Opposition say the same thing with regard to the *Globe*. Now, how have we been treated by the *Mail* since last fall? I will not tire the House by reading its articles, but I believe that if to-morrow morning I were to vote for the Government,

they would praise me and say I never did anything wrong. I do not care what the newspapers say. What we have to do here is our duty to our electors and our duty to our country. My hon. friend for Montreal Centre (Mr. Curran), made a speech. He is a very good lawyer, and a criminal lawyer. It seems queer that in this circumstance they are all criminal lawyers who defend the Government. I suppose that it is because they are the most eloquent legal gentlemen. My hon. friend for Montreal Centre made a great speech, a fine speech, and I congratulate him. He is my deputy, and I voted for him, and I do not know but if he behaves well I may vote for him again at the next election, but when he was speaking it struck me that if Louis Riel had not been hanged, and the leader of the Opposition had made a motion blaming the Government for not having hanged that man, the hon. member for Montreal Centre would have made just as fine a speech to prove that the Government were right in not hanging him. The hon. member for Ottawa (Mr. Mackintosh) also said one thing which I want to answer. He meant to say that the people of the Province of Quebec ought to be glad that we have English laws in this country, that we have English liberty; that in France, out of twelve jurors, seven could send a man to the gallows, whilst in this country twelve jurymen must be unanimous in their verdict. Why, Mr. Speaker, we know that, we knew it before. We are glad to have British laws in this country. We are not French. Why, I am less French, perhaps than my hon. friend opposite. We have been here for over 200 hundred years, and we are not French, and do not want to be French. We respect the French, we admire France, we love France, but we do not want to be French. We want to be British, and we are British subjects until we can be something else—independent if possible.

Mr. HESSON. British subjects are always independent.

Mr. BERGERON. Now, going over to the other side of the House I come across the Minister of Justice. Allow me to say that I was very favorably impressed with the speech he delivered, and although he did not convince me, I thought he deserved the position he holds, and that he is the best lawyer, at least, on the other side of the House. I remember he said, in his speech, he had been at St. Columban and St. Jérôme—at the latter place with the Secretary of State, and at St. Columban with the Minister of Inland Revenue and the Minister of War. He said that at St. Columban they had had a fine reception. I was not there. The papers did not say so, but I should rather believe the hon. member than the papers. But he did not say that they had a fine reception at St. Jérôme. I was there, and the reception was not at all fine. Knowing the popularity of my hon. friend, the Secretary of State, I was surprised to find, in his own county, that the public sentiment was so strong against him, that in a meeting called by him, he had to leave it before it was finished, and go off to another place with one or two hundred of his friends. The Minister of Justice did not mention that. I arrived too late to speak, but soon enough to see that the meeting divided, and that the great majority were hostile to the Secretary of State. The Minister of Justice said, this was not the place to discuss the Riel question, that it was a question for the courts. There have been a great many cases tried in this country since last fall, and I never heard an hon. member wish to bring them into Parliament. That is only done in regard to the Riel question. Why? Because this is a political question; it is not at all a judicial question. The Ministers in their counsels were called upon as a court of review or court of appeal to decide whether that man should die or not; and they had not to do, as the law exists, in the other Provinces and say "No," in order to prevent the hanging, but they had to say "Yes" to get the

Mr. BERGERON.

man executed on the scaffold. While they had to do that the Ministers are responsible to Parliament as we are responsible to the people; and do they not know that before many weeks are over may be we shall, every one of us be, before our electors and that this will be one of the greatest points of discussion on the hustings. So if we have to bring this question before the people it had to be brought before Parliament; and if they were judges in the Privy Council we are judges to-day, as the electors will be judges in the near future. The Minister of Militia and Defence did just what we expected of him—he made a good defence, but it was not a defence of the Government but his own defence. The hon. gentleman read letters and telegrams. There was one thing he did which I regretted from one in the position he occupies. He might in a short speech have defended the Administration; I do not think he can justify himself for attacking the hon. member for Bellechasse (Mr. Amyot) who was in the North-West last spring, and who to-day happens to differ in opinion with the Government, and who has since that time been attacked in the press and even in the House by the Minister of Militia for actions connected with his mission in the North-West. I was glad when I heard to-day that hon. gentleman vindicating from his seat the position he took in the North-West, and his conduct there; and I am sorry to see Ministers of the Crown who knew perfectly well the sacrifices which that hon. member had to make in leaving his family and his people without knowing whether he would ever return, attribute improper motives to him because he found when he came back that as a member of Parliament he could not approve the acts of the Administration and support the Government. The charge which has been made against the Government, in my opinion, has not been answered, and to-day the Government stands indicted for having hanged a madman. The Government also stands indicted for having so badly administered the North-West as to have brought that state of things upon it, and they were the cause of all the trouble that happened in the North-West before the last rebellion. If I had time I would read the letter of Archbishop Taché, which has been published in English and French, wherein he finds fault with the Government for administering the country so badly, and the Archbishop states that the grievances were only remedied when cannons were firing and soldiers were fighting, and he warns the Government that before long there may be another rebellion if they do not take upon themselves the administration of the North-West, and the Archbishop begs them to arrive at the conclusion to set at liberty all those prisoners who are to-day languishing in the gaol at Regina. I was sorry this evening when I heard some remarks made by the Secretary of State against the leader of the Opposition. I am not here to defend him, he can do it himself; but I am here representing a portion of the Province of Quebec, and as such I am not to attribute bad motives, to express opinions, but believing, as I do, I think the hon. gentleman's statements were sincere. When I heard the other day the hon. member for West Durham (Mr. Blake), in spite of incurring the danger of losing his popularity in Ontario, coming down boldly and for the sake of doing his duty, saying to this Government: "You have done a bad act; although it may look in a different light before certain people of the Dominion, I am bound to act here as an honorable man and I will give an honest vote in favor of the motion of the hon. member for Montmagny." Sir, I do not suppose that the hon. gentleman expected any compliment when he made that statement; but let me tell him that the people of our Province will not forget it, for they have always heart enough to know where their friends stand. Let hon. members learn the sentiment of our Province; let them go to the county of Drummond and Athabaska. In that county Mr. Prefontaine presented himself as a Conservative with the chances ten to one that he would be elected.

A few days before the election Mr. Girouard came out as a Liberal. We wrote and said that the candidates must pledge themselves to censure the Federal Government, or else we would go down and fight them; and both candidates could not face the people without pledging themselves to censure the Ottawa Government. They did more. They signed the resolutions passed at the Champ de Mars meeting, and in spite of this the sentiment was so strong that Mr. Girouard was elected. A telegram has been received by an hon. member of this House as follows:—

"Girouard returned by a large majority. Even in Athabaska he has a majority which has never happened."

This is the sentiment of our Province. When the member for West Durham spoke in the way he did, you may be sure of one thing, hoping he has not made enemies in any other Province, he has made lots of friends in the Province of Quebec. Before I close these remarks I desire to call attention to one point which is of more importance than most of the points which have been brought forward during the present discussion. The North-West has cost the Dominion a good deal of money. It was bought cheaply, but since then a great many millions have been paid by the people of the older Provinces or will be paid by them, money which has been expended in the North-West. When the North-West was acquired it was looked upon as an act of great public policy, and those who made that bargain were complimented, I believe, by both parties in this Dominion. Sir, we want to keep that country. We have been begging the nations of the world to come here and establish themselves in our North-West. We have been paying large sums of money every year to bring immigration into that country. I do not see why we should have prevented the French speaking immigrants from coming there. I do not see why we should have tried by every means to send away from the North-West those French speaking immigrants who are there now, and let me tell you why I think so. If the North-West some years hence is composed entirely of English speaking people, their interests will be just as much with the United States as they will be with Canada. These people being far away from us, having nothing in common with us, speaking the language of the American people, finding that they are just as much their compatriots as we, will do what? Just what some of them are trying to do to-day—they are asking to have lines of railway from the Canadian Pacific Railway to the States. That is the easier way to carry their products, it is more advantageous for them, it is better for them to pass that way than to come down by the St. Lawrence route. Suppose that the Government of this country some day should say to them you shall not go to the States; you have to pass over the Canadian Pacific Railway; you have to travel through the older Provinces; we will not allow you to take to the United States your products and the money which you make in our North-West. Sir, what would those people answer? They would say if you are not satisfied we will secede from Canada; we would rather belong to the United States, we would rather have dealings with the United States, than the Dominion of Canada. But, Sir, if you have a French speaking population in the midst of that country, although the Anglo-Saxon element will always rule, it is the act of the Almighty; it is not our fault, but in matters of business the English speaking people will always have the advantage over the French speaking people, at least in this country—then I say, if you encourage French speaking immigration into that country and protect those who are there already, you will keep for England this country which has cost us so much and of which we expect so much, and the men or the party which will not adopt such policy should not have the confidence of those who want to make of Canada a great country. I have said that the Government in my opinion was guilty of maladministration

in the North-West. I have said and I have proved that our Ministers were the cause of the movement in our Province, that they provoked it by their organs throughout the whole Province; and but for the fact that I do not wish to abuse the indulgence of the House I could read some articles in *Le Monde*, a paper which I believe is under the direction of the Minister of Public Works. But I will not do it; they have been read before, and I am sure they will not be forgotten. Sir, we felt in our Province that we had been put by our Ministers in a most humiliating position. We thought that they had not a right to treat the people of that Province in that way. Sir, I really believe that if public opinion had been prepared for anything that might happen, although the man did not deserve his fate, although a scaffold should not have been erected in Regina, still if public opinion had been prepared for it, nobody would have said anything. The people would have said that it had to be done, that we had to yield to the majority, and after all that we may take it up on some other question. But, no, Sir, we were prepared for the belief that such a thing would not and could not happen, and when some people found out that we were yielding to the demands of those who wanted the hanging, we said: "no;" and to-day we are blamed for standing by what we considered to be our duty. I saw the other day two newspapers, one paper accusing the other one of defending one of the Ministers from Quebec, whilst the other paper accused the first of defending two of our Ministers. In my opinion the three of them are guilty in the same degree—I see no difference. We cannot say who in the Cabinet defended the cause of justice one more than another, but I believe they stand together before the people guilty in the same degree, and I hope that the same fate which happened to Riel will not happen to them, but that they will have mercy somewhere. I am sorry I have kept the House so long in addressing them in my broken language, but I wanted to speak English, so that I might be understood by my old friends from Ontario in explaining why I have taken the position I now occupy, and I think I have given all the reasons why I find myself in such a position. I have been told by some friends of mine on the other side—because I hope still to be personal friends with them—that I should have gone to my people before taking away my allegiance to the Government, and should have sought another election. I would have been perfectly ready to do that had I known that the writs would have been issued before the opening of Parliament, and I know that the people of my county would have sent me here again by an overwhelming majority if anybody had opposed me, as was not done in 1882, when I was elected by acclamation. When I came here, at the opening of the Session, I was not surprised at not seeing the Ministers in good humor, but I felt badly at seeing the conduct of some of the Ministers who had known me and knew that I was perfectly sincere in the position I had taken.

An hon. MEMBER. Oh, oh.

Mr. BERGERON. The hon. gentleman who says that may not be so sincere as I am, and perhaps he is waiting for some explanation. The Ministers knew that, but they acted towards me as if I had been an outcast. Let me say one thing to hon. gentlemen opposite: I have supported the Government since I have been in Parliament. When I came here I was perfectly independent; I was elected by the support of both parties, and I might have voted on one side or the other, and probably would have been elected again. I thought the policy of the Government was good; I thought their National Policy and their railway policy were good; I believe that still, and I supported them, but at the same time I was perfectly independent of the Cabinet. I liked the Ministers; I was sorry when this happened, and that I had to separate from them, but if they

were kind to me I would remind them that I have rendered them in many instances affection and services for services. I believe there may be twenty-five members in this House whom I have helped to get seats in Parliament, and they knew that I was never behind time when I was asked to go on the hustings in the Province of Quebec and defend the action of the Government and help candidates to come here and support them. As far as that is concerned, I am on the same footing as they are, and I am as much independent of them as they are of me. But since I took upon myself to contest their right of forcing me to support them I am sorry that some of them found it to be their duty to look upon me as a stranger; for even to-day, on the eve of giving my vote, I say that I was sorry to hear when the news came first that the right hon. Premier was sick in his room and could not be present in the House, for though I am going to vote against the Government I have a deep respect and admiration for the Premier. I have always thought he was a great statesman, I think so still. I do not think he was the most guilty man, for I blame the Ministers from Quebec more than I do him, because he did not owe so much to our Province as they who were more particularly charged to represent it. The motion which is now before us is not according to my idea, and is not in the way in which I would have liked it to be put. Still, Sir, I shall vote for it. Now, it seems to me that we were destined to build on the shores of the St. Lawrence a great nation. When we remember those 60,000 Frenchmen who had been left on the shores of the St. Lawrence, abandoned by France, in 1759, after fighting like heroes under the great Montcalm, were defeated by number and the valor of Wolfe, and afterwards united with the sons of England, I think it must have been decided by Providence that the children of the two greatest nations of the world should build here in the northern part of America a great nation. The French Canadians have been allowed, through the magnanimity of England, to retain their language, to practice their religion, and to enjoy the free use of their laws; and, Sir, any man listening to me or reading my speech to-morrow will know that French Canadian loyalty to England is greatly due to the fact that we recognise that with England we are better than we would have been had we remained with France under its Government of that day. Sir, are we going now to put a stop to the destinies of our country? Are we going to say that we should hang a French Canadian because an English Canadian was killed fifteen years before? No, Sir; let us sink our divisions in religion and language. Let us follow the example of our volunteers, who responded so bravely last year to the call of the Government. Although speaking different languages and belonging to different Provinces, they went to the North-West shoulder to shoulder and blade by blade to defend the British flag and to restore order. Let us do that, and if we do we shall see before long a united people, speaking different languages, it is true, but all the more enlightened for that; we shall see a great nation which will be the admiration of the world, and will attract immigration to its shores. Now, I hope we shall cast the vote we are about to give conscientiously; I hope hon. members will cast it just as if they were in the presence of their electors; and let me ask them in doing so to remember the words of a great English General before a great war: "Gentlemen, Canada expects that in this instance every man here will do his duty."

Mr. TASSÉ. I do not intend to delay the House. I had prepared, I confess, an argument on this burning and important question; but as both parties are desirous of coming to a vote, I will not detain the House any longer than merely to make a few remarks on the eloquent speech which has just been delivered by my hon. friend, the member for Beauharnois (Mr. Bergeron). My hon. friend

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has spoken with the warmth of a convert, and he has thought proper to criticise very severely the administration of affairs by the present Government. In these remarks my hon. friend has forgotten his own past of yesterday, he has forgotten the vote he gave last Session, and he has forgotten a speech which he delivered in his own county since last Session. On that occasion my hon. friend spoke as follows of the policy of the present Government and the policy of hon. gentlemen opposite:

"While the Grits of Ontario are shouting: 'Hang Riel,' the Quebec Liberals are shouting: 'Do not hang Riel; give Riel his pardon.' When people intend to be honest and sincere in politics they only ask one thing, and their only object should not be to clog the wheels of Administration by setting Province against Province. It is not by these condemnable means that the Conservatives came back to power in 1878, and were again continued in power in 1882. We have gained and deserved the confidence of the people by accomplishing improvements of all kinds, by encouraging agriculture, industry, the building of railways, the Canadian Pacific Railway and protection. When the Riel question came before Parliament we were at our post and we did our duty; nobody will believe that the Conservative members have not as much intelligence and patriotism as the Liberals. After having cheered with enthusiasm our soldiers who went to restore order in the North-West, are we to unite with those who would have us believe that the soldiers of the 65th were fools, who did an unpatriotic act when they left to go and fight their brethren? No; the Government wanted the services of their soldiers, and we have seen with pleasure 700 of our countrymen answering at roll-call. If Mr. Laflamme would only speak honestly, he would tell us that when he was a Minister, his colleague, Mr. Mills, in 1875 or 1876 told the half-breeds, in answer to their petitions, that they had no more rights than the white settlers. At that time there was only one French Canadian in the North-West Commission. It was also that same Government who appointed Richardson as magistrate, because he was noted for his hatred against French Canadians. While Sir John was giving \$5,000 to Riel to allow him to escape, Mr. Blake was offering \$5,000 for Riel's head. This fact alone makes it easy to establish the difference between both parties and to see on which side our friends are."

My hon. friend has also referred to His Lordship the Archbishop of St. Boniface. He has said that the policy of this Government has been most severely condemned by that prelate. It is true, in a memorial published lately, His Lordship said that mistakes had been committed by both parties; and if my hon. friend remembers a memorial that was published at the beginning of the year 1879, he will find that in that document that great apostle of the North-West, who understands so well the administration of public affairs in that great and important portion of the Dominion, said that during the five years previous, during the whole period of the Mackenzie Administration, nothing had been done for the half-breeds of the North-West. My hon. friend said that Riel, while on the other side of the line, was a peaceful subject. This afternoon, I received a few notes on the conduct of Riel while on the other side of the line and an American subject, which shows he was a born agitator, as even there he was a source of trouble and disorder among his own people. Here is a short memorandum which was communicated to me this afternoon:

"In 1878, Riel, who had been living a St. Ives, in Dakota, moved out to Sun River, in Montana, where there was a large settlement of half-breeds, many of whom came to this settlement from Manitoba after the troubles in 1869 and 1870.

"Riel opened a school at Sun River, and immediately began to take a prominent part in all the actions of these half-breeds, assuming, as he has done on all occasions, the leadership.

"The first trouble among these half-breeds, after Riel's arrival, was in consequence of their refusing to pay duty on goods imported by them from the North-West. The sheriff, Mr. Jno. Healy and two deputies were sent from Fort Benton to confiscate the goods and furs of the half-breeds, but they were captured and imprisoned by the half-breeds, and were only released upon arrival of a body of American troops who destroyed the goods and furs in question.

"The next trouble with which Riel dragged these Sun River half-breeds was in connection with the territorial elections. Riel claimed that his followers were entitled to vote and upon being refused by the authorities, he established a polling place in the settlement and recorded the half-breed votes. For this offence he was arrested and imprisoned at Fort Benton, Montana, and the writer has been told by the authorities at Fort Benton that he was a constant element of trouble during his residence among these half-breeds, and further, that up to the time of Riel's arrival in the settlement they had not had any trouble with these people."

This document demonstrates fully that at all times, not only in Canada but on the other side, Riel was a source of

trouble and disorder among the half-breeds. My hon. friend referred to the case of Jackson, making the very same argument which was advanced the other day by the hon. member for Quebec East (Mr. Laurier), in order to try to make the people believe that while on the one hand Riel was hanged because he had taken a prominent part in the troubles of the North-West, Jackson, on the other hand, who was one of the chief rebels, was discharged on the ground of lunacy, because he was not a French Canadian :

"We have it now as a fact of history that while Riel was inducing that rebellion, he chose as his chief adviser and secretary, a man notoriously insane, William Joseph Jackson, who signed his letters and Orders in Council. Will it be pretended by any man that if Riel had been in his senses, if he had a sane and discerning mind, he would have accepted an insane man as his chief adviser? Why did this not strike hon. gentlemen opposite? One of the things which we in Lower Canada have felt as deeply as we have ever felt anything is that we have believed that the measure of justice which was extended to William Joseph Jackson was not the same measure of justice which was extended to Louis Riel."

Further, the hon. member for Quebec East (Mr. Laurier), quoted the testimony of Dr. Jukes, given at Regina at the trial of Jackson, but the hon. gentleman stopped at a very interesting point. If he had continued, he would have informed the House that Dr. Jukes had said in his testimony, in addition to the portion quoted by the hon. gentleman, "that he understood from Riel that Jackson was put in confinement for insanity." That disposes of the contention that Jackson had always been chief adviser and secretary for Louis Riel. He acted as such as long as he was not insane, but as soon as he was discovered to be insane, he was put in custody. This fact, which is an important one, has been fully established by the brother of Jackson, in the evidence he gave during the trial of Riel at Regina. But the hon. member for Quebec East had taken the trouble to read that portion, he would not have lead us to believe that Jackson was chosen by Riel and kept by him whilst insane. That inference is contradicted by his brother :

"Q. Had you any conversation with him?—A. I had.

"Q. This was where?—A. On the south side of the river.

"Q. You had a talk with him about your brother?—A. Yes.

"Q. Did he say what was the matter with your brother?—A. He said he was sick, he said his mind was affected, he said it was a judgment on him for opposing him.

"Q. He seemed to know his mind was affected?—A. Yes.

"Q. Did you find his mind affected?—A. I did.

"Q. How are they considering him, as a sane or insane man?—A. Allowing him his own way, but they have a guard over him.

"Q. Did Riel speak as to what was best to do with him, of what they were doing with him?—A. Yes, he thought he would improve there, but I applied for permission to get him away. Riel said he was getting along very nicely there and that he would recover.

"Q. He did not let you take him away?—A. No, he refused to do so.

"Q. Then did you make any formal application to get him away?—A. I did to the council.

"Q. And it was refused I believe?—A. Yes, it was refused.

"Q. What kept you in the camp?—A. They refused to let me go or my brother either."

That disposes of the contention of the hon. gentlemen opposite about Jackson. Now we have been told that Riel, in asking \$35,000 from the Government, wanted to establish a newspaper. That has been stated by only one witness, Charles Nolin, whilst the other witnesses have not at all mentioned it. The hon. member for Beauharnois has strongly contended that the Government have executed a mad man, and referred to the speech delivered by the leader of the Opposition, the other day as convincing on this point; but it is difficult to understand why the leader of the Opposition, after contending, during five hours, that Riel was insane, should produce a letter from one of the jurors stating that in rendering the verdict they considered him insane and perfectly responsible for his acts. That letter destroyed entirely the conviction that Riel was insane; and, besides, we may fairly ask that if Riel ever becomes insane, is not the leader of the Opposition greatly responsible for his insanity? Is he not the same hon. gentleman who, in Toronto, fought as a member of the

Opposition and tried to destroy the Sandfield Macdonald Administration because they were not prepared to offer a bounty for the blood of Riel? Is he not the same hon. gentleman who, when in power, offered the prize of \$5,000 for the head of Riel? And it was when he was chased by the detectives of the hon. gentleman's Government, tempted by the prize offered to them, when he was chased from one place to the other, from one locality to the other, from one hospitable home to the other, that he became insane, according to some, though, if I believe the evidence which has been produced to-night, he never became insane at all. My hon. friend, the member for Beauharnois (Mr. Bergeron), has spoken of the judge who tried Riel at Regina, but he has forgotten that that judge was appointed by the present leader of the Opposition in 1877; and, when that appointment was discussed by the House in 1878, the hon. member for Bothwell said that Mr. Richardson was a member of the bar and had occupied a prominent position in the office of the Minister of Justice before he was appointed stipendiary magistrate, and Mr. Blake, then Minister of Justice, made some remarks to the same effect. The hon. member for Beauharnois has also referred to the agitation which was going on in the Province of Quebec for some time about Riel. In that connection, perhaps the House would like to know what was then the opinion of the hon. member for Bothwell (Mr. Mills) who is one of the stars on the other side of the House. That gentleman said :

"The position of the Province of Quebec on the subject of the trial and conviction of Louis Riel is a puzzle to the great majority of the people of this Province. They cannot understand how it is that the whole people of a Province like the Province of Quebec should come to the rescue of Riel, and should put forward such extreme efforts to save him from the fate to which he has been condemned. Neither the constitution of the court nor those superintending can explain the matter. There was no complaint as to the constitution of any court when Riel was charged with the murder of Thomas Scott, and yet the people of the Province of Quebec were quite as much interested in reference to Riel then as they are now. It was not for one moment then supposed that Riel was insane, and yet his pardon was quite as fiercely demanded then as it is at this moment. We do not think the question of responsibility or irresponsibility has anything whatever to do with the phenomenon that public opinion presents at this time in our sister Province. It would be a singularly unfortunate condition of things if in the administration of justice it should become the rule in Quebec that no one of French blood should suffer capitally for any wrong done to one of another race, and yet we have something very much like this peculiarity laid down in the neighboring Province. But what we would desire to have clearly seen is that the question of insanity or irregularity of the trial does not move the Province of Quebec; what is determined upon is, that he be sane or insane, whether his trial be regular or irregular, he shall not be held accountable, because his white ancestors were of French origin."

The hon. member for Beauharnois had also referred to a meeting held a few weeks ago in the town of St. Jérôme, in the county of Terrebonne, which is so well and ably represented by the hon. the Secretary of State. He stated that the Secretary of State and the Minister of Justice received on that occasion such a cold reception from the citizens of the county of Terrebonne that the Secretary of State was obliged to leave the meeting before its close. Well, I was myself present at that meeting, and I wish to give the most complete denial to the assertion of the hon. member for Beauharnois. I was an eye witness, while my hon. friend was not even at the meeting. He arrived there, but a little too late; the proceedings were almost over. Far from being a fiasco, as contended by my hon. friend from Beauharnois, I have no hesitation in saying that that meeting, at which 4,000 or 5,000 people were present, was one of the most enthusiastic meetings ever held in the county of Terrebonne, where the Secretary of State is deservedly so popular; and I have no hesitation in predicting, that if my hon. friend, the Secretary of State, is a candidate next time there is an election in that county, he will be returned by a majority of at least 500 or 600. My hon. friend from Beauharnois has also referred to the election which has just taken place in the county of Drummond and Arthabaska.

With all the zeal of a convert, he is delighted at the result of that election, he is cheered because a Liberal has been elected there. Well, after all, that victory is not such a great victory. Who was the member for that county during the last Session of the Provincial Legislature of Quebec? Was it not Mr. Watts, a Liberal, and why did Mr. Watts give up his seat? It was because he could not endorse the so called national agitation in the Province of Quebec, it was because he refused to endorse the policy and the conduct of the hon. member for Quebec East (Mr. Laurier), and the other gentlemen who lead that party in the Province of Quebec, and so he resigned, and another Liberal has been elected to day to take his place. It is true that the county of Lotbinière was carried the other day by the Liberal party by a majority of 56. Well, that county has always been one of the strongest counties of the Liberal party since Confederation. They used to carry the elections in that county by majorities varying from 200 to 500. At the last election, it was carried by a very reduced majority—a little over 50—and I feel confident that, at the next election, that county will be represented by a Conservative in the Local Legislature.

Mr. COOK. What was the majority in Drummond and Arthabaska?

Mr. TASSÉ. I confess it is a great majority. I do not know exactly what the numbers are. Perhaps my hon. friend is better informed and can give me the figures. I have no sympathy with the *parti national*. I believe in the maintenance of the present parties. I know that the member for Quebec East has been desirous to suppress the Conservatives and the Liberals in the Province of Quebec in order to build up a great party to be called the *parti national*. But, Sir, I have not the slightest sympathy for the establishment of such a party as the *parti national*. I believe in the Conservative party; I believe in the leadership of Sir John A. Macdonald. I have the fullest confidence in the ability, in the honesty, statesmanship of all the members of the Administration, and to-night I am prepared to vote for the continuation of that Government that have done so much good for the country.

Mr. MITCHELL. I appreciate too well how I feel myself, and how all the hon. gentlemen around me feel, to think of inflicting upon them a speech at this late hour of the evening. I understand that an agreement has been come to, if a vote is reached on this question to-night, to adjourn the House until Monday next. I shall not discuss this question at present, but I will take an opportunity at an early day, on another question which I see upon the notice paper, to give my reasons for the vote I shall give upon this occasion. But I have too much consideration for the House to give my reasons to-night, and I could scarcely do so with justice to myself without taking up too much time. I will merely say this, that I have paired with the leader of the Government upon this question, and therefore the House will understand that if I had voted, I should vote against the previous question and in favor of the motion of the hon. member for Montmagny (Mr. Landry). I make this statement in order that I may not be misunderstood in the country. I shall give my reasons for it when the question comes up upon the motion in relation to North-West affairs. The feelings I entertain about this whole question of the Administration of the North-West are not feelings of to-day. I have entertained them for the last three years, and when the hon. member for West Durham made his motion last year for the appointment of a committee to enquire into the administration of affairs in the North West, the House will recollect that I followed Sir John A. Macdonald, who replied to the leader of the Opposition, and stated that while I opposed the motion, I did it upon the ground that while insurrection was ripe in that land, it was no time to

Mr. TASSÉ.

put the Government upon its trial, but that if the hon. gentleman would bring up his motion next Session, I would give my hearty support to have the fullest investigation into the management of affairs in the North-West; and when that motion comes up, which is now on the paper, I will give my reason for this vote.

Mr. LABROSSE. (Translation.) Mr. Speaker: I have seconded the motion of my hon. friend the member for Montmagny (Mr. Landry), and I deem it my duty to state in a few words what are my reasons for taking that position. At this advanced stage of the debate I shall not detain the House very long. I will simply give a brief account of the reasons which have induced me to give the vote which I shall record on the question about to be submitted to the House. As soon as the execution of Riel became known, I protested against this act of useless cruelty. It appeared to me that Riel's trial had been more severe than that of the other prisoners; that the means and delay necessary to bring his witnesses were not granted to him after having promised to protect him and after having asked him to surrender; that the magistrate who presided over the trial was not qualified to act, being a Government officer and dependent on the Administration; that the jury had been packed; that Riel was charged with crime which is no longer punished by death in civilised countries; that the jury had recommended him to mercy, although Riel did not belong to the same race or creed as the jurymen; that the respites granted to Riel could only increase the tortures of his agony; that his madness was evident; that a commutation would have been more just and more satisfactory to the public than appeals on points of law. Riel only came to this country at the request of his friends to help his countrymen to obtain justice. Once in the country the excitement brought back to him these derangements of the brain which made him commit absurdities, lamentable acts, in the name of divine inspiration, in the name of spirits with whom he believed he was in communication. The fact that we threatened to give the half-breeds bullets for an answer precipitated the outbreak, and our troops fired first instead of trying to pacify the people with a knowledge of these facts. The press of the whole civilised world was moved into asking an act of clemency. The Government chose to listen to those who wished to punish the murder of Scott for the second time. After having promised a medical commission to enquire into the present and previous madness of Louis Riel, the Government decided to hang him, and then appointed doctors who were public officers, dependent on the Government, and not specialists. Nevertheless, their report virtually comes to the conclusion that Riel was insane as regards religious and political questions, but the Government took no notice of that fact. During that time, as though it was meant to prevent Riel's friends from giving further proof of his madness, the people were deceived by all sorts of promises in the official press, by statements to the effect that he would not be hung. Finally, and in spite of all, Riel was hung, and the organs of the Ministers, after having predicted the national agitation, have created it, fomented it, and guided it as though their object had been to incriminate the Government as much as possible. Therefore the Government have only themselves to thank if, after supporting it for thirty years I find myself in the painful duty to condemn them as regards the North-West rebellion, which has caused the loss of more than two hundred lives, I do not know how many millions of dollars, and which has brought with it the doleful event which took place on the scaffold at Regina. Mr. Speaker, the discussion which took place here has only confirmed me in my opinion, and although I regret to do so I shall dissent from the Ministers on the question now submitted to the House.

Mr. McMULLEN. I have listened with a great deal of attention to the lucid and able addresses of the leader of the Opposition, as well as to those on the other side of the House, and I cannot satisfy my mind as to whether Riel was insane or not. The Government have assumed the responsibility of carrying out the execution, but I am not willing either to share that responsibility or to condemn it. If they were actuated by pure and patriotic motives, I have nothing to say; but if they were actuated by other motives, it was wrong. I can say with the hon. gentleman who has just spoken, that when we reach the discussion of North-West affairs, I shall give my views fully on the whole question.

Mr. LISTER. I ask the indulgence of the House for a moment while I give my reason for the vote I am about to give. The hon. Minister of Public Works declared to this House that the motion was one of non-confidence, and that it would be so accepted by the Government. I desire to say to this House that I have no confidence in this Administration, I never had any confidence in it, and for that reason I feel it my duty, representing the county I do, to vote in favor of the resolution of the hon. member for Montmagny (Mr. Landry). I desire to state that the Government in pursuing the course they have done, have proclaimed themselves cowards. They have gagged this discussion by preventing any amendment to the motion of censure, and they will be so judged by the country when they come to appeal to the country. Apart altogether from the execution of Louis Riel, I feel it my duty to vote want of confidence in this Government, and I am going to do it to-night.

Mr. CAMERON (Middlesex). I desire to say that I accept the challenge that has been thrown down by the Minister of Public Works. I have determined, Sir, that the Government does not deserve the confidence of this House, and so I shall record my vote. I believe that we cannot dissociate the general administration of affairs in the North West from the vote that is now to be taken; and much as we may endeavor to confine it to the particular language that is used in the motion of the hon. member for Montmagny (Mr. Landry), I still consider that the whole administration of the Government is upon trial, and believing, as I sincerely do, that the Administration has been in the highest degree inimical to the best interest of this country, I shall so record my vote.

Mr. LANDRY (Montmagny.) I rise to make a personal explanation. The hon. member for L'Islet (Mr. Casgrain) read yesterday to the House a declaration that was sent to him by a political opponent of mine in the county I represent. I would ask the hon. member for L'Islet if he believes the statement he made yesterday.

Mr. CASGRAIN. I do, Sir.

Mr. LANDRY. Well, if the hon. member for L'Islet is willing, I will play my seat against his, and if I am not able to prove that since the 16th September I have always followed the same line of conduct that I have assumed here, I will resign my seat, and if the hon. member for L'Islet can prove what he stated yesterday by that solemn declaration, which is untrue—

Mr. SPEAKER. Order.

Mr. LANDRY. The declaration is an untruth.

Mr. SPEAKER. I think it is better for the hon. gentleman to avoid any personal insinuations.

Mr. LANDRY. Perhaps I did not express myself very well. The hon. member for L'Islet read a declaration to this House, and I say that declaration is an untruth. He read a solemn declaration from a man who is supposed to have assisted at a meeting, and he declares that he assisted

only part of the time. He gave his declaration of what I said there. Sir, I pronounced there the same speech that I pronounced here, the same speech as I pronounced on the 22nd November last, blaming the action of the Government for the reasons alleged in my speech delivered in this House at the opening of this debate. This is the only explanation I desire to offer to the House, and I offer it in order that it may be well understood that I have not changed my opinions at all and that I have always followed the same line of conduct, and I will challenge the hon. member for L'Islet (Mr. Casgrain) if he is willing, to place my seat against his.

House divided on amendment of Sir Hector Langevin, that the question be now put.

YEAS :

Messieurs

Abbott,	Fortin,	Orton,
Allison,	Foster,	Ouimet,
Bain (Soulanges),	Gagné,	Paint,
Baker (Missisquoi),	Gault,	Patterson (Essex),
Baker (Victoria),	Gordon,	Pinsonnault,
Barker,	Grandbois,	Pope,
Barnard,	Guillet,	Pruyn,
Beaty,	Hackett,	Reid,
Bell,	Haggart,	Riopol,
Benoit,	Hall,	Robertson (Hamilton),
Bergin,	Hay,	Robertson (Hastings),
Billy,	Hesson,	Ross,
Biondeau,	Hickey,	Royal,
Bossé,	Hilliard,	Rykert,
Bourbeau,	Homer,	Scott,
Bowell,	Hurteau,	Shakespeare,
Bryson,	Ives,	Shanly,
Burnham,	Jamieson,	Small,
Burns,	Jenkins,	Smyth,
Cameron (Inverness),	Kaulbach,	Sproule,
Campbell (Victoria),	Kilvert,	Stairs,
Carling,	Kinney,	Taschereau,
Caron,	Krausz,	Tassé,
Chapleau,	Labrosse,	Taylor,
Cimon,	Landry (Kent),	Temple,
Cochrane,	Landry (Montmagny),	Thompson (Antigonish),
Colby,	Langevin,	Townshend,
Costigan,	Lesage,	Tupper,
Coughlin,	Macdonald (King's),	Tyrwhitt,
Curran,	Mackintosh,	Valin,
Cuthbert,	Macmaster,	Vanasse,
Daly,	Macmillan (Middlesex),	Wallace (Albert),
Dawson,	McCallum,	Wallace (York),
Desaulniers (St Maurice),	McCarthy,	Ward,
Dickinson,	McDougall (Picton),	White (Cardwell),
Dodd,	McDougall (Cap Breton),	White (Hastings),
Dugas,	McGreevy,	White (Renfrew),
Dundas,	McLellan,	Wigle,
Everett,	Massue,	Wood (Brockville),
Farrow,	Moffat,	Wood (Westmoreland),
Ferguson (Leeds & Gren),	Montplaisir,	Woodworth,
Ferguson (Welland),	O'Brien,	Wright.—126.

NAYS :

Messieurs

Allen,	Dupont,	Livingston,
Amyot,	Edgar,	Mackenzie,
Armstrong,	Fisher,	McMillan (Vaudreuil),
Auger,	Forbes,	McCraney,
Bain (Wenworth),	Gaudet,	McIntyre,
Béchar,	Geoffrion,	Mills,
Bergeron,	Gigault,	Mulock,
Bernier,	Gillmor,	Paterson (Brant),
Blake,	Girouard,	Platt,
Bourassa,	Glen,	Ray,
Burpee,	Guay,	Rinfret,
Cameron (Huron),	Guilbault,	Robertson (Shelburne),
Cameron (Middlesex),	Gunn,	Scriver,
Campbell (Renfrew),	Harley,	Somerville (Brant),
Cartwright,	Holton,	Somerville (Bruce),
Casey,	Innes,	Springer,
Casgrain,	Irvine,	Sutherland (Oxford),
Charlton,	Jackson,	Trow,
Cook,	King,	Vail,
Coursol,	Kirk,	Watson,
Daoust,	Landerkin,	Weldon,
Davies,	Langelier,	Wells,

De St. Georges,
Desaulniers (Mask'ngé),
Desjardins,

Laurier,
Lister,

Wilson,
Yeo.—73.

PAIR :

For
Sir John A. Macdonald,

Against.
Mr. Mitchell.

Amendment agreed to.

House divided on motion (Mr. Landry, Montmagny) :

YEAS :

Messieurs

Allen, Amyot, Armstrong, Auger, Bain (Soulanges), Béchar,. Bergeron, Bernier, Blake, Bourassa, Cameron (Huron), Cameron (Middlesex), Campbell (Renfrew), Casey, Casgrain, Cook, Coursol, Daoust,	De St. Georges, Desaulniers (Mask'ngé), Desjardins, Dupont, Edgar, Forbes, Gaudet, Geoffrion, Gigault, Girouard, Glen, Guay, Guilbault, Harley, Holton, Kirk, Labrosse,	Landerkin, Landry (Montmagny), Langelier, Laurier, Lister, McMillan (Vaudreuil), McIntyre, Massue, Mills, Ouimet, Rinfret, Robertson (Shelburne), Somerville (Bruce), Trow, Vail, Weldon, Wells.—52.
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NAYS :

Messieurs

Abbott, Allison, Bain (Wentworth), Baker (Missisquoi), Baker (Victoria), Barker, Barnard, Beaty, Bell, Benoit, Bergin, Billy, Blondeau, Bossé, Bourbeau, Bowell, Bryson, Burnham, Burns, Burpee, Cameron (Inverness), Campbell (Victoria), Carling, Caron, Cartwright, Chapleau, Charlton, Cimon, Cochrane, Colby, Costigan, Coughlin, Curran, Outhbert, Daly, Davies, Dawson, Desaulniers (St. Maurice), Dickinson, Dodd, Dugas, Dundas, Everett, Farrow, Ferguson (Leeds & Gren), Ferguson (Welland), Fisher, Fortin, Foster,	Gagné, Gault, Gillmor, Gordon, Grandbois, Guillet, Gunn, Hackett, Haggart, Hall, Hay, Hesson, Hickey, Hilliard, Homer, Hurteau, Innes, Irvine, Ives, Jackson, Jamieson, Jenkins, Kaulbach, Kilvert, King, Kinney, Kranz, Landry (Kent), Langevin, Lesage, Livingston, Macdonald (King's), Mackenzie, Mackintosh, Macmaster, Macmillan (Middlesex), McCallum, McCarthy, McCrane, McDonald (Picton), McDougall (O. Breton), McGreevy, McLellan, Moffat, Montplaisir, Mulock, O'Brien, Orton, Paint,	Paterson (Brant), Patterson (Essex), Pinsonneault, Platt, Pope, Pruyn, Ray, Reid, Riopel, Robertson (Hamilton), Robertson (Hastings), Ross, Royal, Rykert, Scott, Scriver, Shakespeare, Shanly, Small, Smyth, Somerville (Brant), Springer, Sproule, Stairs, Sutherland (Oxford), Taschereau, Tassé, Taylor, Temple, Thompson (Antigonish), Townshend, Tupper, Tyrwhitt, Valin, Vanasse, Wallace (Albert), Wallace (York), Ward, Watson, White (Cardwell), White (Hastings), White (Renfrew), Wigle, Wilson, Wood (Brockville), Wood (Westmoreland), Woodworth, Wright.—146.
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PAIRS :

For
Mr. Mitchell.

Against,
Sir John A. Macdonald.

Motion negatived.

Mr. LANDRY (Montmagny).

ADJOURNMENT.

Sir HECTOR LANGEVIN moved that when the House adjourns, it do stand adjourned to Monday next at 3 p.m.

Motion agreed to.

MESSAGE FROM HIS EXCELLENCY.

Mr. McLELAN presented a Message from His Excellency the Governor General.

Mr. SPEAKER read the Message as follows:—

LANSDOWNE.

The Governor General transmits to the House of Commons, Estimates of sums required for the service of the Dominion for the year ending 30th June, 1887, and in accordance with the provisions of "The British North America Act, 1867," the Governor General recommends these Estimates to the House of Commons."

GOVERNMENT HOUSE,

OTTAWA, 24th March, 1886.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to: and the House adjourned at 3.05 a.m., Thursday.

HOUSE OF COMMONS.

MONDAY, 29th March, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FIRST READING.

Bill (No. 64) to amend the Act incorporating the Picton Coal and Iron Company.—(Mr. Stairs.)

SECOND READINGS.

Bill (No. 61) respecting the Canadian Copper Company.—(Mr. White, Hastings.)

Bill (No. 62) respecting the Anglo-American Iron Company.—(Mr. White, Hastings.)

Bill (No. 63) to incorporate the Rock Lake, Souris and Brandon Railway Company.—(Mr. Small.)

MESSAGE FROM HIS EXCELLENCY!

Sir HECTOR LANGEVIN presented a Message from His Excellency.

Mr. SPEAKER read the message as follows:—

LANSDOWNE.

The Governor General transmits to the House of Commons copies of certain letters of a confidential character respecting the rebellion in the North-West Territories, during the year 1885.

GOVERNMENT HOUSE,

OTTAWA, 29th March, 1886.

CANADIAN PACIFIC RAILWAY—LEASED LINES.

Mr. GLEN asked, What amounts have to be paid by the Canadian Pacific Railway Company annually, as rent or interest, on the several lines owned or leased by them and covered by the mortgage given by them to the Dominion of Canada? How much of the said amounts are entitled to be paid out of the earnings of the said leased or purchased lines before the surplus earnings can be applied in payment of interest due to the Government?

Mr. POPE. It is quite impossible for me to answer that question, as I have no information from the Canadian Pacific Railway Company on the subject.

THE NORTH-WEST DISTURBANCE—BATTLE OF BATOCHÉ.

Mr. TROW for Mr. CASEY, asked, Has any report been received by the Government from the officer second in command at Batoché? If so, will the Government lay it before the House, and when? If not, why has the usage of the service, requiring such report, not been observed?

Sir ADOLPHE CARON. No such report has been made, it being an unheard-of proceeding, and contrary to all military usage.

PRICE OF PRE-EMPTIONS IN MANITOBA.

Mr. WATSON asked, Is it the intention of the Government to reduce the price of pre-emptions in Manitoba to one dollar per acre?

Mr. WHITE. It is not the intention of the Government to reduce the price of pre-emptions in Manitoba to one dollar per acre, but the question of pre-emptions is at the moment engaging the attention of the Government.

NAVIGATION OF LAKE MANITOBA.

Mr. WATSON asked, Is it the intention of the Government to proceed with the dredging of White Mud River, and in other ways improving the navigation of Lake Manitoba, during the coming season?

Sir HECTOR LANGEVIN. This is one of those matters which are considered in connection with the Supplementary Estimates; but I am not in a position to tell the hon. gentleman just now whether this work will be done or not.

NAVIGATION OF JEMSEG CREEK, N.B.

Mr. KING asked, Whether it is the intention of the Government to improve the navigation of the Jemseg Creek, outlet of Grand Lake, N.B., by dredging this year?

Sir HECTOR LANGEVIN. I am obliged to give the same answer to the hon. gentleman.

RAILWAY LANDS IN BRITISH COLUMBIA.

Mr. GORDON asked, Has the Provincial Government of British Columbia, while acting as the agent of this Government, been authorised or instructed to withhold pre-emption records from squatters or settlers on the Vancouver Island Railway Reserve; such lands not being part of a naval reserve, a military reserve, an Indian reserve, or an Indian settlement? If so, under which clause of 47 Victoria, chapter 6, commonly known as the Settlement Act, has such authority or instructions been given? If no such authority has been given, will this Government immediately direct their agent (the Provincial Government) to issue, or cause to be issued, pre-emption records to Samuel Waddington, a squatter on said lands since 1870; also to James Harvey, executor to the late M. H. Jenkins, also a squatter for eight or ten years before his death; also to David Hoggan, a squatter since 1882; also to Thomas E. Peck, a squatter since 1870; also to others in their order of application and occupation who have applied for pre-emption records for land near Nanaimo, said lands not being covered by a naval, military, or Indian reserve or Indian settlement?

Mr. WHITE. The Provincial Government of British Columbia has not been authorised or instructed to withhold pre-emption records from squatters or settlers on the Vancouver Island Railway Reserve. As to the persons mentioned, the question is before the Department of Justice at this moment, whether they have a right to pre-emption records.

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Mr. GORDON asked, What is the amount paid to the credit of the Receiver-General up to the 31st of December last, by the Provincial Government, under the provisions of 47 Victoria, chapter 6, section 7, sub-section 1? What amount has been retained by the Provincial Government for expenses (if any) for administering said lands for purposes of settlement? Has any sum or sums of money been retained by them for covering the costs of surveys; if so, what amount? When will the surveys of the unsurveyed portion of said railway belt, now held by pre-emption, or that may up to the 19th day of December, 1887, be required for settlement for agricultural purposes, be commenced by the authority of this Government? When will belts of timber (fit for milling purposes), as provided under section 7, sub-section 4, of the before-recited Act, be defined, and by whom? Has any price been fixed, either by the Dominion Government or by the railway company, for timber or timber lands on the said railway belt; if so, what are the rates and conditions?

Mr. WHITE. No amount has, up to date, been paid to the credit of the Receiver-General by the Government of British Columbia on this account. Mr. E. W. Wilmot, an employee of the Department of the Interior, has been detailed by the Government to commence these surveys, and the Department is at this moment in correspondence with Mr. Trutch, the Agent of the Government in the Province, with a view to pressing the work as rapidly as possible. These timber belts have not been defined up to this date, and by whom they are to be defined is a matter of communication with the Provincial authorities. No price has been fixed by the Dominion Government for timber or timber lands in the Vancouver Island Railway belt.

ESQUIMALT AND NANAIMO RAILWAY.

Mr. GORDON asked, Whether any portion of the Esquimalt and Nanaimo Railway has been inspected by an Engineer acting for and on behalf of the Dominion Government? If so, whether any section or sections of said railway have been accepted, and if any, whether the subsidy earned thereby has been paid to the company in accordance with 47 Victoria, chapter 5, section 4? If not, why not?

Mr. POPE. It has been inspected, but no portion has been accepted. No portion of the subsidy has been paid to the company for the reason that by the Act of last Session a certain curvature was provided for, and when the railway was inspected it was found that the curvature was much sharper than the law required. Therefore, nothing could be paid until the Act was amended, for which a Bill is now before the House. When it has passed this House, the money will be paid.

REPRESENTATION OF BRITISH COLUMBIA IN THE DOMINION CABINET.

Mr. SHAKESPEARE asked, Whether it is the intention of the Government to respect the claims of British Columbia for representation in the Cabinet of the Dominion?

Sir HECTOR LANGEVIN. I must request my hon. friend to postpone this question until the First Minister is in his seat.

THE DUTY ON RICE.

Mr. SHAKESPEARE asked, Whether it is the intention of the Government to increase the duty on rice?

Sir HECTOR LANGEVIN. I am afraid I cannot give that information. Perhaps the hon. gentleman had better wait until the Minister of Finance states his views on matters of this kind.

IMMIGRATION AND EMIGRATION.

Mr. CHARLTON asked, What number of immigrants are supposed to have settled in Canada during the year 1885?

Mr. CARLING. A similar question was asked a few days ago, and the answer was given, I suppose during the absence of the hon. gentleman. The supposed number is 79,169.

Mr. CHARLTON asked, What number of emigrants are supposed to have gone from Canada and settled in the United States in the year 1885?

Mr. CARLING. No records are kept.

POPULATION OF KEEWATIN, MANITOBA AND THE NORTH-WEST TERRITORIES

Mr. CHARLTON asked, What was the estimated population of Keewatin, Manitoba and the North-West Territories at the close of the year 1885, and upon what data is the estimate given?

Mr. CARLING. The estimated population of Manitoba was 125,000, arrived at for the purpose of the recent financial arrangements with that Province. No estimate was made by the Government of the population of Keewatin and the North-West Territories; but a census of the population of the North-West Territories has been taken, and the result is before Parliament.

Mr. TROW (for Mr. LISTER) asked, 1. Whether the Government permitted the importation into Canada by the Niagara White Grape Company of Lockport, N.Y., of grape vines known as "The Niagara" at a valuation of 15 cents per vine? And whether the Government is aware that such vines are worth \$1.50 each, according to the price list of the company? 2. Whether the Government is aware that the Customs authorities, after the sale by the company of the vines to farmers and others, seized the same for undervaluation? If so, by whose authority were such seizures made? What action has been taken by the Department with reference to such seizures?

Mr. BOWELL. The Government has not permitted the importation of the vines at the price named, but large quantities were alleged to have been fraudulently undervalued and entered at that price; on discovery of which they were seized. The Government is not aware that they are worth \$1.50 each; the present actual value has not been established, though it is claimed by seizing officers that they are worth that figure or more. The Government is aware of the seizure for undervaluation. Such seizures have been made by or under authority of the officers who had discovered the under-valuations, and the Department has notified the company of the seizure, and called upon it for evidence in rebuttal of the charge, if such can be given. The delay allowed by the Customs Act within which to furnish evidence not having expired, no further action can at present be taken.

IMPORTATIONS OF FISH.

Mr. KIRK moved for:

Return showing the quantity and value of fish of all kinds imported from the United States and Newfoundland respectively, and the duty paid thereon, during the six months ending December 31st, 1885.

He said: The fishing industry is one of the largest in this country, exceeded only by the farming and lumber industry. The exports of fish during the last year, notwithstanding the low price of that article abroad, amounted to \$7,976,332, of which Nova Scotia exported more than one-half, thus showing the importance of this industry to that Province. When the fishing industry is in a depressed con-

Sir HECTOR LANGEVIN.

dition, the depression is felt by every other industry in the Province. That industry has been in a depressed condition for the last year and is still in the same condition. This is not due to a short catch of fish, but to low prices abroad. The Government undertook, in 1879, to enact a law by which they were to retain the markets of Canada for Canadian products, on the cry raised in 1878 of "Canada for the Canadians." In order to carry out this policy, very high protective duties were imposed on many industries, and our markets in that way were kept exclusively for the products of this country, especially in manufacturing industries. This has not been the case as regards fish. No efforts have been made to retain the markets of this country for fish caught by Canadian fishermen. I do not believe in the policy of protection; I believe it has done a vast amount of injury to this country; I believe it is not the true policy to teach the people to lean upon the Government for support, but the true policy is for the Government to teach the people to lean upon their own enterprise and individual effort. The National Policy has a tendency to cause the people to lean upon the Government for prosperity. In fact, hon. gentlemen opposite have taught the people that if Parliament was good for anything it was good to make the people prosperous by Act of Parliament. We do not hear so much in these days of the cry "Canada for the Canadians," simply because hon. gentlemen opposite have seen the failure of their policy. Last year, when Parliament was in Session, a Bill was introduced for the purpose of imposing a duty on fish imported from the United States and also on fish coming from Newfoundland. I remember that when this resolution was announced by the Finance Minister, hon. gentlemen opposite cheered; but I find that the Government, in deference to the influences brought to bear upon them by merchants from Montreal, suspended that portion of the law which applied to Newfoundland, and Newfoundland fish has been allowed to come in free of duty since the first of July. I maintain that if the National Policy, if protection is good for one industry, it ought to be good for another, and, while this is to be the policy of this country, the fishing industry should have the benefit of it as well as other industries. The people of this country pay millions of dollars annually to protect their manufacturing industries, and the people interested in fishing pay a great deal of that; but, notwithstanding the large amount which is paid to protect the manufacturing industries, the total exports of manufactures amounted to only \$3,794,226 last year, while the export of fish amounted to about eight million dollars, which shows of how much greater importance the fishing industry is to the people of this country than the manufacturing industry. Yet the manufacturing industry receives a high protection, and the markets of the country are kept for it, while the fishermen must look where they can find it for a market. This is unfair to the fishing industry, and the Government should not sacrifice the interests of the Maritime Provinces to the merchants of Montreal as they have done in this case; and if we believe the representations from Halifax, they have done the same thing in regard to the sugar interest of that city, which they have sacrificed to the interest of the merchants of Montreal.

Mr. BOWELL. There is no objection to the motion.

Mr. MITCHELL. I think that, in a matter of this importance, we ought to hear from the Treasury benches. It is, I believe, in the position stated by the hon. member for Guysboro' (Mr. Kirk), at least what I could hear of his remarks were in accordance with the facts, but I do not know that the Government are to blame; I am not here to defend them; but I should like to hear them defend themselves, and I believe they have a good defence. I believe the Government did try to draw a distinction between the fish

from Newfoundland and that coming from the lower ports—I think in the way of inspection—I do not think there was any duty; but there was a correspondence, and I will not say a very angry correspondence, in reference to the subject, but I hope some gentleman will move for that correspondence and will get it. There was some correspondence in which the Government of Newfoundland informed the Government of Canada—

Mr. BOWELL. They passed an Act.

Mr. MITCHELL. I am glad to hear my hon. friend say that they passed an Act by which they discriminated, or intended to discriminate, against the productions of Canada, against those of this country and other countries which had any restrictions placed upon fishing within their waters. I do not recollect the *ipsisima verba* of this Act, but it is of such importance that the whole matter should be brought before this House. I saw the other day that the Board of Trade of Montreal either waited upon the Government or communicated with the Government by means of resolutions, in order to ascertain in what position the trade and commerce of Canada stood with reference to the export to Newfoundland. The Government of Newfoundland passed an Act which was to go into operation, I think, on the 1st July, the effect of which was to be such on the trade and commerce of Canada that the Government of Canada had to take back-water, and to allow the disputed points to remain in suspense during that season. The Board of Trade of Montreal asked the Government whether that state of things still continued; and I think it is important to the trade and commerce of this country to find out what are the relations between this Government and the Government of Newfoundland, especially in relation to the importing and the inspecting of their fish coming into Canada; because, if those relations are the same as last year, it amounts simply to an armed neutrality—they have each suspended their laws until something is arrived at, and it is time that some means should be found to set these difficulties at rest, and to allow gentlemen who are engaged in commerce between the two countries to know what the state of the case is between them.

Mr. BOWELL. The hon. member for Northumberland (Mr. Mitchell) has stated the case very nearly as it exists. Had he not risen as he did, I intended simply to reply to the hon. member for Guysboro' (Mr. Kirk) that the statistics he has asked for would be brought down. The state of affairs between Newfoundland and the Dominion remain precisely as they have done since the 1st of July last. The Act passed by the Newfoundland Legislature was of such a character as to destroy comparatively, by its discriminating clauses, the intercourse and trade between Canada and that Province. The Government, after mature deliberation, came to the conclusion that it was better to hold in suspense that portion of the tariff which applied to Newfoundland, until some mutual arrangement could be come to between the Government of Newfoundland and the Government of the Dominion. But, owing to the elections which were going on, and the change of Government, and various other causes in Newfoundland, it was found impossible to have that personal intercourse which was necessary in order to come to some definite conclusion. It is true that the President of the Board of Trade of Montreal waited upon the Government, or upon myself, as representing the Government, in order to ascertain what course we intended to pursue during the present season. I informed him that matters would remain as they are, and that arrangements could be made by them for a continuance of their trade until a better arrangement was arrived at between the Government of Newfoundland and the Government of the Dominion. We are in hopes that we can establish those mutual arrangements which formerly existed between us. The hon. member for Guysboro' (Mr. Kirk) is wrong in

imagining that the arrangements made were altogether in the interests of the merchants of Montreal. The shipping trade of that city and of his own Province (Nova Scotia) is very important and should not be lost sight of; and that the exports are also very important to all the fishing interests of Canada, to those of the west as well as to those of the east, and for that reason we believed it to be better to allow the tariff to remain in abeyance until reciprocal arrangements could be established such as existed in the past. I think the House will concur in the policy of the Government, that in all cases where you can open trade relations either with a colony of Her Majesty or with a foreign State, where you can receive equal privileges, by being allowed to send to their markets either the products of the soil or the products of the manufactory, it is to our advantage to obtain those markets, and that if we can do so by securing privileges equal to those given by us, it is our duty to obtain them in every part of the world.

Mr. MILLS. That is protection.

Mr. BOWELL. That is protection.

Motion agreed to.

THE MATTER OF ROBERT STATHER.

Mr. WELDON moved for:

Copy of the papers used before the Supreme Court of New Brunswick in the matter of Robert Stather, a prisoner confined in the Dorchester Penitentiary, on an application for his discharge, and the judgments of the judges given in the matter on the 5th of March instant.

He said: This is a matter of some importance to the judiciary of this country, and more particularly to that of the Province of New Brunswick, who have been reflected upon, and the due administration of justice has been interfered with. The prisoner in this case was indicted in the Court of Oyer and Terminer in Halifax, Nova Scotia, for falsifying entries. The indictment was framed at common law, and also upon the Statute of 1878. The party was tried at the March sitting in 1884, and subsequently sentenced to the penitentiary in Dorchester for a term of four years. The certificate under which he was imprisoned reads as follows:—

“SUPREME COURT, 1884.

“Province of Nova Scotia, Halifax, S. S.

“To the Warden or Governor of the Penitentiary at Dorchester, in the Province of New Brunswick.

“Whereas Robert Stather, of Halifax, was, during the March sittings of the Supreme Court, indicted for making fraudulent entries and fraudulent returns, and was found guilty upon said indictment, and thereupon sentenced by the Court to be imprisoned at hard labor in the penitentiary at Dorchester for the space of four years.

“Now, therefore, these are to require and command you to receive the said Robert Stather into your custody and him to detain in the said penitentiary for the said period of four years, in conformity with the terms of his said sentence, and for which this shall be your sufficient warrant.

“(L.S.) Dated at Halifax, this fourteenth day of April, in the year of our Lord one thousand eight hundred and eighty-four.

“S. H. HOLMES,

“Clerk of the Court.”

Upon that warrant he was conveyed to the penitentiary in Dorchester. I may state that the Act of 1878 is confined entirely to persons in the employ of the Government, and if they make false entries and returns they are liable to a punishment of \$500 fine or twelve months imprisonment. Whether that is a crime at common law or not is a matter which it is not necessary for me to discuss now, although I have a strong opinion on that subject. The prisoner remained in the Dorchester Penitentiary, which is within the bounds of New Brunswick, and sometime during the past winter application was made to a judge of the Supreme Court of New Brunswick, for a writ of *habeas corpus*, or, rather, under the Statute of New Brunswick, an order in the nature of a writ of *habeas corpus*. Now, I

say that the judge had a right to issue that writ, and it has always been the duty of a judge to do so, more particularly under the Statute of Charles II. This, we believe, applies to every part of the British Empire, and under it any man who is restrained of his liberty shall have a right to appeal to a court that his case may be enquired into. Under that Statute a severe penalty is imposed upon a judge who refuses to issue a writ. Mr. Justice Wetmore, in accordance with his duty, issued that writ, and the return was made. His Honor then, feeling the importance of the question, referred this matter to the full Supreme Court of New Brunswick. It was argued in that court on the 3rd of February last, by counsel on behalf of the party, and an agent of the Minister of Justice also appeared and undertook to sustain the return of the warden of the penitentiary. Now, Mr. Speaker, reflections have been made upon the course adopted by the Supreme Court of New Brunswick, as if they had constituted themselves a court of appeals from the Supreme Court of Nova Scotia. That I deny. I say no intention of that nature was expressed by the court, nor was it for the purpose of criticising the decision of the Supreme Court of Nova Scotia, but it considered the sentence—not the decision of the full bench of Nova Scotia, as I understand it, but simply the decision of the judge at the Court of Oyer and Terminer. The question simply was whether on the return produced by the warden of the penitentiary a proper cause of detention had been made out by the Penitentiary Act:

"Sheriff or deputy sheriff may convey to the penitentiary named in the sentence any convict sentenced or liable to be imprisoned therein, and shall deliver him to the warden thereof without any further warrant than a copy of the sentence taken from the minutes of the court before which the convict has been tried, and certified by a judge or by the clerk or acting clerk of such court."

"40. Warden to receive into the penitentiary every convict legally certified to him as sentenced to imprisonment therein, and shall there detain until the term be completed, or until he is otherwise discharged in due course of law."

Now there is another point which I wish to mention. When a convict is removed from one penitentiary to another under a warrant of the Secretary of State, the warden of the penitentiary in which the party is confined shall, upon the production of the warrant, hand over the convict to the officer producing the warrant, and a copy of the original conviction and sentence must also be handed to him, showing that it was the object of the law that whether a party be confined in a penitentiary or elsewhere, there should be a warrant and properly certified documents by which the warden of the penitentiary, as well as any other person, shall show why and wherefore the prisoner named is restrained of his liberty. Such was the position of this case. The question before the Supreme Court of New Brunswick was, whether there was sufficient justification in the return of the warden of the penitentiary to detain him. But, Mr. Speaker, they have been attacked; and I feel it my duty to say, in justice to the judges of the Supreme Court, before whom I have had the honor to practice for a number of years, that they do not repudiate any action of theirs but they simply did what they believed to be their duty—not, as I said before, for the purpose of criticising the action of the Supreme Court of Nova Scotia. In the *Halifax Herald* I find that serious charges are made against the New Brunswick courts, which I say are unfounded. You will find when you come to the decision of the court that the judges expressly declared that they had no intention of interfering with the judgment of the Supreme Court of Nova Scotia. I find in the *Halifax Herald* of March 3rd, the following:—

"The Supreme Court of New Brunswick, that by law has no pre-eminence or authority whatever over Supreme Court of Nova Scotia, was attempting to do what was equivalent to reversing the sentence of the latter. It is apparent the Minister of Justice is not prepared to concede this. Indeed, we judge that it is his intention to resist it, but until legislation is passed it might be difficult to curb

Mr. WELDON.

the ambitious assumptions of Chief Justice Allan and his associates of the New Brunswick bench. It is probable, to obviate this difficulty, that the Minister of Justice has done what he has, intending, doubtless, to guard against future attempts of the same kind by explicit enactment at the present Session of Parliament."

Now, Sir, the Chief Justice who has presided over that court for twenty years, is a gentleman whose character, and position as a lawyer and as a man, stand equal to those of any judge in the Dominion of Canada. And so I say with regard to the other judges who were associated with him in this case. After they had discussed this matter brought before them, they took time to consider, and on the 5th of March a majority of the judges, four out of six, decided that the return was not sufficient, and ordered the discharge of the prisoner. Those judges were Chief Justice Allan, Justice Wetmore, Justice Fraser and Justice Palmer, Justice King being of a contrary opinion, and Justice Tuck holding that it was not within the jurisdiction of the court. This occurred while the matter was before the Supreme Court of New Brunswick, a court which alone had jurisdiction with respect to it, because there is no other court in the Dominion, save and except the Supreme Court of Canada, which has the right to issue such a writ within the Province of New Brunswick. It is the bounden duty of every judge of that court, when applied to by any person in the territory of New Brunswick, whose liberty is restrained, to have the question investigated as to whether he was rightfully detained or not, or whether the writ on which he was detained had a sufficient warranty of law to deprive him of liberty and detain him in custody. What do we find? We find that while this matter was being fairly discussed by the judges of that court the Government adopted a certain course. On the 19th February an order was made by which this prisoner was removed from the Dorchester Penitentiary to the Kingston Penitentiary, and about 24th February the party was removed from New Brunswick, out of the jurisdiction of the Province, into the Province of Ontario, and beyond the jurisdiction and control of the Supreme Court of New Brunswick. Had it been taken under the old writ of *habeas corpus*, issued under the Statute of Charles, under which it was provided that for the safety of the person whose liberty was restrained the court should require not only that the writ should be returned, but that the party should bring the person into court, so as to place him under the control of the judges trying the case, that this would not have happened which did happen before the days of Charles II, for in the reign of Charles I—and it is the only instance I can find—when a writ of *habeas corpus* was issued respecting Sir John Elliott, the King had him removed from custody; and I repeat that that is the only instance in history where a party has been so removed when the case was pending before the court. So, when the decision of the New Brunswick Court was given on 5th March, we find that, by the power given by the Secretary of State's warrant, the party was removed. The section under which he was removed is section 4 of the Penitentiaries Act, which provides that the Government, on the warrant of the Secretary of State, may direct the removal of a convict from one penitentiary to another; and the warden shall deliver him into the custody of the officer producing the warrant, with a copy of the date of conviction. The convict was thus removed while the matter was pending before the Supreme Court of New Brunswick, while it was before the only tribunal which had a right to decide it, the only court in which a writ of *habeas corpus* could issue to persons confined in New Brunswick, as, I believe, some difficulty has arisen as to the jurisdiction of the Supreme Court of Canada in regard to issuing writs of *habeas corpus*. Whether that power is vested in the Supreme Court of Canada, it is certain that the Supreme Court of New Brunswick possessed the right. In the United States the State Courts have no doubt as to their power in this

regard, although there was some conflict of opinion as to their power, and they have exercised that power when the question as to the jurisdiction of the Federal Courts has been raised. So our Supreme Court of New Brunswick had claimed that under the law as it stood they had the right to which I have referred. I contend that the court did not exceed its jurisdiction and it was a just exercise of its power when they issued the writ on the application of the individual in question, no matter who he was or what he was. I have nothing to do with the merits of the case; but this is a case of importance with respect to the liberty of the subject. The Statute under which the party was tried provided a penalty of £500 and imprisonment for twelve months, under which the prisoner could not be sent to penitentiary at Dorchester, because it is provided by the Act that no one shall be admitted there for less than two years; if so, this party had no right to be there. Whether he was guilty of the crime or not and whether the imprisonment was warranted, no interference should have been made with the court. As to the question whether by common law it is a crime to make false entries in official books, it is not necessary to discuss. It is a question which may be of considerable importance in the investigation before the judges, but the question is simply as to whether it was right or wrong to interfere with the person when before the recognised tribunal of the country, the only tribunal which had a right to issue the writ, and because under the wording of the provisions of the New Brunswick Act it was not necessary to produce the party with the return of the writ. Had the old practice been followed, the individual would have been in the custody of the court, and not in that of the officer in charge. I felt it my duty to bring this matter forward, not only in regard to what I consider was an undue reflection made on the Supreme Court of New Brunswick, which has not the slightest justification, but also because I consider this is a matter of some importance, because there is no greater safeguard for the liberties of the people than that by which every man has a right to be brought before a tribunal and have his case thoroughly investigated by the court, to ascertain, not only that there is justification for his retention, but that he is detained on the proper documents prescribed by law.

Mr. THOMPSON (Antigonish). There can be no objection whatever to the papers which my hon. friend desires to have laid on the Table being brought down as soon as possible. In fact, when the hon. gentleman put the notice on the paper I caused application to be made for copies of the judgments of the Supreme Court of his Province, which form a very important part of the set of documents which the hon. gentleman requires. I not only acquiesce, therefore, in the motion which the hon. gentleman has made, but I feel somewhat grateful to him for having spoken to it, inasmuch as he seems up to this moment to have labored under an entirely erroneous impression as to what was really involved in the action of the Department of Justice. If the hon. gentleman has supposed—as I have no doubt he has—that any reflection whatever upon the judiciary of his Province was involved in the action which was taken with regard to this convict, I am glad he has brought the matter to the notice of the House, because I shall not only be able to explain to the satisfaction of the House that such is not the case, but I think I shall be able to remove any such impression from his mind. In the first place, he has discussed two or three matters which, of course, he thought were involved in these proceedings, but which are not involved in them to the slightest extent. My hon. friend has discussed this matter as if the question of conflict between two jurisdictions, that of the Supreme Court of New Brunswick and that of the Supreme Court of Nova Scotia, was involved. He discussed it from that point of view, and he presented to the House an argument of this kind—that even

if such conflict were involved, it would not be improper to sustain the jurisdiction of the Supreme Court of New Brunswick, because it was only reviewing the decision of a single judge in the Province of Nova Scotia sitting at Oyer and Terminer and not exercising the full powers of the court. I beg to say as regards that point, that, although it is not involved in this case at all, a judge holding a criminal court in the Province of Nova Scotia, expressly and by Statute, exercises the powers of the full court, and his ruling, his sentence, his judgment and sentence, are as much the rulings and judgments of the court, as if all the seven judges were present. However, there was not the slightest intention in this case of testing the question of the jurisdiction of the Supreme Court of New Brunswick, in adjudicating on an application made to it by a prisoner in a penitentiary within the limits of that Province, although at some day it may become a serious question how far the jurisdiction may extend of a court of one Province to release those persons committed to the penitentiary in that Province by the supreme tribunals of other Provinces. In this case, however, by the judgment of the Supreme Court of New Brunswick, it was decided that the court had no such jurisdiction, and the court expressly declined, according to the reports which I have read of the judgments delivered by the several judges, to affirm the principle that they had any right to look into or review the proceedings before the Supreme Court of Nova Scotia. Then, as to what those proceedings were, my hon. friend was slightly in error. The common law offence was not as he stated it for irregular or fraudulent entries, but it is what is technically known as fraud and breach of trust in office, and involved something more than the mere making of fraudulent entries or returns. However, that is not material. It is true, as my hon. friend says, that at a subsequent stage the regularity of the sentence, trial, &c., was attacked on the ground that the sentence was excessive, and should only have been the sentence involved in the statutory offence. I beg, however, to call attention to the fact that the Supreme Court of New Brunswick practically decided that the proceedings at the trial, the sentence, and everything else, were perfectly regular and not excessive; and that, therefore, as regards all the proceedings which took place before the Supreme Court of Nova Scotia, everything was either perfectly correct or unassailable, or, if they were supposed to be otherwise, the jurisdiction of the Supreme Court of New Brunswick did not extend so far as to warrant that court in enquiring into the proceedings which took place before the Supreme Court of Nova Scotia. I make the explanation especially because some who have bestowed some pains on the matter have published statements that the removal of the convict was made in order to cover up some defect connected with the trial, conviction and sentence of the prisoner. I, therefore, repeat that those proceedings, as far as they were reviewed by the Supreme Court of the Province of New Brunswick, were pronounced by several of the judges to be correct and regular, and by others it was decided that the Supreme Court of New Brunswick could not make any review of them, even if they were irregular. The hon. gentleman has intimated that in some of the journals which have taken up this question in the Lower Provinces, reflections were made on the right of the Supreme Court of New Brunswick to enquire at all into the imprisonment at any stage. However that may be, I do not intend to enter upon any controversy in which I would at all dispute their right to review what took place with regard to any convict within their territorial jurisdiction, and I do not propose to enter upon that matter for the reason I have already stated—that it is not properly involved in this question. My hon. friend need not have been very sensitive about the remarks which he considers were reflections made against the judiciary of his Province, or have been at any trouble to cite precedents

from the reign of King Charles, because if he had been prepared to go a little more deeply into the subject he would have found that the reflections from the other side of the press were still more vigorous, and he would have found far more recent precedents were cited with regard to the infringement of the liberty of the subject than any from the reign of King Charles. I have been compared to a number of the Czars and to other very objectionable monarchs of later times; and I think, if the hon. gentleman will correct his brief and will cite some precedents from the administration of criminal justice in Russia, he will find that his brief will contain far more vigorous precedents than those which he has cited, and better gratify the tastes of those who have so warmly criticised my conduct. The real point involved is this: That after this person had been tried, convicted and sentenced, it became the duty of the clerk of the court in Halifax to send with the constable who took the prisoner to Dorchester Penitentiary a copy of the sentence. It transpired that the clerk of that court did not send what could strictly be considered a copy of the sentence. When the counsel for this convict made his application, under the Act relating to the liberty of the subject, to the court of New Brunswick, a report was made on his case by the counsel who looked into the matter, and it was then discovered that, perhaps owing to the unskilfulness of the particular officer who had, from time to time, sent the copies of the sentences of the prisoners, it was customary to send what was perhaps a statement of the sentence in a very rough way, but not at all a copy of the sentence—stated in such a way that it would appear from the face of the documents that the offence for which he was sent to the penitentiary was an indictable offence at all. In this particular instance instead of the return of commitment being a copy of the sentence, it stated merely that it was a sentence for fraud, or something of that kind. So the only objection which was taken and decided upon in New Brunswick, and in respect of which the New Brunswick Court proposed to entertain any powers of review at all, was the document from the clerk of the court at Halifax, after the sentence, in transmitting the prisoner to the penitentiary. If we had acquiesced in the principle which the hon. gentleman seems to lay down, the moment these irregularities were discovered, all the convicts from Halifax should have been set at large, but that, I think, would have been a very blameable proceeding. What I did was to take proceedings to have proper warrants of commitment lodged with the warden at Dorchester, in order that proper copies of sentences might be recorded against those prisoners. It was doubtful, considering the stage of these proceedings, whether the documents could be sent so as to reach Dorchester in time to prevent Stather's liberation, and in time to present the new warrant to the court. In order to obtain time to remedy this purely clerical error of the office, it was deemed necessary, and I took the responsibility, to remove him from Dorchester to another penitentiary. My hon. friend will see, therefore, that the only irregularity involved was the irregularity in connection with the warrant of commitment, and not, as I presume he inadvertently stated, of the certificate under which he was sentenced. My hon. friend knows that when a conviction is wrong or a warrant is defective, it is the daily practice, under a writ of *certiorari* or *habeas corpus* or other such writ, to substitute a correct conviction or warrant as the case may be; and that is precisely what was done in this case and in the case of other prisoners in the Dorchester Penitentiary in which the warrants were found defective. There was not necessarily involved, although it was raised in the press, any question as to the jurisdiction of the two courts, nor as to the regularity of anything connected with the proceedings; and I can assure my hon. friend at once, for the

Mr. THOMPSON (Antigonish).

purpose of removing from his mind any suspicion that there was any disposition to interfere with or reflect on the judiciary of his Province, that, whether this prisoner or any other happens to be at any time within the territorial jurisdiction of the court or not, if the judgment of a competent tribunal pronounces that he has been improperly convicted, or that any defect exists with regard to his case, which cannot and should not be corrected, after review on appeal, if an appeal be open to us, would not make me hesitate for a moment as to the propriety of giving him his discharge. But if the error was, as I still believe it was, a purely clerical one, which we had a right to correct by the substitution of a warrant correct in point of form, then I think we were bound to take all proper steps, not to interfere with the administration of criminal justice, but to forward criminal justice by preventing the escape of the convict.

Mr. CAMERON (Huron). I must say that the statement made by my hon. friend from St. John (Mr. Weldon) is a startling statement, and I am bound to say that the justification of the Minister of Justice is still more startling. I did not understand my hon. friend to complain that it was stated in the public press or elsewhere that there was a conflict of opinion between the judges of Nova Scotia and the judges of New Brunswick. That was a matter of really no consequence, and did not form an important element in the statement of my hon. friend. I understand my hon. friend to complain that a British subject was indicted in one of the Courts of Oyer and Terminer in the Province of Nova Scotia for an indictable offence, and that he was convicted and sentenced by the court that tried him; and it is said the sentence of the court was improper, because it was in excess of the powers conferred upon it by Statute. After he was sentenced and transferred to a penitentiary in an adjacent Province, his lawyer discovered that the sentence was in excess of the powers of the court, and that the warrant of commitment was illegal, and the latter point was so decided by the court.

Mr. THOMPSON (Antigonish). I may inform my hon. friend that such was not discovered, and such was not decided by the Supreme Court of New Brunswick.

Mr. CAMERON (Huron). I understand that the counsel for the prisoner discovered that the warrant under which this prisoner was held in duration in the penitentiary of New Brunswick was a void warrant, and he made the application that every British subject has a right to make. He applied to the Court within whose jurisdiction the prisoner was confined—not to a single judge, but to the full court of the Province of New Brunswick. The case was argued by the counsel for the prisoner, and I suppose counsel represented the Crown; and the full court gave a judgment in favor of the prisoner, holding, as I understand, that the warrant under which he was committed to the penitentiary of New Brunswick did not justify his retention in that prison, the warrant being wholly illegal. The Minister of Justice, he himself admits, took steps to remove that prisoner from the jurisdiction of the court within whose power he then was and which had given the judgment. Now, what was the object of removing the prisoner? The hon. gentleman openly and candidly tells us the object was actually to defeat the judgment of the Supreme Court of New Brunswick. It does appear to me most extraordinary that for the purpose of defeating the judgment of a court, a British subject who is a prisoner should be removed surreptitiously and secretly beyond the jurisdiction of that court and sent to the penitentiary of another Province. The hon. gentleman says it is a technical objection. It is of no consequence whether it is technical or not. In my opinion it is not technical; it is an objection of substance. What was the man there for? He must have

been there under some process, and if the process was illegal, if it was not justified by the practice of the courts, he should not have been kept there, and the court of New Brunswick so decided. To evade that, and to get this man beyond the judgment of the court, the Minister of Justice chose to remove him to Kingston Penitentiary. I say it is an unheard-of thing. I think I can challenge the Minister of Justice to point to another instance, in the history of this or any other country in the past 50 years, of such a thing having been done. It is true that in cases of conviction where a man's property may be imperilled, the convicting justice has, under the Statute, the right to send in an amended conviction; but will the hon. gentleman point out a case where a man entitled to a discharge from the penitentiary has a new warrant or commitment made out against him, and he is thereunder retained in the penitentiary at the instance of the Minister, who, above all others, ought to protect the liberty of the subject. It is an extraordinary thing. I shall wait until the papers are brought down, and until we are able to discuss the case upon proper principles, and with all the information before us, before I further express my opinion as to the course the Government has seen fit to pursue in this case. Upon the Minister's own statement, it is a proceeding wholly unjustifiable and unwarranted.

Mr. TUPPER. I have been somewhat amused on previous occasions to notice that the hon. gentleman who has just spoken (Mr. Cameron, Huron) assumed a similar appearance of indignation under a certain misapprehension of the facts, and then, when corrected, would not alter in the slightest the indignation under which he appeared to labor. He has risen again under another misapprehension of the facts of a case which he has never studied, to which he has given no attention, judging from the remarks he has made. Yet he rises under the supposition that an erroneous and illegal sentence has been passed on a man, and that the Minister of Justice had undertaken wantonly and in a high-handed manner to rectify the defects due to the judge—

Mr. CAMERON (Huron). I did not say so.

Mr. TUPPER. And expresses his indignation. The hon. gentleman was corrected on that point, the strongest ground upon which he could have addressed the House in the manner he did, and having been corrected, instead of sitting down and showing his good sense and judgment, he went on to say it made no difference whether the objection was a technical one or whether the defect was technical or not. I was not surprised at this because I have noticed that, unfortunately, the hon. gentleman is in the habit of allowing his better judgment to be carried away even upon legal questions, when started on his side of the House. There is a curious spectacle afforded by the Opposition on this point taken in connection with their action on a matter previously under discussion. We have here, on the opposite side of the House, the champions of felons and convicts. There is not, it seems, to be a case in which a man is sentenced to death or penitentiary, on whose sentence this House is not to be constituted at once a court of appeal. Now hon. gentlemen come forward to champion the case of this convict on a point somewhat similar to the omission of dotting an "i" or crossing a "t," and seek to invoke the sympathy of this House for their *protégé*, under the guise of being defenders of the "liberty of the subject." That expression covers a great deal, but I think there never was a weaker case than this where it could be called into service. The hon. gentleman must be very ignorant—for I will not say it was intentional—of the manner in which this matter has been dealt with by the Supreme Court of New Brunswick. Had the hon. gentleman who followed the mover of the resolution listened to the remarks of the latter he would have known that this very mistake, this

clerical omission on the part of the clerk at Halifax in the drawing out of the warrant of committal or certificate, was discussed at great length in the Supreme Court of New Brunswick, and that court did not come to an unanimous judgment on the point raised. This is where my hon. friend fell into error; had he known the circumstances he would not have given vent to the excitement he exhibited. Any hon. gentleman who understands the case will see, as a lawyer, that if it was illegal for the Minister of Justice to take the course he did, it cannot be denied that, if that man had been illegally dealt with or illegally transferred from Dorchester, he is not beyond the reach of the law. The court of New Brunswick is not the only legal tribunal where redress can be had, and the liberty of the subject vindicated. Kingston, Ont., is, I suppose, as safe a place as Dorchester, N.B., for any of Her Majesty's subjects to reside in; and I think my hon. friend will find there are tribunals out of New Brunswick which will take care, if necessary, of his friend the convict who has been sent from Dorchester to Kingston. When hon. gentlemen opposite do take up the cases of convicts, they ought, at least, to be gallant. In this case, the convict happens to be a male, and the hon. member for St. John (Mr. Weldon) must be aware that last year, no less than seven female prisoners were transferred from Dorchester to Kingston. If he will enquire into their cases, I have no doubt he will find some "i's" not dotted or "t's" not crossed in the certificates or warrants; and if their cases were brought up here, the hon. member for Huron (Mr. Cameron) could show that gross outrages were perpetrated on the "liberty of the subject." This House to which the hon. member for St. John (Mr. Weldon) has appealed, will do well to reserve judgment until the papers are brought down.

Mr. MILLS. The position taken by the hon. gentleman is an extraordinary one. He said this House is erecting itself into a court of review, into, in fact, the ultimate court of appeal, for the purpose of considering judgments passed in the various courts. The hon. gentleman is mistaken. The question raised by my hon. friend (Mr. Weldon) and discussed by the hon. member for West Huron (Mr. Cameron) is not the action of a court, not the propriety of the decision of a court, either in Nova Scotia or New Brunswick, but the propriety of the action of the Minister of Justice acting as such. What did he do in this matter? He interfered with the prisoner who had sued out a writ of *habeas corpus*, and whose case was before the court. The hon. gentleman knows that if the court of New Brunswick had acted on this, the prisoner would have been in the custody of the court, and the Minister of Justice would not have had the power to do what he did. What did the Minister of Justice do in anticipation of the action of the court? He took the prisoner out of the jurisdiction of the court; he put him where he could not avail himself of its jurisdiction. What the Minister of Justice has done in that case he might do in the case of any other prisoner. This prisoner may not be guilty. The question is whether, on the decision of that court, he would be entitled to be discharged. The Minister of Justice says he would; but says: I will frustrate the decision of the court; I will see that it is inoperative by putting the prisoner in another penitentiary where the decision cannot have any effect. Suppose the case had happened in British Columbia, how would the prisoner there have been kept in custody by this action on the part of the Minister? Suppose we had but one penitentiary, how would the Minister have been able to avail himself of the power which he finds in the Statute, of removing the prisoner from the jurisdiction of the court where he was tried and placing him in another penitentiary. No doubt this power was not given to the Minister of Justice for any such purpose; no doubt it was not given for the purpose of frustrat-

ing the decision of a court or for rendering it inoperative. But that is precisely what the Minister of Justice has done. Instead of using his position to uphold and maintain the authority of the courts, he has used it for the purpose of rendering that authority nugatory. The hon. member for Pictou (Mr. Tupper), talked about hon. gentlemen on this side coming to the rescue of felons; we are not coming to the rescue of any felon, but we are seeking to uphold the authority of the courts, and to see that the Government, which ought to use its power for the purpose of maintaining the authority of the courts, should not use it for the purpose of frustrating the decisions and determinations of the courts. This prisoner may or may not be a meritorious person; he may be escaping on a mere technicality; he may be richly deserving of a greater punishment than the decision of the court would have carried into effect. That is altogether beside the question. What the hon. gentleman has done to-day, in the case of a prisoner who he says is guilty, and who was about to escape in consequence of a mistake on the part of an officer of the court in the Province of Nova Scotia, may be done to-morrow to anyone else. My hon. friend has referred to the case of Sir John Eliot. In that case the power of the Executive was used for the purpose of impairing the administration of justice, and in order to deprive an innocent man of his liberty. The power entrusted to the hon. gentleman is not to be used for the purpose of frustrating the ends of justice, but if it is used in this case to-day it may be used against an innocent man to-morrow. Supposing that this man had been wrongly accused, that he was not the party who had committed the offence; supposing that had been established before the court of New Brunswick, the hon. Minister of Justice would have had the same power to order his transportation from one penitentiary to another as he has exercised. It is clear, then, that he has not used this power in accordance with the purpose for which it was conferred upon the Department of Justice, but for another purpose, and one which must lead to its exercise in other cases in which it should not be allowed.

Mr. WELDON. My hon. friend the Minister of Justice put forward certainly a different statement as to what constituted the judgment of the court from that which I have generally understood, but I do not think that is the question now before us. I quite agree with the Minister of Justice that that question is not now to be decided, but I think the question is whether the Government has the right to interfere with the jurisdiction of a court. While the hon. Minister of Justice rejects the case which I cited from Charles I, he says that the only case which applies is one in which he was compared with the Czar of Russia. I am glad that he admits that nothing can be found in the history of England of a similar character, and that he has to go to despotic Russia to find a parallel. I am glad that, notwithstanding the unsettled state of the country from Charles down, we have never in England found this writ refused by the Government.

Mr. THOMPSON (Antigonish). It is an every-day practice, as the hon. gentleman knows.

Mr. WELDON. I wish my hon. friend would point out where this writ has been refused. It certainly was not in the case of the Canadian prisoners, those men whom Lord Durham pardoned. In their case neither the Court of Queen's Bench nor the Court of Exchequer refused the writ of *habeas corpus*. They did not refuse even to send it across the Atlantic, because they had the right to issue it. The writ of *habeas corpus* is the right of every British subject, and the hon. Minister of Justice knows that under the Statute of Charles not only the writs but the party himself had to be produced, and it would be a contempt of court for anyone to take him out of the jurisdiction of the court.

Mr. MILLS.

Under the statute of New Brunswick that was not necessary. My hon. friend from Pictou (Mr. Tupper) speaks of this as if it was an omission to dot an "i" or a mere clerical error. It was not. It was a serious defect in the warrant. We know that the period when the sentence commenced to run was the date upon which the man was convicted. Mr. Justice Palmer said, in reference to this matter:

"The prisoner was indicted for making fraudulent entries and fraudulent returns, and was found guilty and therefore sentenced. This is equivalent to saying that he was sentenced to imprisonment for four years for making fraudulent entries and fraudulent returns. If this is all he was convicted of, it is apparent that he is convicted of no crime at all, unless it can be shown that the making of fraudulent entries and returns is made a crime either at common law or by some statute. The mere doing this was no crime at common law, for it is not a crime to make an entry in one's own books even if fraud was intended, so long as no cheating or fraud was committed, and it is difficult to know what fraudulent returns the prisoner made without a more definite description than is contained in the certificate; and, if the offence of which the prisoner was intended to be convicted was for making false entries as a public officer, under 41 Victoria, chapter 7, the certificate does not say so, nor does it state that the prisoner was acting in an office or employment connected with the collection or management of the revenue, nor does it show that the fraudulent entries were made in any book, or that the entries were made in any case in which by law or regulation he was required to make any entry, nor that the returns or the entries were false, without all of which he committed no offence under 41 Victoria, chapter 7, section 67, sub-section 4, and even if he had, and had been sentenced for such offence, the punishment could only have been one year, and not four, and, therefore, was not warranted by law."

So you see, Mr. Speaker, that is a substantial defect in the warrant. My hon. friend, the Minister of Justice, has referred to convictions being amended, but those are not convictions under the Statute, as has been stated by my hon. friend from West Huron (Mr. Cameron).

Mr. THOMPSON (Antigonish). I was not referring to an amendment of the conviction in such a case, but to an amendment of an improper, invalid and illegal conviction, and I pointed out that it is the every-day practice to call upon the officers to return a proper instead of irregular conviction.

Mr. WELDON. I have referred to a case in Upper Canada where the court, on a writ of error, sent the conviction back to the court below to return a proper sentence. I admit that the conviction may be amended, but I do not think the Minister of Justice can find a case in which the warrant has been amended, and that is what has been done. Even if it were done, it could only be done by the tribunal which has cognisance of the case. I claim that we have nothing to do with the merits of the case. This man may have rightly deserved his punishment, but this is an infringement on the rights of the courts, and it is our incumbent duty, as the Legislature of the Dominion of Canada, to see that the administration of justice is pure and is preserved from the action of the Government.

Mr. McCARTHY. I think it is a pity that this matter should be discussed before the papers are brought down. I think that, on both sides of the House, there is an admitted ignorance, except in the case of the Minister of Justice, as to the facts, and in such a case I think the matter, which may or may not be important, should not be discussed. As I understand the statement which has been made, it is that a man who was properly and righteously convicted was sent to the penitentiary on an informal warrant. That the justice of the sentence and the righteousness of the condemnation are not at all in dispute or in doubt, but through some informality in the warrant, by the misprision of the clerk, it was sent to the warden of the penitentiary, and thereupon a document was made for the discharge of the prisoner, merely on this informality. Now, if I understand the argument of the hon. gentleman who last addressed the House, it must be an awful state of things if there is any means whatever by which this man can be detained in

custody until a proper warrant is lodged by which he will be detained so as to undergo the punishment that has been pronounced against him. Now, I wholly differ from the line laid down by my hon. friend. The very case he refers to, that of the Canadian prisoners, is a case directly in point. It would be the duty of the court, I take it, if satisfied the conviction was good on the mere technical defect existing in the warrant, which enabled the party to be discharged, to suspend their judgment until a proper warrant should be lodged, and that was what was done in case of the Canadian prisoners.

Mr. WELDON. The Supreme Court of New Brunswick was not asked to do it.

Mr. McCARTHY. We are really groping in the dark in talking of that matter without the papers being before us. But I say it would have been the duty of the court to withhold their judgment so that the convict should not be set at large simply upon a mere technical error. The case of the Canadian prisoners is precisely in point. There undoubtedly, upon the warrant upon which the prisoners were held at the time of their arrest, or rather the document upon which the *habeas corpus* was sued out, they were not properly in custody. But did any of the courts discharge them? Did they act, as my hon. friend thinks they ought to have done in this case? No, they withheld judgment until a proper warrant was lodged. In a case recently before the courts of Ontario this very matter came up with regard to the discharge of a prisoner, and that was the course which the court followed. I think it is unfortunate that this question—although I admit the propriety of the hon. gentleman's course—should be discussed in the absence of that information upon which it must necessarily turn; because, if it were merely an informality, I think we will all agree that the course pursued by the Minister of Justice was right, to have the prisoner detained until a proper warrant can be lodged; and as my hon. friend from Picton (Mr. Tupper) pointed out to the House, the prisoner cannot be detained unless a proper warrant is lodged, and he can apply for a *habeas corpus* here just as the prisoner could have applied for it there; and if there is no proper order for the detention of the prisoner, no doubt the discharge can be obtained. True, the question is, whether this man was properly convicted or not, not whether the warrant was technically right or wrong, but was he properly convicted, and if so, he ought certainly to undergo his punishment.

Motion agreed to.

LAWS RELATING TO COPYRIGHT.

Mr. EDGAR moved :

That a Select Committee be appointed to take into consideration the condition of the laws relating to copyright in force in Canada, and to consider whether legislation or other action is desirable on that subject, with power to send for persons, papers and records, and to report by Bill, or otherwise; the said Committee to be composed of Messrs. Colby, Davies, Desjardins, Hall, Cameron (Middlesex), Macmillan (Middlesex), Casgrain, Tassé, and the mover.

He said : I may mention that before placing the names of those hon. members on the Committee I obtained their assent to serve on such a Committee if it were appointed by the House. I propose to give briefly some of the reasons why I have brought this motion forward and why the House should without hesitation grant the Committee. It will be remembered that last Session I had the honor to bring the matter before the House in a different shape. In order that hon. members may see the position the question occupies to-day I will read the motion I then moved. It is as follows :—

"1. That the present position of the copyright law in Canada is anomalous and unfair to the public, to the printing and publishing trades and to the authors of this country.

"2. That without further legislation in the Imperial Parliament the Parliament of Canada is powerless to make laws to deal with the whole question of copyright in Canada, because it has been authoritatively decided that any person who obtains a British copyright possesses the sole and exclusive right of reprinting the work in Canada, and that no legislation of the Dominion can effect such right.

"3. That in order to place Canadian publishers upon the same footing as American publishers, in regard to the reprinting of British copyright works, a Bill was unanimously passed by the Dominion Parliament, in the Session of 1872, and reserved for the signification of Her Majesty's pleasure thereon.

"4. That Her Majesty's assent was not given to the said Bill, and by the correspondence on the subject which was laid before the House the reason for the refusal was alleged to be that the provisions of the Canadian Bill were in conflict with Imperial legislation.

"5. That an humble Address be presented to Her Majesty, praying that Her Majesty may be graciously pleased to invite Her Imperial Parliament to except Canada from the operation of the Statute of the United Kingdom, respecting copyright, so far as is necessary to give the Parliament of Canada a clear authority to legislate upon all matters respecting copyright in Canada."

That proposition was discussed by the House, and the First Minister moved the adjournment of the debate, and at that stage of the Session the adjourned debate was never reached. I sincerely hope there will be no adjournment of this debate moved to-day, but that we will have an opportunity of thoroughly discussing the matter and ascertaining how the House feels upon it. The question is one undoubtedly of very great importance, and is just as certain that most of the members of this House are not very familiar with it; and if there is one subject that can come before the House upon which information is required by hon. members, such information as could be given by witnesses called before a committee, it is this question of copyright. Although I have not changed my individual opinion as to the only effective way of dealing with this question, and I still think that a request to the Imperial Parliament is necessary and we should ask them to enlarge the powers of Canada to legislate upon this subject, still other members may have different views, and for this reason I should be very glad to see the whole question dealt with by a committee of the House, and let them try to arrive at some conclusion on the subject and report to the House, so that the House, and the Government, I hope, too, will be able to decide what would be the best action to take in the matter. For the reason that I happened to take some little interest in the question of last Session, I have since then had a great many reasons to know the large interest taken in this question by very material interests in this country. The publishers are deeply interested in it, and they feel they are placed at a very great disadvantage by the present state of the law. I have been told also by paper makers that they are very anxious to see it changed, so that Canadian publishers will have an opportunity of publishing tons of books now published in the United States; and the paper makers will, of course, supply the Canadian publishers with the paper required. The trades and labor council of Ontario felt, in the interests of the printers, bookbinders and mechanics generally who are engaged in those trades, that the subject is so important that they have memorialised the Government on the question since last Session, and I know from communications with them that they are very anxious to have something done in the matter. The reading public of Canada are also largely interested in obtaining the advantage of Canadian competition with Americans, who alone can reprint British copyrighted books for Canada now. So I think that in order to satisfy all these interests and to inform the House on this very important and somewhat abstruse question, the only course open is to appoint a committee to consider the matter. Last Session I pointed out a good many of the practical grievances in detail which are suffered under the law as it at present stands; but now I shall only refer to one or two of them. Let us take the case of a British author who obtains a British copyright. His copyright, when taken out in London, covers Canada, of course; whether he

prints or publishes in Canada or not, he has the copyright covering Canada, and thus prevents any Canadian from printing or publishing his books here. Now foreign reprints of British copyrighted books are allowed, under certain circumstances, to be imported and sold in Canada. That was under the operation of the British Act of 1847, and an Order in Council passed by Canada under that Act. That Act provided that where any colony chose to make provision that the British author should receive a royalty or author's tax upon the reprints of his copyrighted books that might be brought into the colony, then the liberty shall be given, for the benefit of the reading community in that colony, to foreigners to send into that country reprints of British copyrighted books on paying the royalty—which, in the case of Canada, was fixed at 12½ per cent. Now, that is all right as far as it goes; there is no cause of complaint in that case. It is for the benefit of the Canadian public. If the 12½ per cent. royalty at the frontier were collected as a matter of fact, if it were properly collected, it would also be to that extent for the benefit of the English author, and the Canadian Government would also receive some revenue from importations. But what the Canadian publishers find fault with is this, that while the Americans are able to supply the Canadian reading public with reprints of British copyright works, the Canadian publisher is absolutely debarred and prevented from reprinting one of those works for his own fellow-countrymen, even although he is perfectly willing to pay 12½ per cent. royalty to the British author, if he were allowed that privilege. It seems to me it is perfectly clear that the Canadian publisher is at a great and an unfair disadvantage in that respect, and that the Canadian public would benefit if that state of the law were changed and the Canadian publisher were allowed to reprint British copyrighted works and pay the duty, because the Canadian public would then get the benefit of the competition between the Canadian and the American publisher. The Canadian publisher would also then have the chance not only of supplying his own fellow-countrymen with these books, but he would have the opportunity of going into the United States and selling his edition there. And there is no doubt about it that the British author would be very much benefited, because, as it is to-day, the hon. Minister of Customs must know perfectly well that the amount which is collected at the frontier, representing the 12½ per cent. authors' tax, is exceedingly trifling. It is almost impossible to collect it. In one large supply of books there may be one or two of these authors, but it is almost impossible to supply an army of men at the public expense to make these collections, especially when the money does not go to the public revenue but to the author. If the tax for the benefit of the English copyright author were levied more in the nature of an excise—levied in the Provinces through Canadian publishers—there would be something substantial for the author and he would benefit by the change. I allude now, of course to the British author, having British copyright. But let us take the case of an American author having British copyright, because the British copyright law is so liberal that a Canadian or an American, or anyone else, can get a book copyrighted in London without even printing or publishing it there, without being a British subject, without any international copyright treaty with England. An American sends over half-a-dozen books to England, he gets then nominally published there, though they are really published on this side, and yet he can get copyright, and his copyright covers Canada just as completely as the British copyright does, and a Canadian cannot publish his works without infringing upon his rights. When the British author copyrights in England he cannot get copyright in America, and reprints of his books come into Canada and the public gets the benefit to a certain extent; but when an American author takes copyright in England and takes his own American copyright too,

Mr. EDGAR.

there can be no reprinting for Canada; he has us in the hollow of his hand, he can do as he likes with the Canadian publisher and with the Canadian public. Take the case, for instance, of Marion Crawford who has published some recent popular novels, such as "Mr. Isaacs," "Dr. Claudius," and "Zoroaster." He is an American, but he copyrights in England. The result is that we can get no cheap editions of his works here. If you buy one of his books you have to pay \$1 for it, and he does as he likes in Canada, although he is an American. Take the case of Mark Twain. He has copyrighted the "Prince and Pauper" in England, and what is the result? Prior to British copyright being obtained, I am informed that a publishing house in Canada offered \$500 for advance sheets from which to print a Canadian edition for Canadians. This offer was refused. Then two Canadian publishing houses at their own risk went and printed in the United States—of course they took the chances of his American copyright there—but they printed in the United States two editions in all, of something like 25,000 copies, and brought them into Canada as reprints, although he had then taken out British copyright. These they imported into Canada, and in order to do that they had to pay 15 per cent. duty on the books and 12½ per cent. royalty to the Custom house. When they had sold all those—because they did sell them—one of the firms proposed to the author to print another edition this time in Canada, and they were willing to pay the author the 15 per cent. they would have to pay at the Customs, if they printed in the United States and brought them over, and also the 12½ per cent. royalty—in all 27½ per cent., but their offer was not accepted. The reason apparently was that he did not want to injure the monopoly he had in the United States, because if his books were published here even if he got the royalty on them they would be sold on the trains and smuggled into the United States, competing there with his American edition, or very likely he had sold the right of Canada to some English or American publisher. That was one of the results of an American author getting our copyright by going to England. Sometimes, however, Mark Twain takes out a Canadian copyright. He can do that if he domiciles himself in Canada and is willing to take rather a stiff oath on the subject, and one book he had copyrighted here in addition to his English and American copyrights. The result was that to punish us I suppose, for having had cheap copies of his edition before, the only sales that are now made in Canada are at \$2.50 per volume, so he has not only got us in the corner, but he is making everybody who wishes to read his "Huckleberry Finn," bleed for it. Although he has done that, I am told there is a firm in Canada who offered him \$1,000 to print an edition here at popular prices, that is, 30 cents, 50 cents and \$1 retail, but he refused. I do not think, therefore, that we can feel any surprise that a wide interest is taken in this subject. The House will remember that the Board of Trade of the city of Toronto presented to this House last Session a memorial on the subject, in which a very clear and strong view of the grievances that exist under the present state of the law was set forth. With your permission I shall read a few paragraphs from that memorial:—

"That the Imperial Copyright Law, which has jurisdiction in Canada, presents many anomalies in its operation in the colonies; is prejudicial to the interests of British authors and publishers, whom it is designed to benefit; limits the operations and retards the development of the Canadian book trade, and has an injurious effect on all the industries connected with native publishing.

"That the proximity of Canada to the neighboring Republic, where there is unrestrained license in reprinting English copyrights, and every freedom in sending them into this country, makes the position of Canada an exceptional one in calling for relief from these anomalies, and in asking the Home Government to concede to Canada the privilege of legislating on copyright in accordance with our special needs, and for the protection of such interests as it is desirable to make provision for, and with the same freedom we now possess in legislating on patents.

"That while the present copyright law prohibits the Canadian publisher from reprinting English copyrights in Canada, and places him under penalties for violating the Act, it suffers American reprints (which, in the main, pay no royalty to the author or copyright owner) to enter the country, and practically gives the supplying of the entire book market of Canada to a foreign people.

"That common sense as well as policy dictates that the privileges we give to the foreign manufacturer should be given to the native publisher, while the effect of this would speedily be seen in the development of our own publishing industries, and would enable the English author to derive some benefit from the sale of his works in Canada.

"That were the Canadian publishing trade free to reprint English copyrights, with due recognition of the author's rights, he would not only be in a position to supply the wants of our own people (now supplied by the foreigner), but it would be within his power to extend the area of his operations into the United States, and there endeavor to compete with the piratical American reprint."

Surely it would be very valuable if the country could obtain on this important question the views of such men as those who penned this petition. I said a little while ago that the mechanics in the country were deeply interested in this question. To show that this is the case, I will read from a memorial which was adopted by the Trades and Labor Council of Ontario last year, after the subject had been discussed in this House:

"Under existing circumstances the American publishers could flood the Canadian market with works of English authors, while the hands of Canadian publishers were tied. A 15 per cent. duty only was imposed on such books brought into this country, and a 12½ per cent. royalty paid by the American publisher to the English author. If the Canadian publisher were placed on the same footing as the American publisher by the payment of this 12½ per cent. royalty, a great grievance, which the Canadian publishers have been laboring under for many years, would be removed, and hundreds of idle printers, throughout the Dominion, would receive employment. As the law now stands, it confers privileges in Canada on the American publishers which are denied Canadian publishers."

I received a letter the other day from a large Canadian publisher, who is at present abroad, and I will read an extract to the House. He says:

"I see by the New York papers just arrived that the authors and publishers of the United States are at the international copyright business again, and that the chances are that we will be left out in the cold. I know that the New York men calculate, in any bargain or act made, to get the Canadian market thrown in by the British publisher. I do hope that you will try and get something done this Session. Surely you can get a committee to hear evidence, or an Address passed to the Queen asking for the power to pass our own law irrespective of the English Act. I have figured up that in my own office I would pay out about \$10,000 per year more wages to mechanics if we had only the same privileges as Americans, and that scores of offices that are now doing nothing would be able to make a printer's profit, at least, on steady work. We are all relying on you to get daylight for us. At present the publishing business is dead."

Mr. MITCHELL. What do you propose?

Mr. EDGAR. I propose a committee at present. Last Session I suggested a different remedy, but now I propose that the House should appoint a committee to report upon the whole subject, so that any difference of opinion that existed as to how the present evils could be remedied, might be considered and discussed. The hon. Minister of Militia, who spoke for the Government last Session, gave as one reason why we should not carry the Address to the Imperial Government which I then proposed, that there was a prospect of our obtaining reciprocity with England in the matter of copyright. I have not heard any more of that; it may be we are going to get it; but supposing we do get it, I cannot see that it will change the position of affairs very much. I know that a Canadian may now get the benefit of the English copyright. Mr. Mair, who recently published that admirable Canadian work, "Tecumseh," waited for several days in Toronto before putting it on the market. I asked him what he was waiting for. He said he was waiting for the English copyright of his book. He had sent half a dozen books to England, which had to be exposed for sale there before any could be sold here; and as soon as he got a cable despatch from England, he had the full benefit of the English copyright, just as an American author has. Therefore, when the law is so open and liberal

as it is, I do not think that reciprocity will make any difference one way or the other, and will not remove in the slightest degree the grievances under which the public as well as printers and publishers in Canada are laboring under. The American Congress are now considering a couple of Bills on this subject—one by Mr. Hawley and the other by Mr. Chace; and they have taken considerable evidence, amounting to over 100 pages of printed matter, so that they are evidently seriously considering the passage of some international copyright law. Now, I think it is very important that we should have a committee to consider the fairness of that law to Canada, for fear that we should be, as the gentleman whose letter I have read says, "left out in the cold." It is quite possible that the British Minister at Washington may have represented the matter to the Canadian Government. At any rate, I am sure the Government will gladly have the assistance of a committee to see how Canada will be affected by that legislation, which is in the nature of a treaty now on the tapis at Washington. That is another reason why this committee should be appointed. Now, in ordinary cases this House could meet the difficulty by introducing a Bill and passing an Act, but in this case we cannot. Our hands are tied, though anybody who reads the British North America Act would suppose we had the right to legislate on the subject of copyright, just as we have on the subject of patents and other subjects mentioned in the 91st clause as being within the exclusive jurisdiction of the Parliament of Canada. We all thought, and no doubt the framers of the constitution thought, that the subject of copyright was also within our Jurisdiction, but the question was brought before the English law officers in 1872, and before our own Court of Appeal, in the case of *Smiles vs. Belford*, and it was positively decided that although the Act declares we can legislate on copyrights in this Parliament, it does not mean that we can do so to the fullest extent; it was decided that the Acts of 1814 and 1842, although passed before the British North America Act, take precedence and override it, and include the colonies, Canada, among others, in the copyright laws of Great Britain; so that every British copyright taken out by an American or other foreigner, covers Canada absolutely and completely. The grievance of Canadians not being able to reprint the British copyright books, while the Americans do so, is not a new one, or new to this House. I find, in 1872, when the present leader of this Government also led this House, an Act was passed, unanimously, to remedy that grievance, by giving the Canadian publisher the right to reprint British copyright works on the payment of a royalty, thus placing our publishers in the same position as American publishers. That Act was reserved for Imperial assent. The assent was not given in 1873 or in 1874; and in 1874, when my hon. friend from East York (Mr. Mackenzie) was leading this House, we unanimously passed an Address to the Queen, drawing the attention of the British Government to the fact. The law officers of the Crown advised the British Government that they should not allow the Act, because it was beyond the jurisdiction of the Canadian Parliament, and because the old English copyright laws covered Canada. Certainly, since then the Act of 1875 has been passed by Canada, which gives this Government the right to grant copyrights of a domestic character within Canada itself, under certain restrictions, but does not interfere, in the slightest degree, with British copyrights. Now, I believe there is no little sentiment involved in this question. It is not a matter only affecting the material interests of Canada, and I really think that our Parliament should ask the British Government to make such change as may be necessary in the English law, in order to give Canada the right to legislate in this matter. We are not a self-governing country if we cannot; and I have no doubt the moment this House shall communicate its wish to

the British Government, the latter will take means to allow us to legislate, so as to make it quite clear that we will have the right to make our laws on the subject, just as we make them on the subject of Patents, and on almost every other conceivable subject. I cannot very often agree with the hon. the First Minister, but in reference to this question I think I can quote with approval some words of his which have recently been referred to here. He said on an important occasion :

" I am, as far as this question goes, up to the handle a Home Ruler. We will govern our own country. If we choose to misgovern ourselves we will do so, and we do not desire England, Ireland or Scotland to tell us we are fools. We will say: If we are fools we will keep our folly to ourselves; you will not be the worse for it, and we will not be the worse of any folly of yours."

After that expression of opinion of the First Minister, I am sure the Government, in this matter, will only be too glad to consent to the appointment of a committee.

Sir HECTOR LANGEVIN. The hon. gentleman, as he said a moment ago, brought last year a motion before this House asking for the appointment of a committee to consider certain resolutions, which ended thus :

" That an humble Address be presented to Her Majesty, praying that Her Majesty may be graciously pleased to invite her Imperial Parliament to except Canada from the operation of the Statute of the United Kingdom, respecting copyright, so far as it is necessary to give the Parliament of Canada a clear authority to legislate upon all matters respecting copyright in Canada."

The House will remember that on this motion a very interesting debate took place, and on both sides it was said that this was an important matter, which deserved the consideration of the House. On the other hand, however, the House, on the motion of the right hon. the First Minister, thought that it was a matter which might be deferred, and therefore the debate was adjourned. The hon. gentleman is no doubt right in saying that it is very important for our publishers that the copyright of authors in England should not be imposed on Canada without our Parliament having the right to legislate on the matter. But the hon. gentleman does not, I have no doubt, wish to have a law for us and a different law for the other nations; he wants, no doubt, reciprocity, provided it is based on proper principles. I do not know whether he is aware that a convention has been sitting in Switzerland on international copyright, the convention at Berne. The object of that convention is the adoption of a copyright union amongst all civilised nations and the prospect which it affords of alterations in the present legislation of England and the United States and other countries, which indicate that this matter might be allowed to stand over until we know exactly what is the result of its deliberations. The Government has only received communications of the labors of that convention, and, therefore, I think it would not be proper for us, just at this moment, when the convention has just been coming to a decision, to take any action, but that we should wait until we have its resolutions before us. I think that, under those circumstances, we should not try to have an amendment to the law, but should wait another year, and see what will be the consequences of that convention. I think, therefore, it would be better for the hon. gentleman to withdraw his motion. If the hon. gentleman will consent to withdraw his motion, under the circumstances, I will not go further.

Mr. EDGAR. No, I do not.

Sir HECTOR LANGEVIN. As I said, the Government has received communication of the resolutions at that international convention, and it would not be proper to act now, but we should wait for the full communication of those matters, and perhaps, after dropping his motion, the hon. gentleman might give notice to have these communications from that convention laid before the House. Do I understand from the hon. gentleman that he will withdraw his motion ?

Mr. EDGAR,

Mr. EDGAR. I do not see any reason for doing so.

Sir HECTOR LANGEVIN. Then, Mr. Speaker, I will move that the debate be adjourned.

Mr. EDGAR. I can scarcely believe that the Minister of Public Works has read the resolution I have placed in your hands. He has read for the benefit of the House, a resolution which I suggested last year, but which stood over, and I can see that objections might have been taken to going on with a proposal for positive action in this matter, but I cannot see that the proposal to appoint a committee, not to lead to any Bill being introduced or to any particular form of dealing with the question being accepted, but to take into consideration the condition of the laws relating to copyright in force in Canada, could do anything but help the Government in considering proposals which might be communicated to them through the action of the British Ministers from the convention which sat at Berne. My motion goes on to say, that the committee are to see whether any legislation or other action is desirable on that subject, and I am sure that a committee composed of the gentlemen who have been named, will be able to furnish information of an interesting character upon that very important and somewhat abstruse question to this House and even to the Government. Surely the Government cannot be possessed of all the information necessary which might be obtained in the remaining month or two of this Session. I ask the Government not to press the motion to adjourn the debate, because it is no answer to this question, and, as to negotiations for an international treaty, I think it is all the more important that, when that is under consideration, the Government should have the information which a committee can obtain. The Government should be very glad to have this committee to consider what benefit we could derive from such an international convention, and I cannot believe that it is possible that, because a member of the Opposition has asked for this committee, the Government should desire not to grant it; I cannot believe that, on a question like this, which is utterly out of the scope of party politics, and is only brought forward in the interests of the general community, the Government will refuse to grant the committee which the trade interests, and all the interests concerned, will be anxious to have appointed, simply because it is asked for by a member on this side of the House.

Mr. MITCHELL. I think the leader of the House is mistaken in reference to the Berne conference. I am under the impression that the Berne conference have reported on the question, and that the result of their report has been the subject of discussion and of *critiques* in the various reviews. If that is the case, there is no reason for delay, and there can be no possible reason for refusing to have a committee of this House informing themselves of the interests of the publishers and of the people of Canada. I hope the Minister will take time to reconsider his determination, as I think it is not a wise or prudent thing to prevent us from enquiring into what are the rights and interests of the people of Canada in the view of legislation.

Mr. CHARLTON. I believe the Berne conference has reported. In fact, I have the report of the Berne conference in my hand. I can see no reason whatever why this committee should be denied. It is a simple proposition on the part of the member for West Ontario (Mr. Edgar) to refer this copyright question to a committee to examine into the matter in a more detailed manner than this House is capable of doing. In granting that committee the House takes no action which commits it in any way. No more proper action could be taken than to refer this matter to a committee. I think the acting leader of the House has not taken a position which he is warranted in doing, and I hope he will reconsider the matter. If not, those who desire to

see a committee appointed will test the sense of the House on the matter.

Mr. HALL. This subject is a very interesting and important one, but, while I consented to act upon the committee (as I should have been glad to do had it been the pleasure of the House to appoint one), still I think there are many reasons for the action of the Government in declining it. It may be true that action has been taken by the representatives of the different Governments at the Berne conference, but the recommendations there agreed upon have not yet been taken into consideration by the Governments represented. There are many complications to be taken into account in a consideration of this subject, but possibly before the committee, only one portion of the interests involved would be presented—viz., the publishers' interest—and this question involves also, and as of first importance, the authors' rights, and, in addition, the interests of the reading public. Now, it is almost certain that it is the publishers only who would feel it necessary to present their views before the committee, which would thus have only an *ex parte* presentation of the case, and that interest would acquire a prominence which it did not deserve. The hon. member who has brought forward the motion has mentioned certain disabilities under which publishers in Canada rest, and has compared them with the publishers in the United States. They do rest under certain disabilities, Mr. Speaker; but I think it is important that the reason for the difference between their position and the position of the American publishers, should be mentioned. It is a reason which grows out of the piracy of American publishers. It is because American publishers, with unblushing effrontery, steal the products of English authors and publish them without any recognition. It is true that our Canadian publishers, living alongside and seeing the privileges which the American publishers have—not as a matter of right, but because they take them—feel they should have a similar provision extended to them, and that could not be extended to Canadian publishers without carrying out that principle of piracy which, I am sure, Canadian publishers would be ashamed to adopt. I observed an article from the *New York Herald* recognising the position of American publishers, which I think would be interesting to this House. The article was published on 1st February of this year:

"The United States stands before the world as the only nation that has persistently refused to do common justice to foreign authors, the only nation whose laws sanction and encourage piracy of all books not written by its own citizens.

"The injustice becomes all the more conspicuous and flagrant in view of the fact that the discrimination made against authors is not made against any other class of foreigners. Literary property is the only kind of personal property not protected by our law when the owner is not a citizen of the United States. Even to the foreign owners of patents and trade marks, which are so analogous to copyright, protection is accorded."

A determination to terminate that dishonorable practice is becoming a recognised principle in the United States, and there is a Bill before Congress at present, by Senator Hawley, to accomplish that result or secure international copyright. Pending that, it does seem to me that it would be unwise for this House to take out of the hands of the Government the responsibility of acting in this matter. It should not be inferred that Government is not acting. Members of this House must be aware that there was a committee of the Imperial Parliament appointed to investigate and report upon this question two or three years ago, the Canadian Government taking pains to have a representative of this Government, Sir John Rose, on that committee, to take care of Canadian interests, and therefore it should not be considered that the Government have been inactive with reference to this matter. Their refusal to concede a committee, I think, is one which will receive the confirmation of this House for the reason I have mentioned, and on account of the compli-

cation of the question both from a national and an international point of view. Only two or three days ago, the present Imperial Government in Great Britain, upon a question which is very analogous to this, that is, the silver question, refused a similar committee for the reason that it involved trade relations, being a question in which the interests of the banking public and the commercial public were totally dissimilar, and also on account of its international relations. The Gladstone Government thus assumed the position that it would not grant a committee on one of those questions involving obligations of a kind which made it necessary and important for the Government to take the responsibility of acting. It seems to me this question is of very similar purport, and that a similar decision on the part of this House would meet with popular approval.

It being six o'clock, the Speaker left the Chair.

After Recess.

Mr. MILLS. I think it is to be regretted that the hon. Minister of Public Works did not comply with the proposition made by the hon. member who moved this motion. It seems to me that it was a reasonable proposition. It is a proposition asking the House to appoint a select committee to take into consideration the condition of the law relating to copyright in this Dominion. I think, looking at the present state of the law, that is a reasonable proposition. The hon. member for Sherbrooke (Mr. Hall) stated there were other interests than those of the publishers to be considered. There were the interests of the public, and there were the interests of authors in their literary property. Now that is perfectly true, and it is important that all these matters should be taken into consideration by a committee appointed to consider this question. It does seem to me that the appointment of this committee does not necessarily preclude their taking into consideration the rights of authors and the general interests of the public. In fact, it would be a part of their duty to do that, and the course proposed by the Government is one which cannot prove satisfactory to the community. If the Government had come down to the House and stated that this was a subject for negotiation with the Imperial authorities, that it was at the present time a subject of discussion between the Imperial Government and the Government of Canada, that might have been a reason for not appointing a committee to take into consideration this, but the Minister of Public Works has made no such statement. He has not given the House to understand that this subject has been discussed with the Imperial authorities at all. He has not intimated that the Government have pressed this question upon the consideration of the Imperial Government. In fact, we are in exactly the same position we were in twelve months ago when the hon. member for East Ontario (Mr. Edgar) brought this subject under the attention of the House. Now, whose interest is it that the Minister is considering? On whose behalf is the Government at this moment acting? Whose interests is my hon. friend assailing, that the Government is going to protect? Certainly not the interests of any person in the country; and when we take into consideration the question of literary property, we will see that any literary property that a party may have, in anything that is property in a foreign country—and this is practically a foreign country so far as British authors are concerned—is of the very vaguest kind. Take for instance the law relating to succession. It is not many years since our law was that an alien could not hold property in this country. Supposing a British subject had been holding property here, that he removed to the United States, that his children became naturalised, and that he died there without having parted with his property, under the law as it once stood in this country, these parties could not set up any claim to the property. What makes

property in anything at all? Why, it is the law of the land. Our law declares what literary property shall be, sets its limits and its bounds. The amount of the interest any party may have in what is denominated literary property, is that which is set out in the law and is so defined. Now take, for instance, the right relating to literary property at this moment. We say a man shall have a copy-right in a work of which he is the author for a certain number of years. Why do we limit the number of years? Why do we deal with him in a way different from what we deal with the interest which any man may have in his horse or in his land? We say, that is your property, because the work is the product of your own thought; it shall continue fourteen years, and at the end of that period your property in it shall cease, and it then shall become the common property of the public. We decide the question of property on grounds of political and public expediency. We take into consideration public interest, and we seek to give the party such an interest in the work which he has produced as will not be an impediment against labor of that sort. We give him all the encouragement we think is necessary, and we tell him that at the end of a certain period the interest in the work which he has produced belongs to the public. Here is a man in England who writes a book on a particular subject. He publishes it there. Under the law at present he has a property in that work, and is capable of protecting it in every British colony; but should he have a right to injure any possible interest in that production in a colony? I do not think so. That being the case, it ought not to be the business of the Imperial Parliament to step in and interfere with our right of legislation and limit our authority in that particular. That has been done. There is no doubt about it. We stand in a position of inferiority in comparison with parties in the neighboring Republic or in the United Kingdom. If the Hon. Minister of Public Works had come down with a proposition to discuss the matter with the Imperial authorities, and said: "We were ready to provide a law that authors in the United Kingdom shall enjoy a certain royalty on works published in Canada, that they shall have a certain percentage of the value of their works sold, but they shall not interfere with the right of publication," I could understand his opposition to this proposition. But the hon. gentleman has yet done nothing; the first step has not been taken. We propose a step shall be taken and this matter considered by Parliament, and a report made so that the hands of the Government, if they are disposed to act, shall so far be strengthened by the investigation and consideration of the question. And what do hon. gentlemen opposite do? They do nothing; they refuse to permit that anything shall be done. I say it is an interference with the rights of the people of this country and with the authority of this Parliament for the Imperial Government to interfere and say they will undertake to limit our right of legislating, and to declare that our legislation shall be nugatory so far as any party is concerned who is a resident of the United Kingdom. I remember years ago when it was no uncommon thing for the Imperial Government to declare that the rights of persons residing in the United Kingdom could not be left to our courts, that our provincial courts were good enough to decide disputes between residents, but they could not safely be entrusted with the decision of questions in which residents of the United Kingdom were concerned. I trust the day has gone by when a proposition so offensive to our people can be made, one so incompatible with our notions of self-government. I do not think the Government ought to strengthen the hands of parties who are seeking to fight the publishers and the public of this country by refusing the motion of the hon. member for East Ontario. I think that proposition is a reasonable one. If the Government has any suggestion to make, any person to recommend as a member of

Mr. MILLS.

the committee, any suggestions to make to assist in controlling the conclusions at which the committee might arrive, although reasonable conclusions, any evidence to offer, they ought to have every opportunity for doing so; but they should not resist the appointment of a committee, for it is in their interest and in the interests of the public generally that a committee should be appointed and that our right to legislate on this matter should be secured. In fact the rights given to us by the British North America Act have been invaded and limited by Imperial policy, and it seems to me the Government ought to avail itself of this committee to strengthen its own hands and thus be in a better position to maintain the rights and interests of the people of this country than they will be if such a committee were not granted.

Sir HECTOR LANGEVIN. With the permission of the House I will say a few words additional. When the hon. gentleman (Mr. Mills) rose I was about to rise to state that this matter is now one of communication between this Government and the Government of Great Britain; that now we are in conference with the British authorities on this subject, and it would be inconvenient to have a committee just now on the matter. The hon. gentleman, I am afraid, thought that I objected to the motion because it came from his side of the House. He may dispel that impression from his mind, because such is not the case. I admit that the hon. member for East Ontario (Mr. Edgar) brought up the matter last year and again this year, and of course he must have the credit of having brought the matter before the attention of this House, and that credit cannot be taken from him. But, on the other hand, it would be inconvenient that, while negotiations are going on, this matter should be the subject of investigation here, and under these circumstances I hope the hon. gentleman will withdraw the motion and I will withdraw mine. I have already informed him that if he wishes to put a notice on the paper in order to obtain papers about the proceedings of the conference at Berne, in Switzerland, the Government would grant the papers. Therefore I hope the hon. gentleman will feel it is the proper course to follow to withdraw his motion and allow the matter to remain as it is, in the hands of the Government. When negotiations or communications with the British Government have gone sufficiently far to allow the papers or communications to be laid before the House, of course they will be brought down.

Mr. EDGAR. With the permission of the House and after what the Minister has said and his explanation that the Government is at present in communication with the Imperial Government and that it will be injurious to the public interest that the matter should be gone on with in the shape of a committee, and with the Government assuming the responsibility of any injury done to the public interest by reason of the committee not going on, I will withdraw the motion.

Motion and amendment severally withdrawn.

CHINESE IMMIGRANTS.

Mr. GORDON moved for a return giving:

1. The number of Chinese immigrants that have arrived in Canada from the 20th day of August, 1885, to the 31st day of January, 1886, specifying the ports at which such immigrants have arrived.
2. The number that have arrived direct from China.
3. The number that have arrived from other countries, specifying the countries.
4. The total amount of duty collected from such immigrants.
5. The number of Chinese that have entered as tourists, merchants, men of science or students.
6. Whether in either case (if any) certificates were presented from the Chinese Government endorsed by the *Chargé d'Affaires*, Consul or Consular Agent, or other representative of Her Majesty, at the place where the same was granted, or at the port or place of departure.
7. The cost to the Department of Customs, in consequence of the administration by that Department of the Act restricting and regulating Chinese immigration into Canada.
8. Copies of all the correspondence (if any) between Trades Unions or other Societies, corporate or

incorporate, or persons and the Department of Customs, urging more strict supervision over Chinese immigration, together with complaints (if any) against any officer of Customs in connection with the administration of said Chinese Restriction Act 9. The total number of Chinese persons that have left Canada, during the same period.

Mr. BOWELL. There is no objection to bringing down all the information in the possession of the Department, asked for in this return. I may say, however, that there is certain information asked for which we have not got, the Act only coming into force, so far as certain provisions are concerned, on the first of January last. All the information we have we will bring down at as early a day as possible.

Motion agreed to.

DISALLOWANCE OF MANITOBA RAILWAY CHARTERS.

On the Order, Committee of the Whole to consider certain resolutions on which to found an Address to His Excellency the Governor General, praying that he will be graciously pleased not to exercise the power of disallowance as to the Act passed by the Local Legislature of Manitoba, on the 3rd June, 1884, entitled, "An Act to amend an Act to incorporate the Manitoba Central Railway Company and amending Acts," and so to leave the said Act in operation, being called,

Mr. BLAKE. I understand that pending this notice His Excellency has been advised to exercise this power and the Act has been disallowed; consequently I do not proceed with the motion.

Motion dropped.

BAYFIELD HARBOR.

Sir RICHARD CARTWRIGHT moved for:

Correspondence between the Municipal Council of Bayfield or other persons and the Department of Public Works in reference to the repairs of the Harbor of Bayfield.

He said: In making this motion, I desire to call the attention of the Minister of Public Works to the state of the repairs of Bayfield Harbor. A couple of years ago a grant was made and some repairs were done with a view of putting that harbor in something like a useful condition for the service of the inhabitants of that region, but I regret to say that not only was the first expenditure there practically useless, but that the recent expenditure, which, I believe, was made last year, has proved equally useless. I had occasion to visit this section a few months ago, and I found then that the work done by the Department had for the second time, I believe, proved entirely useless. I saw myself large masses of the palisade—it appeared to be nothing else—which had been erected under the supervision of the parties employed, torn up and washed ashore. I do not pretend to be an engineer, but as I have always resided on the sea coast I do understand a little of the nature of breakwaters such as are to resist the waves of a great lake like Lake Huron, and I must say with all deference to the officers employed that I do not believe it would be possible for them to construct a palisade such as they appear to have been constructing which would have any chance whatever of resisting the surf which rolls in there. I can assure the Minister of Public Works that visible to the eyes of myself and some friends who were inspecting it, there were large masses of these palisades torn up by the waves and washed ashore, the consequence being that the sand in the vicinity again completely choked up the harbor and the money that was spent there was completely wasted. I mention the matter in order that the attention of the Minister may be drawn to it, and if possible that this harbor may be put in a proper state so as to answer the purpose for which it was originally intended, and enable the inhabitants to obtain some use not merely of the sums which Government has

expended there, but of the considerable sums which the municipality have themselves expended at different times.

Sir HECTOR LANGEVIN. I am glad the hon. gentleman has called my attention to this work. I am, of course, always thankful to hon. gentlemen if they call my attention to any work which may be forgotten, or may not be properly attended to, as may happen in a large department like mine, which extends from one ocean to the other. I may say that the hon. gentleman may be perfectly right in what he says, though the work may be only in process of being executed. The chief engineer of my department, to whom I sent the notice of the hon. gentleman, wrote me as follows on the 11th of March:—

"I have not reported on these requests of the council, but I may state that the work undertaken consists of sheet piling on both sides of the old crib work, which, when completed, will make the work as strong as when first built. The old crib work, stripped by storms to low water, is too rotten to build on."

Therefore, the old crib work will be considered as only piling. I must say that I have so much confidence in my chief engineer that I think the hon. gentleman may rely that as soon as the season allows, the work will be proceeded with and we will take care that it is a substantial one. That is the intention, because we do not wish that the money expended should be wasted, but that the work may be a proper one. If the money voted is not sufficient I will have to ask for some more to complete the work in proper form.

Sir RICHARD CARTWRIGHT. I am glad to hear the statement of the Minister of Public Works. I think I may venture to inform him that the money has been expended, and that the state of the harbor at present is such that unless the report of the engineer is promptly acted upon, beyond all question the harbor will be completely filled up within a short time, if it is not filled now. However, if the hon. gentleman is going to take the matter in hand, that is all I can expect.

Motion agreed to.

WORK FOR PRIVATE PARTIES BY PUBLIC OFFICERS.

On the motion:

For a return showing the names of all employes of the Department of Public Works who have acted as architects in connection with the construction of buildings for private parties in Ottawa or elsewhere; also copies of all letters received by the Minister, Deputy Minister, or other officials of the Public Works Department, and of all correspondence between the said Minister or officials and any parties in reference to such conduct on the part of such employe.—(Mr. Ossey.)

Sir HECTOR LANGEVIN. I may say that I am aware of no such architect or any officer in my Department acting in such a way. I think the motion should be dropped.

Motion dropped.

PRINTING ACCOUNTS.

Mr. CHARLTON moved:

That the various items for printing contained in the Public Accounts and the Auditor General's Report for 1884, be referred to the Public Accounts Committee.

Motion agreed to.

THE MARINE POLICE.

Mr. MITCHELL moved for:

A Return of names, tonnage, number of men and armament of steamers or sailing vessels forming the present Marine Police Force of Canada, the extension of which is referred to in the Speech from the Throne.

He said: So far as I can trace in the reports of the Department, the Marine Police was disbanded in 1873, and was restored by a single vessel, the schooner *La Canadienne*. That vessel was wrecked, and was replaced by the steamer *Glendon* and the screw steamer *Lady Head*. The latter

vessel was wrecked in 1878, and a new screw steamer, *La Canadienne*, took her place. The recent reports of the Department shows that this vessel has been doing double duty on fisheries and light service, reducing the existing service to half one of one vessel. Now, I have been watching, with some little interest, the statements made with reference to the Marine Police, and I find in one of the papers of the Lower Provinces, a description of one vessel, as follows:—

"The steamer *Lansdowne*, which has been turned into the flagship of the Canadian fishery fleet, by Capt. Scott, and which sailed at 5.30 o'clock Saturday morning, is a wooden vessel of 700 tons. She has a very unpretentious appearance, and although her model can scarcely be called graceful, it is by no means ugly. She was built by Mr. Jotham O'Brien, of Maccan, N.S., in 1884."

Somewhere in the vicinity of where the late Minister of Marine and Fisheries belongs to—

"and was designed to fill the place for which the ill-fated *Princess Louise* was constructed. Her dimensions are: length over all, 180 feet; breadth of beam, 32 feet; depth of hold, 16 feet. The stem and stern posts are oak and the bow and stern are ironplated, the rudder post being also made of iron. She is supplied with patent steering apparatus. A water tight compartment has been constructed forward in case of accident, and might prove useful if she should collide with any of the American fishermen. The engines are 100 horse-power, and were constructed in Greenock, Scotland. They were never a very great success. She has been used since her construction in lighthouse and buoy service, and was an ordinary vessel, but now that she is 'bristling with cannon' she presents quite a warlike appearance. The deck armament of the *Lansdowne* consists of two brass six-pounders, which were brought over from Halifax, and are of a very ancient pattern. New carriages have been built for them and they have been burnished until their surface is polished like a mirror. They are placed, one on either side, just forward of the foremast. In addition to these weapons of war, each officer is supplied with a sword and a navy revolver, and the men with cutlasses and revolvers. One essential which a vessel, designed for the purpose the *Lansdowne* is, should possess, and which she probably would have possessed had our own mechanics constructed her engines, is speed. This she is deficient in to a marked degree. Her highest speed attainable is not more than nine knots, so that an American fisherman, with any kind of a start, could very readily escape from her clutches. She carries six boats, and on this trip will have on board thirty-three souls in all, including Captain Scott. The *Lansdowne* has taken on board provisions for a month's cruise, but she will probably be absent for a fortnight. She will cruise about Grand Manan, Campo Bello, Welchpool and other fishing resorts, and if she encounters any American fishermen in Canadian harbors she will order them to depart. Should they refuse to leave in a reasonable time, Captain Scott will seize their vessels."

It goes on to describe Captain Scott, and then gives the notice that he publishes as follows:—

"Therefore be it known that by virtue of the treaty, provisions and Acts of Parliaments (which are quoted), all foreign vessels or boats are forbidden from fishing or taking fish by any means whatever within three marine miles of any of the coasts, bays, creeks and harbors in Canada, or to enter such bays, harbors and creeks except for the purpose of shelter and of repairing damages therein, of purchasing wood, and of obtaining water, and for no other purpose whatever."

Now, as far as I can gather, the whole force for the protection of the fisheries at present, is the *Lansdowne*, a vessel which, from her description, is not very well fitted for the service, and is not likely to accomplish much. The Government papers have, within the last few days, announced that she is to be put on the service, and that she has actually sailed and is now within the borders of Charlotte County, protecting the fisheries. It is a great pity, when the Government knew that there would be no renewal of the fishery clauses of the treaty, and when they determined to put on a vessel for the protection of the fisheries, that they did not take some measure such as I counselled them from this place last year to take, and such as they pledged themselves to take when they obtained the vote of \$50,000. I say it is a great pity that the ex-Minister of Marine and Fisheries—for I entirely exonerate the present Minister—did not take some effective steps to protect the interests of Canada, whether we got a fishery treaty or not. The vessel which is described in the terms in which I have read is, I believe, properly described, and she is utterly unfitted for the work for which she is sent. She is so slow, that I venture to say there is not an American fishing vessel on the coast that would not be able to run away

Mr. MITCHELL.

from her, even with a light breeze. She may frighten them if they are willing to be frightened, but as for actual service in protecting the fisheries, I am satisfied that she is entirely useless. What addition is to be made to this nucleus of a fleet I can only judge from what notices I see in some of the Government organs. I notice that they are asking for six swift sailing schooners. That is a step in the right direction. I do not know whether any advice I may give will be received with much attention; but I say it is quite useless to get steamers whose smoke can be seen miles away. The Department should get exact copies of the American fishing vessels, made in the same way in every respect, fore and aft, so that they cannot be distinguished from the American fishing boats, until within a very short distance. That is the course which was adopted some years ago successfully, and I trust that the Minister will not consider me presumptuous in suggesting it as the right one to follow now. If carried out, it will result in stopping any infringement on our fisheries as it did formerly. While on my feet, I would like to ask a question bearing on this subject. Last year the British war vessels *Tenedos* and *Fantome* were employed in protecting the Newfoundland fisheries. I would like to ask whether any arrangement has been made with the British Government as to what portion of the North American fleet will be used in protecting the fisheries on the Canadian coast? I do not expect any material effect from it, but the fact that some of the vessels of the North American fleet were detailed for the protection of the Canadian coasts would give moral tone to the position which I trust Canada will assume with regard to the protection of her fisheries. I regret that steps were not taken earlier than the time of the sending of the *Lansdowne*, which is perfectly useless. The object of going to Grand Manan is to catch fish for the purchase of bait. The season is over for catching fish for this purpose, and no protection will practically be needed until the month of June. I trust, whatever steps may be taken, the Government will not be as slow about putting on vessels for the protection of the mackerel fisheries, as they have been for the protection of the bait fisheries. I therefore make this motion.

Mr. FOSTER. There is no objection at all to the bringing down of the information the hon. gentleman asks for and I hope when it does come down it will satisfy him. I have no doubt he was lacking in information in reference to that steamer, of which he read to us so full and accurate description, saying, after he had read it, he had no doubt it was a fair and proper description of the vessel. I am glad to have the advice of my hon. friend, who, I think, some fifteen years ago had something to do with fitting out a fleet for the protection of our fisheries, when difficulties something like the present were encountered. I think my hon. friend will find that the Government are not lacking in their care for our fisheries and the interests of our fishermen, and will not be lacking in the efforts which they may put forth for the full protection of our fishing interests. I agree with my hon. friend that swift sailing vessels, such as he has described, are, taken all in all, the better class of vessels for the purpose. There is something, however, in what he has said as to having the steamer which was most available at the present, and which will probably be continued, as it will give added force to the fleet, and, being kept cruising on these waters, will have a very large share in protecting our fishing grounds. My hon. friend finds fault a little, not with me I am happy to say, but with my predecessor and the Government, that they had not taken these steps earlier. I think that question was pretty thoroughly debated last year, when an agreement was entered into between this Government and the Cabinet of the United States, by which mutual fishing privileges were given from 1st July, 1885, until the end of the year. As a

result of this instance of good, steps were taken, as far as the United States Cabinet could take them, towards having a commission appointed to take into consideration the whole question as well as the question of reciprocal trade. During the debate last year, I think the sense of the House was overwhelmingly in favor of the proposition then made, and I think my hon. friend was in favor of that proposition as well; and it would not probably have been the best or the wisest or the most consequent thing for the Government to have done, at the very moment it assented to that proposition, to put on a fleet for the protection of the fisheries. If it was worth while giving that instance of good-will and attempting to do, as far as Canada could, all in our power for the proper settlement of the difficulties, it was worth while to wait until the result of the negotiations were fully apparent before taking any strong step towards the protection of our fisheries. As my hon. friend has stated, the main reason for the protection of the fisheries has not yet commenced. The *Lansdowne* will cruise over our waters around the Maritime Provinces from now until the fishing season properly commences; and when that season commences, we will be in a position to show the country that the steps taken were adequate for the purpose which my hon. friend, the Government, and this House, strongly desire should be carried out.

Mr. VAIL. I am very glad that the hon. member for Northumberland (Mr. Mitchell) has brought this important question under the notice of the House, but there is one thing on which he omitted to ask information, and that is the important matter of what steps have been taken to prevent the Americans being furnished with bait and ice.

Mr. MITCHELL. That comes later on, in one of the other notices.

Mr. VAIL. That is a very important matter, and I should like to hear from the Minister of Marine what steps he has taken to prevent Americans being furnished with what is so necessary as bait and ice. With regard to the description of the *Lansdowne*, I do not think it is overstated by the paper read by the hon. member for Northumberland. In fact, I called the attention of the hon. Minister of Marine last year to the fact that the engines with which this vessel had been supplied were, according to the reports of people who seemed to be very well informed, not nearly of the power required to drive a steamer of that size. The Minister then acknowledged that eight knots was about her best speed under any circumstances, and I doubt if she could ever attain the nine knots given in the report read by the hon. gentleman. A steamer, to do the work, ought to have a speed of at least twelve to thirteen knots an hour. As the hon. member for Northumberland says, a fast American schooner will go two miles to the *Lansdowne's* one, if the schooner had the right kind of wind. Another thing the hon. Minister overlooks is the reference made by my hon. friend to what has been done in regard to getting the assistance of some of the Imperial ships of war on our coast. As he properly said, one British war ship would be worth half a dozen of our fleet. It is important that we should at least have one British vessel to assist in the protection of our fisheries and give a moral tone to the whole thing. I do not know there is anything else that has been omitted. The Minister of Marine referred to the agreement come to between the Government of the United States and this Government with regard to the probabilities of the settlement of the fishery question. I must say I think the Government did not take steps as early this spring as they should, in order to convince the Americans that we were determined to protect our fisheries. The fact that we expected Congress to ratify the arrangement for the appointment of a commission was no reason why this Government should have hesitated to make the necessary preparation early; so that the very moment they had reason to suppose Congress did

not intend to grant the authority to appoint a commission, they should then have been ready to do what is necessary to show our intention to protect our fisheries. I hope the Minister of Marine and Fisheries will not lose sight of this, and, if the number of vessels already engaged is not sufficient, that he will ask Parliament for a sufficient sum of money to enable him to fully protect the fisheries from this time until some satisfactory arrangement is come to with the American Government.

Mr. WELDON. I trust that every effort will be made on the part of the Government to carry out the views of my hon. friend from Northumberland (Mr. Mitchell). I was surprised to hear the Minister of Marine talk about the mutual privileges obtained by that agreement. The Americans gave nothing at all for what was given up on that occasion by this Government extending the time from the 1st July, and I do not think that was received in the spirit in which it was given by us. We certainly have not got credit for the spirit which the Minister says animated the Canadian Government in giving those privileges. I quite agree with my hon. friend from Northumberland (Mr. Mitchell) that the *Lansdowne* is unfit for the service. I recollect, when I was on the north shore as a boy, that, as soon as the smoke of the steamers which were employed was seen the American vessels would get out of the way immediately; and I think some swift schooners, like the American schooners themselves, would be more efficient. The *Lansdowne*, as far as speed and so forth are concerned, is a failure, and in the protection of the fisheries she would be of very little use. My hon. friend spoke of her cruise down to Grand Manan. I may inform him that she has returned from that cruise, and that she was in St. John harbor not long ago when this took place:

"It was the witching hour of midnight, and all nature should have been hushed in repose, but it wasn't. On board several vessels in the harbor there was considerable activity, and preparations were being made in anticipation of a change of wind. The American schooner *Fanny Flint*, Captain Warren, just as the clock was striking the hour, was coming in stays and was almost round, when 'slap bang' her stern went crashing into the fishery flag-ship *Lansdowne*, which was moored alongside the Government wharf. The officers and crew of the steamer came crowding on deck, thinking, no doubt, that a Yankee steamram had stolen a march on them, and forgetting in their haste their swords and cutlasses. On examining their wounds, it was found that the gangway of the steamer on the port side had been carried away, and some other trifling damage sustained. A boat was sent off from the warship to interview the audacious strangers, who had thus, as it were, bearded 'the Douglas in his hall.' It was ascertained that the whole affair was an accident, and that the schooner had had her boat smashed in the encounter. The explanation was satisfactory to Capt. Scott, and it is hardly likely that any grave international complications will result from the affair."

But the following, I suppose, is the result:—

"The *Lansdowne* is awaiting further orders. During her stay in port, the men are engaged in gun drill."

Mr. MITCHELL. It puts you somewhat in mind of the *Charybdis*.

Mr. GILLMOR. Admitting that the steamer *Lansdowne* cannot be said to have great speed, I think it has sufficient speed for all that is required to coast round the shores of Charlottetown, at least, and Grand Manan and the islands around the coast. For my part, I do not think the Government would be justified in expending a large sum of money in fitting out a steamer to perform the duty which the *Lansdowne* is supposed to perform. I agree with the action the Government has taken to protect the fisheries, but that is a vexed question, and experience only can show us how to deal with it. I would advise the Government to be careful, and not to provoke difficulties which might be hard to rectify. I do not believe in making a declaration of war just now. This question of the fisheries is a difficult one, and not easily settled. The *Lansdowne* is not intended to hunt after the fast sailing schooners at all, but, if any encroach-

ments are made on our fisheries at all in that neighborhood, it is by small boats, as a rule. There are none of these fast sailing schooners that we hear of there. These questions are very difficult to decide now. There is a difference of opinion about the whole thing. I do not think it would be in the interests of our fishermen to prevent their selling bait if they can get their money for it. I think the Government are doing right in trying to protect the fisheries, but I do not think they would be justified in spending a large amount of money in buying new steamers when they can utilise those they have. My opinion is that the *Lansdowne* is quite sufficient to protect the coast where she is now sailing. I would have objected to any large expenditure of money to fit out an expensive steamer for the duties the *Lansdowne* has to perform on the coast in that region. That sort of thing may be required on other parts of our coast with which I am not acquainted, but I hope the Government will deal, of course, thoroughly but cautiously, with this whole matter, until they see what is in the best interest of our fishermen. They are now altogether in confusion. Fish is very low, and they are much depressed, and I hope the Government will consider what is in their interest.

Mr. FOSTER. If the House will allow me, I desire to say a word in answer to a question asked by my hon. friend as to the assistance probably to be given us by the British Government. Negotiations are in progress, and I hope, by the time the fishing season commences, we shall have that moral support to which he refers. I do not think my hon. friend from St. John (Mr. Weldon) acted quite fairly in leading the House to imagine that the *Lansdowne* had gone down on a slight pleasure trip and had come back again, and, for all he gave the House to understand, was in St. John until this day. She came into St. John for further orders, then went out again, and is on her cruise until this present time. My hon. friend will see that he quite upset his own theory when he stated that a steamer was no good because the fishing schooners would see her smoke a long distance off and would get out of the way. That is what we want. We want them to get out of the way.

Mr. WELDON. They will come back again very quickly.

Mr. MITCHELL. I confess that I am surprised at my hon. friend the Minister having used the argument which he has just used. I rise to correct two false impressions which have been conveyed, the one by the hon. member for Charlotte (Mr. Gillmor) and the other by the Minister (Mr. Foster), and I will give the Minister the precedence. He says that one of the objects to be obtained is that the Americans may see the steamboat a long way off and get out of the way. It is rather amusing to learn that that is the way to protect the fisheries. It is not the system I should advise him to adopt for their protection. That is the system the British Government adopted for thirty years, when they sent out their fleets upon our coasts, and, instead of trying to protect our fisheries and capture foreigners who were interfering with our treaty rights, they appeared like a bugaboo and frightened them away, and they never captured a single vessel in all that time, until at last we took the matter into our own hands, and taught the Americans that, having our rights, we would endeavor to maintain them. My hon. friend from Charlotte (Mr. Gillmor), says I advocated a large outlay of money for new steamers. I advocated nothing of the kind, and never suggested such a thing. What I have said, is that the course taken by the Ministers and the Government to-day, as I see by advertisements in some of the Government papers, is one I cannot sanction; and, by the way, they do not give a very extensive circulation to their advertisements; I notice that they confine them strictly to party organs whose proprietors support them through thick and thin, and the only real independent

Mr. GILLMOR.

organ in the country they cut off from patronage. I have no doubt that is purely an oversight on the part of the Minister, and now that his attention is called to it, he will deal a little more fairly with the independent press. Now my hon. friend referred to what took place here last year, when a suggestion was made and information was given to this House that the arrangement had been come to between the Dominion Government and the Government of the United States, that they should continue to exercise, during the remainder of the year, those common rights of fishing on the coast of the United States and of Canada that they had exercised for the previous twelve years. He says he believes that his hon. friend, the mover of the resolution, approved of that. Sir, who could do any thing else? There was no provision made for the protection of the fisheries. We had nothing to do but to approve of it. We could not refuse to permit them to come, because, we had no means to protect our fishermen and the Americans could come and fish in spite of us. But Sir, I did not approve of it. I suggested that measures ought to have been taken the previous year; finding that the treaty was going to terminate by the act of the American Government, our Government should have taken a vote the previous year, as I suggested, and as *Hansard* will show, for the purpose of putting these fast sailing schooners a year ago to protect our fisheries. We had nothing else to do but to approve of it, and if my hon. friend thinks that because I gave my assent to a matter of necessity, I would therefore approve of the previous negligence on the part of the then Minister, he is quite mistaken.

Mr. FOSTER. I wish to correct my hon. friend. I am sorry to see that he does not read his own paper, for if I do not mistake I think in that independent paper, the *Herald*, there already appeared one day an advertisement with reference to this same Government steamer.

Mr. MITCHELL. Yes, Sir, and it was put in in spite of the Department. I am going to do with the Government the same as I did with the City Council of Montreal, when they boycotted the *Herald*—let them know that we would publish information for the public whether we were paid for it or not, and that is what we are doing with this advertisement.

Motion agreed to.

EXPENSE OF BRINGING DOWN RETURNS.

Mr. LANDRY (Kent) (for Mr. VALIN) moved for:

Return of expense of bringing down papers to this House, and for printing the same, during the Sessions of 1884, 1885, on the motion—1. Of the Hon. Edward Blake; 2. of the Hon. Sir Richard Cartwright; 3. of the Hon. Mr. Mills; 4. of M. O. Cameron, M.P. for W. Huron; 5. of Geo. E. Casey, M.P. for W. Elgin; 6. of John Charlton, M.P. for N. Norfolk; 7. of Wm. Paterson, M.P. for S. Brant; 8. of Hon. Wilfred Laurier; 9. of C. W. Weldon, M.P. for St. John; 10. of P. B. Casgrain, M.P. for L'Islet.

He said: It is right that I should say, on behalf of the hon. gentleman who has given this notice, that I had not read the resolution, so he will have the full credit of it.

Mr. CHARLTON. I will give the hon. member, who has moved this resolution, the credit of the disclaimer he makes of being responsible for it. As I am one of the parties mentioned in that motion, and as I presume, when the return is answered, it will be found to have cost the country some money, perhaps I may be permitted to say a few words in explanation of the motives that prompted me to ask for these returns, and also something as to the reason why the returns were a subject of expense to the country. The timber limits returns were voluminous. That they were voluminous is not my fault. The fact that numerous applications were made, and that numerous Orders in Council granting timber limits were passed, accounts for

the bulk of those returns, and then that bulk is due to the policy of the Government in permitting its favorites to secure, by application, vast areas of timber lands. That policy, Sir, was protested against by the leader of the Opposition, who made a motion with regard to that policy in the year 1882, warning the Government that the policy it had then adopted and was pursuing with reference to the granting of timber limits, would result in serious abuses and in great loss to the public revenue. The prediction contained in that resolution has been more than realised. Thousands of square miles of land have been granted upon private application to partisans of the Government for a nominal sum. From year to year this abuse has continued. I presume, although I have not the statistics compiled, that not less than 20,000 square miles of timber land have been granted by this Government by Orders in Council to its favorites—granted upon private application—granted without competition having been invited—granted at a loss to the public revenue of this country of millions of dollars, and granted at the expense of the independence of this Parliament—for no graver abuse can be pointed out in parliamentary history than the abuse connected with the granting of timber limits in this House of Commons. Sir, the abuses that existed in the British Parliament which led to the passage of the Independence of Parliament Act, were not as great as those that exist in the Canadian House of Commons to-day. These returns are three in number, the first one comprising some 3,000 foolscap pages, the second one some 4,000 foolscap pages, and the one recently brought down between 8,000 and 9,000 foolscap pages. Now, of course, the expense of bringing down these returns is very great, but it was necessary the country should know what this Government was doing. It was necessary that the country should know that a great rush for favors on the part of the favorites of this Government has been continuing for three years past; it was necessary that the country should know the state of rottenness that exists here, and has existed here for years. Why, Sir, the very gentleman who makes this motion, I find upon reference to the papers, has had some of these favors, and I would not have found this out if these returns had not been moved for. I find that Mr. P. Valin, M. P., made an application for timber limits for Ferdinand Sampson, on the 25th April, 1882; an application for timber limits for Didace Dean, on the 25th April, 1882; an application for Frank Ross, on the 25th April, 1882; an application for timber limits for D. C. Thomson, on the 25th April, 1882; an application for timber limits for James D. Ross, on the 25th April, 1882; an application for timber limits for William Sharples, brother-in-law of the Minister of Militia of this Dominion, on the 1st May, 1882; and the application of William Sharples was backed up by a letter from the Minister of Militia. I do not propose to enter very fully into this matter to-night. It will be a subject for further remarks. There was a little episode occurred last Session. The hon. member for North Perth (Mr. Hesson) caused one of these returns to be piled upon my chair and seat, and spread all over the premises, calling the attention of the House to the fact that the member for North Norfolk was guilty of great extravagance in calling for a return of that bulk. Well, I found something in reference to the hon. gentleman for North Perth in these returns. I am sorry he is not here to-night; however, I think it will be pertinent to the case to read one or two of his letters. I find an application from that gentleman for Mr. James Robb, of Stratford, who had been editor of the Tory paper in that town, and the application was duly honored by the issuing of an Order in Council in favor of the said James Robb. I find here a letter from Mr. Hesson, under date Ottawa, 12th May, 1882, addressed to the Minister of the Interior, Hon. D. L. Macpherson:

"MY DEAR SIR.—In re application of Mr. James Robb, of Stratford for a small timber license on the Birdtail Creek, I am informed he is now unable to obtain the grant as at first admitted and reported. He has a mill and apparatus now on his hands and don't know what to do with them. I enclose his letter to me. Kindly look into the matter at your earliest convenience and do the best you can to assist him out of difficulty by permitting him time to look around for some other available spot. I feel confident he will not be ungrateful. Mr. Robb is one of our most energetic and best working men.

"Believe me, yours truly,
"S. R. HESSON."

There are other letters to the same purport, followed by an Order in Council granting to the said James Robb a timber limit. Then there are other communications from Mr. Hesson. Mr. Hesson, it seems, had a friend living at Toronto by the name of H. Symons. He writes on behalf of this individual on 23rd June, 1882.

"Some time ago I wrote in behalf of H. Symons, Esq., of Toronto, for timber limits on the Saskatchewan. Your reply was that a previous application was in for the same. Will you now do me the favor"—

Favor underlined—

"of changing that application to Cedar Lake as Mr. Symons is the only applicant for that place. I hope you will enter his name at once, and he will complete the application forthwith. As Mr. Symons is a particular friend of mine, I hope you will see to this at once."

I believe, Mr. Speaker, he was a particular friend, being married to a daughter of the hon. gentleman. Then we have an application from Mr. Hesson in favor of two individuals, Hugh Waterman and John Stewart. There is another application from Mr. Hesson in favor of S. S. Fuller, of Stratford, backed up by a letter from Hon. T. N. Gibbs. I do not propose to detain the House at this time as a full discussion of this question will come up subsequently. I state these instances in the case of the hon. member for North Perth (Mr. Hesson) and in the case of the hon. gentleman who moved this motion. They are simply specimens of a great number of other cases, and they show the condition of things that has existed and does at present exist with respect to the granting of applications for timber licenses in the North-West. I have to repeat what I said a moment ago that this corrupt system of granting timber licenses has resulted in the loss of millions of dollars of revenue to this country. The Government of Ontario since 1870 have licensed something less than 7,000 square miles of timber lands. For those licenses, granted subject to the conditions of the Government, that Province has received in bonuses something over \$1,600,000. In the year ending 1st February, 1884, the Government of the Dominion of Canada issued Orders in Council granting licenses covering 7,600 square miles, more than the area licensed by Ontario since 1870, and for that vast area they received in bonuses not one dollar, and for that vast area they never invited competition. The public were not invited; they never have been invited to compete for those licenses granted to the favorites of the Government. There has been, it is true, a sort of public-private competition when two or more friends of the Government applied for the same limit. They were required to compete among themselves in a hole and corner fashion, and the one who offered the most bonus received it. The public were never invited to compete, and those business principles that should always actuate the conduct of such matters have never guided the granting of timber licenses by this Government. They never made an attempt to get revenue from them. They have used them as a corruption fund to influence and control the votes of members in this House and secure the influence of influential men belonging to their party out of this House. This is not an independent Parliament. The Government have used influences in this Parliament that make it the reverse of independent, and the abuses that exist under the system of granting timber licenses are infinitely worse than the crimes, if I may call them so, the infractions of the law that the Independence of Parliament Act provides shall be

punished with a fine of no less than \$2,000 a day for every day the member sits. A member may be liable to penalties under that Act, of \$2,000 a day as I have said, and his fault may be a trivial one compared with the faults that scores of members of this House have committed and are laboring under at this moment. For that reason, believing that such a state of things exists, these returns have been called for. They have come down. They, no doubt, have cost this country thousands of dollars. The money has been richly earned. The corruption of this Government cannot be unearthed, except by the expenditure of money for the purpose of securing the records.

Mr. WHITE (Cardwell). The hon. gentleman has informed the House that this subject is to be further discussed at a later period of the Session, and I do not therefore propose to enter into any elaborate defence of the policy of the Government in regard to the granting of timber licenses in the North-West Territories. I desire simply to call attention to what I think will be regarded on both sides of the House as a most unfair use which has been made of letters addressed by members of Parliament to the Department, asking that timber limits may be granted to particular individuals. Sir, every member of Parliament knows that he is called upon in the very nature of things frequently to write letters to the Government in relation to matters which may be of interest to his constituents or to his friends. We do not require to go very far for an example, a rather noted example, of the necessity which sometimes is imposed on members of Parliament to do this kind of thing. I can remember a very remarkable letter written by a very prominent politician, a gentleman who occupies the position of leader of hon. gentlemen opposite, to the First Minister of the late Government asking that a particular contract might be given to his friend Moore—

Mr. BLAKE. No.

Mr. WHITE (Cardwell),—and urging.

Mr. BLAKE. No.

Mr. WHITE (Cardwell),—urging that consideration be given to his friend Moore in connection with that matter.

Mr. BLAKE. No.

Mr. WHITE (Cardwell). The hon. gentleman says no.

Mr. BLAKE. I say no.

Mr. WHITE (Cardwell). I can tell this House exactly what the letter was. It was a letter declaring that "my friend Moore" had tendered for a particular contract, and suggesting that "my friend Moore" would probably do the work well if he got the contract. And the result was, that he did get the contract at something between \$20,000 and \$30,000 over the next lowest tenderer, which lower tenderer had been certified to as a good contractor by no less a person than Mr. Stirton, a prominent friend of the party, who knew the other tenderer and testified by letter that he believed he would be perfectly competent to do the work. I do not refer to that for the purpose of making an attack upon the leader of the Opposition or for the purpose of reviving an old question, but simply for the purpose of pointing out what every member of Parliament knows, that letters of that kind may be written with the most perfect innocence of intention, without the slightest thought of there being any corrupt motive; and there is no hon. gentleman on that side of the House who does not, in his heart, know that what I say is true; there is not one of them who, when he was on this side of the House, so far as they were, when their friends were in office, was not in the habit of writing letters, perfectly honest and perfectly proper, recommending particular friends for particular patronage and particular favor to the Government of the day. The question is not whether a

Mr. CHARLTON.

member of Parliament writes the letter; the question is whether the Government corruptly yields to that letter. That is the point where the importance attaches, and in that case I am prepared to show when the discussion comes up in its fuller aspect—as the hon. gentleman tells us it is coming—that this Government stands in the position of meeting its assailants, its accusers, without the slightest suggestion of wrong-doing on its part. Now, Sir, the hon. gentleman is good enough here, as he has been good enough outside, to refer to the number of applications which have been made for timber licenses, and he suggests that in those applications there necessarily has been something corrupt. What has been the practical result? In connection with the disputed territory, we had rather a noted speech made by an hon. gentleman outside of the House, in which he declared that the disputed territory had practically been apportioned among timber limit holders, and he cited applications and Orders in Council, as evidences of that fact. Now, it is quite true that there were no less than 308 applications. Surely there is nothing corrupt in applying for timber licenses; surely there is nothing corrupt in the Government receiving an application for a timber license. But what was the fact? The fact was, that in connection with those 308 applications, only 115 Orders in Council were passed, so, as to 193 of them, the thing began and ended in an application to the Government, in the filing of an application in the Department of the Interior, and no other step of any kind was taken. Where was the corruption, where was the injury done to anybody in that? But that is not all. After the Orders in Council had been passed; after, in a large number of instances, the first amount required to be paid by way of rental, had been paid to the Department—\$250, being \$5 a square mile of annual rental paid to the Government—after that was done, what was the fact? Why, that only twenty-seven licenses were granted. So that I think the hon. gentleman will admit, and the country will admit, that whether there be corruption in the granting of timber licenses *per se*, where there were 308 applications, and in answer to them but twenty-seven licenses granted, it will not be pretended that all those letters addressed to the Minister or to the Department by members of Parliament had any serious effect on the action of the Minister of the Interior. Now, Sir, what is the policy with regard to this matter? The hon. gentleman speaks of the giving of these timber licenses as if there was something necessarily corrupt in it. He knows as well as any one can know that it is simply childish, it is worse than childish, to talk about a comparison of the timber limits of the North-West with the great timber limits of Ontario and Quebec; he knows there is no possible relation between the two. Now, what was done? This was done: Under the policy of this Government, or of the Conservative party, before hon. gentlemen opposite occupied seats on this side of the House, the policy was to let these licenses by public competition. When they came in, they changed that policy, and the policy which the hon. gentleman denounces so strongly was the policy adopted by themselves, acted upon by themselves when they were in office, and the last Order in Council which they passed—passed one day before they left office—passed after they were defeated at the polls—was an Order in Council granting 200 square miles of timber limits to political friends to be selected, not in a particular block wherever they would survey it and hand in the survey to the Department, but to be selected by them in blocks of 20 square miles wherever they might choose, over the North-West from one end to the other. That was the last act of hon. gentlemen opposite when they sat upon this side of the House—an act performed as I have said after they had been defeated at the polls, and as the last gift they had to give to men who had acted well for them, as strong partisans while sitting here on the Treasury benches. The first act, or among the earlier

acts of this Government was to cancel that Order in Council; and I venture to think that if the statement made by that hon. gentleman be justified by the facts, that the mere granting of a timber license without competition is evidence of corruption on the part of the Government that gave it, then the party which changed the policy, which made it possible to give timber licenses without competition, are the party who are responsible for the corruption and the party who are the last who should undertake to charge corruption against this Government because they have adopted that policy. Now, that was the policy we adopted? It was this: The hon. gentleman talks of timber limits at \$5, as if that were the price. What we did was this: Applicants applied for timber limits; they paid, after the Order in Council was passed, the first year's rental, \$250, and as the records show, in the overwhelming majority of cases they never went any further, and the corruption of the Government consisted in accepting \$250 from people who got nothing for it except a blank piece of paper, and the applicants spent a large sum of money outside without ever getting any more. But if they chose to go on they had to make a survey of the territory; they had to send in that survey to the Department; that survey had to be accepted; they had to build a mill within a certain time, and that mill had to cut a certain quantity—10,000 feet, I think, *per diem* for every fifty square miles. They had then to pay the Government a royalty of 5 per cent. on the produce of their mill, and the result has been that the people of the North-West have had their timber given to them at greatly reduced prices, and that most important consideration to the settlement of that country, the supplying of timber at reasonable prices, was secured by the policy which the Government adopted. If two persons applied for the same limit they had to compete for it, and latterly the policy has been still further changed, so that no timber limits are now given, except by public competition and after public advertisement. And what has been the result? In three or four cases where the advertisement has been published and where no competition has taken place, the bonus has not been sufficient to pay for the advertisements. That has been the result, and it is the best possible test of the public estimation—the business estimation—of the value of these timber limits, in relation to which so much has been said. I thought it right, Sir, to make this brief statement of the case. The hon. gentleman promises us a further discussion, and when that further discussion comes up I can assure him he will have details to his heart's content, and that the public will be able to realise how utterly unworthy have been the charges made against this Government, and how wanting in truth have been the statements made outside the House in relation to the timber limit policy of the Government.

Mr. MILLS. It would have been advantageous if the Minister had allowed the House to decide whether the acts of the Government have been properly characterised by the observations which he has now addressed to it, after all the information which he says will be brought before the House, is actually before it. The hon. Minister of the Interior says that the recent Administration, when they were in office, carried out the principle of competition, and that the policy which the Opposition now so much complain of was a policy which was introduced, not by the present Administration, but by the Reform Administration of the hon. member for East York (Mr. Mackenzie). The hon. gentleman has not quite fairly stated the facts to the House. The hon. gentleman knows that the present Prime Minister, when in office before, claimed that his Government acted under the law, while as a matter of fact they did not do so. They did not advertise or seek for competition; in fact, the law was wholly disregarded. When the

hon. member for East York came into office, and parties made application for timber limits, and the law was complied with, by advertising and by offering the limits to public competition, it was found that there was practically no competition; there were but a few parties who desired timber limits, those who had mills in the particular district, so that the law was practically inoperative. What the Government did then was not what had been done by the previous Government; they did not disregard the law, but they repealed it and put on the Statute-book a law with which it was possible to comply. They fixed a valuation on the limits, and they sold timber limits to all parties who had mills, on precisely the same terms; so that the law was strictly complied with. Now, when the hon. gentleman says that parties are obliged to survey their land, to mark out the limits and to furnish plans to the Government before the Orders in Council are passed, I can only say that was not the rule under which his predecessors in the present Government acted, and that was not the rule followed by the Government of Sir John Macdonald before 1873. I know myself that those hon. gentlemen granted limits to Mr. McAuley, a portion of which was not selected in 1876. The hon. gentleman knows that his statement is not accurate in that particular. He knows that the Orders in Council were passed and a certain number of miles were granted before the land was selected, and before those parties were able to tell the Government where they desired to obtain their limits. The hon. gentleman has referred to Messrs. Cook & Sutherland's case. They were dealt with exactly in the same way as twenty others; the same rule was applied, whether the applicant was a Conservative or a Reformer; if he owned a mill in the particular district or agreed to erect one within a certain time, the limit was granted to him on certain conditions. The limit granted to Messrs. Cook & Sutherland, looking at the character of the mill they proposed to erect, was not an unreasonable extent of territory. I saw in a return brought down to the House, a letter from the hon. gentleman himself with reference to a limit granted to a certain mill owner in one of the districts of the North-West. The hon. gentleman in that letter says that part of the limit is already exhausted of timber, that his mill is standing idle, and that he requires a larger limit. Would it be an unreasonable thing for the Government to furnish him with a larger limit, which would supply his mill as long as it would last? That was the very thing we did with regard to Messrs. Cook & Sutherland, and the same course was pursued with regard to McAuley & Fuller, who were not supporters of the Administration. The hon. gentleman said that we provided in that Order in Council that no part of the limit was to be less than twenty miles in extent, I do not remember whether it was twenty miles or ten miles; but I remember that we did fix a limit, because we said to Messrs. Cook & Sutherland that if there were small tracts of timber, as there are, on many flats of the river, two or three miles in extent, they could not pick them up unless they agreed to pay a license on a limit of 20 miles, and that they could not go and select small patches of timber in the Saskatchewan valley, which might be necessary for the settlers in that district. In that provision we protected the interests of the settlers. When the hon. gentlemen opposite came in, they adopted a different rule. They gave timber limits for one-fourth of the charge we made to Messrs. Cook & Sutherland, and they gave limits, not of 20 square miles, but as low as 2 square miles. They took no steps to see that the lumbermen did not deprive the settler of his timber; they wholly disregarded the interests of the settler. We provided that no timber limits should be sold to parties who were not prepared to erect mills. Can the hon. gentleman say the same thing of the Government of which he is a member? Was the hon. member for Lincoln (Mr. Rykert) the owner of a mill when he obtained a limit for \$5 a square mile, and

sold it for \$2,000 a square mile. The hon. gentleman speaks of the case of Messrs. Cook & Sutherland because they were opponents of the Government, although they had spent thousands of dollars to erect a mill, and they cancelled the Order, although by doing so they left the people of the district without competition. At the time the Order was passed, providing for granting a limit to Messrs. Cook & Sutherland, there was but one mill in the valley of the Saskatchewan, that belonging to Mr. Moore. The people were paying \$100 a thousand for their lumber, and it was with the view of promoting the people's interest and well-being, by furnishing competition, that that Order in Council was adopted. I need not say more about this subject at present. The hon. gentleman says that this matter is to come up for discussion. Whenever it does come up, the more it is discussed the more perfectly fair and in the public interest that matter will be seen to have been. I do not say that the rule of granting timber limits without competition and at a fixed limit should continue for all time. It was necessary in the conditions of the country at that time, when there were so few settlers. We recognised the necessity, but recognised it only as a temporary one, intending to return to the principle of healthy competition whenever the circumstances of the country would justify us in adopting such a rule.

Mr. WATSON. The hon. the Minister of the Interior has stated that the policy of the present Government has always been to grant limits to parties who would operate them within a certain period, and to give the settlers lumber at the lowest possible rate. Now this has not been the case. The Government did not pursue that policy in connection with the North-West, especially Manitoba, where they granted limits to favorites who did not work them in the interests of the settlers. These limits were granted, not only to supporters of the Government, but even to officials. Of those gentlemen I gave the names some three years ago, when I was not contradicted, and if necessary I can give them again. There was not a limit granted in the Shell River District to men who were prepared to operate them on the spot, but they were given to men like Mr. James Anderson, Dominion Crown Lands Inspector, and Mr. Laycock, his assistant. There was not a limit granted in which these men had not an interest; nor were those worked, operated in the interests of the settler, for the logs were floated down the Assiniboine to Brandon, a station on the Canadian Pacific Railway, and there sawn, so that when a settler wanted a thousand feet of lumber he had to drive seventy-five miles to get it, although the logs were driven down right past his homestead. Gentlemen like Mr. Cook and Mr. Sutherland, who were prepared to operate those limits on the ground itself, had not the same advantage as partisan friends of the Government and therefore could not get them. I know the instance of one gentleman, who had built a saw-mill at Lake Manitoba and was running a steam tug on the lake, who could not get a license or other lease for limits, after he had cut all the timber in his own, although there were limits available held by parties who had not worked them and had not even, I believe, paid the ground rent. The Government will not sell the limits or grant licenses to parties willing to work them, so that the settlers have no opportunity of purchasing lumber as they would have were the limits properly worked. For some time past the Government have been pursuing this policy. Mr. Pratt, who has a steam tug and saw-mill and is ready to operate on Lake Manitoba, has not been able to obtain limits or license, although the limits have been lying idle for five years beyond the time when the grants should have been cancelled, the parties in whose name they stand not having complied with the requirements

Mr. MILLS.

of the law. I hope the hon. the Minister of the Interior will see that those limits are operated: if not I hope he will see that the leases are cancelled, if the limits are not operated by those who hold them, and that the limits will be disposed of to those who are prepared to work them.

Mr. BLAKE. I cannot say I am surprised that the hon. member for Montmorency (Mr. Valin) has given this notice, but I was surprised that the hon. member for Kent should move it in his place. The motion is based on a very great misconception as to what is the relation of hon. gentlemen who move motions with the consequences of those motions. This motion, as I believe, unprecedented, but I presume the Government intend to accede to it and I have no personal objection to it. I must say, for my part, I declaim any personal or individual responsibility, such as seems to be imputed by the mover and supporters of the motion, for the accession of the House to the various motions I have made. The member who moves for papers here does not by that motion procure the papers; it is the House which orders their production. Not one of the motions which I have moved met with any resistance on the part of the House. The hon. member for Kent (Mr. Landry), for example, did not resist any one of them; he thought it was right they should all pass; he wanted to have the papers, and agreed to the Order that they should be produced. Now he thinks it important to see the cost of the acts he and I supported. So with reference to the printing. That is in the hands of the House committee appointed by the Government in which the Government have a majority, and in respect to which the mover of the motion for papers has nothing whatever to do. The Printing Committee suggests to the House what papers of all those brought down, it thinks important enough to be printed and in what way. I am not aware, though I believe there are many cases in which the decisions of the committee have been questioned, but there are certain occasions in which documents which should have been printed have not been printed, or were printed in such a way as to give them a narrow circulation. The committee decides what amount of expense may be incurred in the way of printing, and, as an example of economy, I may instance a certain number of important papers in connection with the North-West troubles, which were brought down after a great deal of difficulty, and which that committee recommended should be printed for Sessional Papers only, so that the public have not had the opportunity of getting copies of those papers in the usual way as parliamentary documents. Such a sage economy with reference to public money animated the committee that they thought it unfitting to incur the extra expense of a larger edition, which would have a wider circulation, than the existing documents. If it is proposed by this motion to prevent members of the Opposition from moving motions for papers when they think public interest requires it, it will be ineffectual. Motions will be made whenever we think, in the public interests, papers should be brought down, and we will put the responsibility on the Government and other members of saying whether they think it fitting these documents should be concealed or brought down. If they assent unanimously, or by a majority, to their production, the responsibility involved in the expense incurred will be shared by those who agreed that the expense should be incurred. That is all with reference to the main subject of the motions. As to the observation of the hon. Minister of the Interior, I have only to say, with reference to myself and the letter I wrote, his recollection failed him when he came to describe that letter.

Motion agreed to.

MARINE AND FISHERIES—REPORT TO THE PRIVY COUNCIL.

Mr. MITCHELL moved for:

Copy of Report of the Minister of Marine and Fisheries to the Privy Council under the date of 15th December, 1869.

He said: If the House grant the order to send this down, I hope they will not treat it as they did the one of last year containing valuable information, but will order it to be printed, as it will form part of the future history of Canada with reference to our fisheries and trade relations.

Mr. FOSTER. The return asked for will be brought down, and I promise my hon. friend it will be printed as well. I hold that the able and strong documents drawn up by my hon. friend deserves to be handed down to posterity.

Mr. MITCHELL. I am much obliged to the hon. gentleman for the compliment he has paid me. Last year, when one of those documents came down, I felt it my duty to ask that it also should be printed, and, if it be in the province of the Committee, I hope they will look over the document and see whether they cannot have it printed as well as the one about to come down. Those who write the history of our country will take a good deal of interest in both documents.

Motion agreed to.

SUBSIDIES TO RAILWAYS.

Mr. CHARLTON moved for:

Return showing:—1. The total amount of money paid by virtue of requirements, 47 Victoria, chapter 8, intitled: "An Act to authorise certain subsidies and grants for aid in respect of the construction of the lines of Railway therein mentioned, and the separate amounts paid up to 1st March, 1866, by virtue of the requirements of the said Act, to each Province, railway company, corporation, &c., mentioned in the same? 2. The total amount of money remaining to be paid by virtue of the requirements of the said Act, and the separate amounts payable to each Province, Railway Company, Corporation, &c., mentioned in the same.

Mr. POPE. There is no objection to the motion. I do not know that I quite understand it, however, when the hon. gentleman speaks of the total amount of money paid to each Province. I know of none that has been paid to the Provinces. Does he mean the amount paid in each Province?

Mr. CHARLTON. Yes.

Mr. POPE. I have no objection to the motion.

Motion agreed to.

CANADIAN PACIFIC RAILWAY—GRAVENHURST TO CALLANDER.

Mr. EDGAR moved for:

Copies of any agreement or contracts entered into between the Canadian Pacific Railway Company and the Northern Railway Company of Canada, and the Hamilton and North-Western Railway Company as lessees of the Northern and Pacific Junction line from Gravenhurst to Callander, providing for through rates and fares and proper traffic arrangements for freight and passengers over the line of the Canadian Pacific Railway as stipulated in the agreement of 12th April, 1884, under which the Government granted the subsidy of \$12,000 per mile for the construction of the railway from Gravenhurst to Callander.

He said: This motion refers to the very important line connecting the railway system of Ontario with the Canadian Pacific Railway at Callander. It will be remembered that that connection was made by the assistance rendered to the extent of \$12,000 a mile by this Government to a company who leased the line to the Northern Railway. I believe the railway has been now built, and I am not going to discuss the question whether the Government could have procured it to have been built for a smaller sum than

\$12,000 a mile or not. We have the fact that the road has been built, and, I believe, very well built. But it is of vast importance to the Province of Ontario, through which the connecting lines run, that every possible facility should be given for the traffic of the Province of Ontario to and from the North-West over the Canadian Pacific Railway, and that every possible arrangement should be made to facilitate the running of trains, and to have fair rates for that Ontario traffic. The agreement under which the \$12,000 a mile was given for the construction of this railroad was brought down last Session, and it provides; that within six months after its date—it is dated the 12th April, 1884, and six months after its date would be the 12th October, 1884—an agreement shall be entered into between the Canadian Pacific Railway and the Northern Railway, as to the rates and fares and traffic arrangements between the two roads. The conditions provided in the agreement, as to the grant of the \$12,000, are that the through rates and fares from all points west on the Canadian Pacific Railway, to and from all points on the railways of the lessees, should be settled on a mileage, or other fair basis, and in case of dispute, should be settled by arbitration. Now, it is quite clear that, unless some agreement of that kind be entered into by the Canadian Pacific Railway, that company might put on such rates as would be prohibitory to the traffic going off at Callander for the Ontario system, and they might very easily, if it be left in their hands to do so, force the traffic going eastward over their own line, from Callander all the way down to Montreal or to the seaboard, instead of allowing it to leave their line at Callander and go to the seaboard that way or to Ontario. It is very much to their interest, therefore, clearly, to make arrangements which would suit themselves and their own line east of Callander, instead of making arrangements which would suit the line of this connecting railway; and we can therefore see how important and essential it is that some such agreement as the one proposed should be entered into and should clearly settle those points. Then it was also arranged that an agreement should go farther than that, and make provision for through freight cars, through sleeping cars, and connecting trains. That is also very essential, as anyone can well see, in order to give fair competition with the east. Of course, Montreal has natural advantages that Toronto and the towns and cities of Ontario have not, in competing for the trade of the North-West. But Montreal, no doubt, will be able to take care of herself, and it is very undesirable to give any adventitious or artificial advantages in the way of freights to Montreal by reason of the advantages which the Canadian Pacific Railway would have by diverting traffic from its connecting line at Callander. Now this agreement, I am afraid, has not been carried out—at any rate I am satisfied that it has not been carried out within the six months provided for under the agreement by which the Government gave the subsidy. One would think that when an arrangement, giving \$12,000 a mile, was made and when a stipulation was inserted that within six months such an important arrangement should be made by the Canadian Pacific Railway, the terms would have been stringent, so that either the grant would not have been paid over, that it would have been held back, or that there would have been some penalty of forfeiture unless the Canadian Pacific Railway gave this agreement. But the language of that clause is most extraordinary. It does not provide that in default of the making of this agreement with the Canadian Pacific Railway the money shall be held back, or that any money shall be held back, or that any penalty shall be enforced. It merely provides that this clause shall have no effect unless the Canadian Pacific Railway shall, within six months from this date, enter into a contract with the lessees, agreeing on its part to the terms of this clause. In other words, Mr. Speaker, it is left absolutely to the discre-

tion of the Canadian Pacific Railway whether it will do this or will not do it, and if they did not do it neither they suffer nor the railways that are to be built suffer, and nobody but the public would suffer, because there is no penalty or condition attached to it whatever, except that the clause which says it shall be done shall have no effect. Now, on the 9th of February last I put a question in this House to the Government asking them whether the Canadian Pacific Railway did, within the six months required by that agreement, that is by the 12th October, 1884, enter into such an agreement as was required, and the hon. Minister of Public Works replied then that "the Government is not aware that the Canadian Pacific Railway has done so." Well, they clearly did not do it within the six months required, nor for about six months after that. Now, I believe since then the railway has been finished, and the whole subsidy has been paid over, and I have no doubt that the Government used the great influence which they possessed and still possess with the Canadian Pacific Railway, to induce them to make that binding agreement for the benefit of this other railway, although they had not done it within the time required, and although, according to the letter of the law, they were not bound to do it. I am sure this motion will give the Government an opportunity of telling the House that they have seen to this, and that the agreement has been entered into by the Canadian Pacific Railway, because if it has not, I do not think the subsidy which has been given will make that road of any practical use to Ontario for the purpose of connecting with the Canadian Pacific Railway. It will be a very good local road, running through the districts of Muskoka and Parry Sound. But if this has not been done, and if the papers which I ask for here cannot be produced because they do not exist, I am sure that the people of Ontario will be very much grieved, and the business men of that Province, who thought they were getting a grant of \$12,000 a mile to assist this road as a direct connection with the North-West, will be very much disappointed.

Motion agreed to.

THE FISHERIES.

Mr. MITCHELL moved for :

Copies of reports of communications between the Canadian and American Governments through the late Governor General of Canada, Lord Lorne, on the subject of a Joint Commission respecting the Fisheries, and of any memorandum by Lord Lorne or any suggestion emanating from the United States authorities naming suitable individuals to form such Commission as referred to by the late Minister of Fisheries, in a debate in the House of Commons on the 13th of July, 1885.

Mr. FOSTER. I may inform my hon. friend that there are no memoranda or copies of reports. Nothing passed except verbal communications.

Mr. MITCHELL. Under those circumstances I withdraw the motion. I suppose the hon. gentleman will not object to tell us at a later period what those verbal communications were.

Motion withdrawn.

APPOINTMENT OF QUEEN'S COUNSEL.

Mr. MILLS moved for :

Copies of all correspondence between the Government of Canada and the Imperial Government, and between the Government of Canada and the Government of any Province of the Dominion, in reference to the appointment of Queen's counsel.

He said: I hope the Minister of Justice will be able to lay the papers before the House at an early day, and I will refrain from discussing the matter until we have the papers before us; otherwise I should feel inclined to enter into a discussion of the subject.

Mr. THOMPSON (Antigonish.) The motion has a very wide range in the way in which it is presented to the
Mr. EDGAR.

House. I understand, however, that all correspondence on this subject has been already submitted to the House or has been made public through various channels, except the correspondence which has been commenced during the present year with the Government of Ontario. I cannot promise to bring it down very shortly because it is not yet concluded. I acquiesce in the motion, but I cannot promise to bring the correspondence, if that is the correspondence to which the hon. gentleman refers, down at an early day.

Motion agreed to.

RETURNS ORDERED.

Return showing all sums of money paid to any member or members of this House or the Senate, on account of services rendered in connection with the North-West rebellion, giving the names, the services performed, and the respective sums paid each, the date at which the services commenced and terminated; also all sums paid on account of travelling expenses, outfit or otherwise, giving each name, amount paid, what for, and date of payment, separately.—(Mr. McMullen.)

Copies of all evidence, together with the judge's charge and all other papers relating to the trial of Loison Mongrain, for the murder of David L. Cowan, a policeman, late of the county of Carleton. Also all petitions, correspondence and Orders in Council relating to the commutation of the death sentence of Loison Mongrain.—(Mr. Landarkin.)

Return of the amount paid for damages to land taken for the Indian-town Branch of the Intercolonial Railway, in the county of Northumberland, N.B.; the names of the parties to whom the same was paid, and the amount paid each one; the names of the valuers appointed to assess the damages, and the amount paid for their services; the legal gentlemen employed in connection therewith, and the several amounts paid for their services.—(Mr. Weldon.)

Return of the earnings and working expenses of the Intercolonial Railway for each month from 1st July, 1885, to 1st February, 1886, specifying the different sources of earnings and the amount (if any) in each month, credited from mechanical stores account to earnings.—(Mr. Weldon.)

Return showing: 1. The total number of acres of grazing land placed under lease up to 1st March, 1886. 2. The names of grazing land lessees who have cattle upon their leaseholds, the number of acres in each leasehold, the date of the lease, the location of the land covered by the same, the number of lease, the number of cattle reported on each leasehold, the date when the leasehold was first stocked with cattle, and the aggregate area covered by such leases. 3. The names of grazing lands lessees who have not placed cattle upon their leaseholds, the number of acres in each leasehold, the location of the land covered by the same, the number of the lease, and the aggregate area covered by such leases. 4. The total revenue derived from pasture land leases. All returns asked for to be brought down to 1st March, 1886.—(Mr. Charlton.)

Return of particulars of any claim made by John Heney, of Ottawa, for a refund of tolls paid by him upon vessels or wood passing through the Government canals, together with copies of all Orders in Council passed by the Government in relation to such claim, and copies of all correspondence between the Government and the said John Heney or any other person, respecting such claims for refund.—(Mr. Landarkin.)

Return showing seizures made at the port of Winnipeg, by the Customs officers or officials, between 1st January, 1885, and the 11th of March, 1886, in which fines were imposed, deposits forfeited or goods sold after seizure; giving the names of the persons upon whom fines were imposed, who forfeited deposits or whose goods were sold after seizure; giving the amount of each fine imposed, of each forfeit deposited and of the amount obtained in each case in which goods were sold; and stating in detail the name, official position and salary of each officer to whom any part of the money so realised was paid, and the amount in each case thus paid to the said officer.—(Mr. Paterson, Brant.)

Return of the numbers and names of the United States fishing vessels frequenting the inshores of Canada for fishing and kindred purposes, during each of the several years that the Treaty of Washington has been in operation; also the kinds and estimated quantities of fish taken yearly by each American vessel, and the probable period of each fishing voyage or voyages.—(Mr. Mitchell.)

Copies of documents, correspondence, reports and Orders in Council respecting alleged interference with United States fishermen on the coasts of Nova Scotia in the years 1880, 1881 and 1882, together with copies of the Fishery regulation or regulations said to have been violated by Americans, and for the enforcement of which, by Canadian officers, indemnity was claimed; as also a statement of amounts claimed, and of sums (if any) paid therefor.—(Mr. Mitchell.)

A statement of sums deposited in the Post Office Savings Bank and Government Saving Banks on the 1st January, 1886, showing: Number of depositors holding amounts over \$1,000; over \$500 and under \$1,000; over \$300 and under \$500; below \$300; with total held by each class respectively.—(Sir Richard Cartwright.)

Return showing the amount paid to P. R. Jarvis, Esq., of the city of Stratford, county of Perth, returning officer under the Temperance Act for the county of Perth, Ontario, for the vote taken under the provisions of the Act on the 18th day of June, 1885; a detailed statement of all moneys paid to such returning officer, for what purpose, and to whom paid by him.—(Mr. Trow.)

Return showing the number of homestead entries of Dominion lands cancelled in each of the years 1880-81-82-83-84 and 1885; also, number of pre-emption entries cancelled in each of the above years.—(Mr. Glen.)

Copy of a report made by F. N. Gisborne, in February, 1885, on the application of the inhabitants of Brier and Long Islands, Digby County, for telegraphic communication with the mainland.—(Mr. Vail.)

Return of the total amount paid by the Railway Department for applying the Westinghouse brakes on the Intercolonial Railway, to 31st December, 1885; the number of locomotives and number of cars to which the brake has been applied, and the cost for each locomotive and each car, separately.—(Mr. Vail.)

Return showing the amount owing and unpaid on the 1st day of January, 1886, on pre-emption entries of Dominion lands in Manitoba and the North-West Territories; also, amount owing and unpaid on time sales of Dominion lands, 1st January, 1886, for Manitoba and North-West Territories.—(Mr. Glen.)

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to; and the House adjourned at 10:40 p.m.

HOUSE OF COMMONS.

TUESDAY, 30th March, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

PRIVATE BILLS—EXTENSION OF TIME.

Mr. DAWSON moved:

That the time for presenting Private Bills be extended to Monday, the 12th day of April next, in pursuance of the recommendation of the Select Committee on Standing Orders.

Motion agreed to.

FIRST READINGS.

Bill (No. 65) respecting the Northern and North-Western Junction Railway Company.—(Mr. Kilvert.)

Bill (No. 66) to incorporate the Forbes' Trochilic Steam Engine Central Company of Canada.—(Mr. Patterson, Essex.)

Bill (No. 67) respecting the Central Ontario Railway Company.—(Mr. White, Hastings.)

Bill (No. 68) to incorporate the Brockville and New York Bridge Company.—(Mr. Wood, Brockville.)

Bill (No. 69) respecting the Bank of Yarmouth.—(Mr. Kinney.)

Bill (No. 70) respecting the Manitoba and North-Western Railway Company of Canada.—(Mr. Ross.)

Bill (No. 71) for the discharge of Insolvent Debtors whose estates have been distributed rateably among their Creditors.—(Mr. Edgar.)

Bill (No. 72) respecting the Union Suspension Bridge.—(Sir Hector Langevin.)

QUESTION OF PRIVILEGE.

Mr. CHAPLEAU. Before we proceed to the Orders of the Day, I must bring before the House a statement made in a newspaper, which statement has been repeated and my attention called to it. I do not intend to complain of the appreciations of newspapers on my own merits or utterances in this House, however unjust or ill-mannered even they might be; but what I have the right to complain of is

that statements purporting to be statements made by me as a member of the House, should be incorrect or untrue. I read in the London *Advertiser*, which, I think, has a representative in the Capital, of Monday, 29th March, an article headed: "Chapleau's Effort." In that article, it is stated that a letter was read by me dated the 19th instant, which letter:

"Declared that Riel was confined in the Longue Pointe Asylum when his insanity was only simulated. . . . Mr. Chapleau said that he was the Secretary of State in the Government at that time; that it came within his duties to commit lunatics; that he knew Mr. Riel was not a lunatic; that he thought Mr. Riel was in danger of being punished for the murder of Scott, and that he (Mr. Chapleau) had sent him to the Longue Pointe Asylum under an assumed name as a safe refuge from the vengeance of Mr. Scott's friends."

What I said is not that, and the statement I have quoted is wilfully untrue. I stated, and I have read it in every newspaper which took my words:

"I knew it, I must say, even before this House sat. I knew it even, but not in a satisfactory manner, during the time the so-called insane man was in the asylum. I knew it from some of the guards, but I would not have taken their authority."

If, as I stated, I knew it from one of the guards, Riel must have been then in custody. I stated that when the unfortunate man was sent to the asylum, I had—and it is in my speech—evidence before me to which, as a member of the Government, I had to submit; that is to say, the necessary papers with affidavits. Those affidavits were given by hon. friends on the other side, whose honesty and integrity I do not doubt, and it was on those papers that Riel was put in an insane asylum. The appreciations of newspapers are free, in the discretion of the papers themselves, but the questions to the truth of statements attributed to members of this House belong to this House, and if the privilege is given to the press to make reports, the press should not be allowed to make untrue statements.

WAYS AND MEANS—THE BUDGET.

Mr. McLELAN. Mr. Speaker: In moving that the House resolve itself into a Committee of Ways and Means, I desire, as has been customary, to make some statements respecting the position of our accounts. This duty has for a number of years been discharged by one who has made fiscal matters a life study, and whose clear and able statements commanded the admiration of the House and the confidence of the country. I am sure that all in this House will join with me in expressing deep regret that the condition of Sir Leonard Tilley's health has compelled his withdrawal, at least for a time, from the more active duties of public life, and I am sure also that I but give expression to the feelings of those around me when I utter the wish that he may be restored to health and may have many happy years of useful and honorable life. In attempting this task, without having had perhaps sufficient time to become familiar with all the details of my Department, I should crave the indulgence of the House, more especially when I look back to 1867, and I see that this position has been from that time to the present always occupied by distinguished and able men; Sir, in looking back to that period over the administration of those eminent men—an unbroken line of gallant knights—I am deeply impressed with the changes that have taken place in the country since that period, with the contrast which the Dominion of Canada presents to-day to the Dominion of 1867. Eighteen years in the history of any country mark it with changes of progress and development, or, perchance, of decay, but I venture to say that in no country in the world are the evidences more strong and marked of progressive development than in the Dominion of Canada. In 1867, we were four Provinces, and we spoke of the country as a great country, one of magnificent distances. We had then Ontario, Quebec, Nova Scotia and New Bruns-

wick, covering an area of 338,000 square miles, with a population of 3,331,000. On the east we have added that most fertile of all fertile islands, the Island of Prince Edward, and we have taken our boundaries westward and laid them beside the waters of the Pacific Ocean. In area, we now embrace 3,438,000 square miles. In territory we have increased more than tenfold, and our population more than 50 per cent. But it is not in increased area, it is not in added numbers that the change is most marked. It is in the condition of the great body of the people. They have learned more of each other in those eighteen years, and have strengthened their political, their social, their commercial and their industrial ties. In 1867, the two Provinces in the east were separated from the two in the west by an impassable barrier. In winter, and for six months in the year, we were dependent upon the United States for all intercourse and communication between the two upper and the two lower Provinces. In the west, on the admission of British Columbia and the Territories, the obstacles to intercourse were greater even than the increased distances, and for all communication and intercourse we were dependent upon foreign railways, foreign hotels, and foreign conveyances. For fifteen or sixteen years we have been paying tribute to a foreign but a friendly power for all intercourse westward. To-day the iron rail, leaving the waters of the Atlantic, goes westward and westward until it touches the waters of the Pacific Ocean, and gives us an unbroken highway from the extreme east to the extreme west; so that we shall from this time be able to pass to and fro from the extreme of east to the extreme of west without being reminded, as hitherto, by a foreign flag and a foreign Custom house that we were dependent upon a foreign people for our intercourse. The year 1886 will be in all future Canadian history a red-letter year, as being the year in which we obtained our national, our geographical independence; the year in which a highway to pass for pleasure or profit, in peace or in trouble, was opened to us throughout our whole territory. Something more than thirty years ago, the public men of Nova Scotia were busy discussing the propriety of commencing the construction of what is now a portion of the Intercolonial Railway, and a link in this great highway, and the men who were then discussing it, the men who were most earnest in the matter said to us that the importance and value of this road would grow in the public estimation of the people of Nova Scotia, and in the estimation of the people of all the Provinces, that it would be commenced and would go westward until it would eventually reach the waters of the Pacific Ocean; and we were told that many of those who were taking part in the discussion would live to hear the scream of the locomotive in the Rocky Mountains. Sir, that prediction has been realised, and, if all, or if even in part the other predictions respecting the great value and importance of this work, in binding together the several Provinces, in strengthening and maintaining British interests upon this continent and developing the great resources of this country, and drawing to us a share of the trade of the millions of people who swarm the islands and the countries lying beyond our western terminus, are realised, then the men who grappled with and carried out this mighty undertaking will be regarded as benefactors of this country and will receive the respect and gratitude of all true Canadians. And, Mr. Speaker, I may add that our right hon. leader, who has labored so diligently and so successfully in carrying forward this work, who, while not unmindful of the interests of the older Provinces, never lost sight of this undertaking, although often assailed by the opposition of gentlemen opposite, and sometimes met by the fears and doubts of his friends, yet never lost sight of this work, but labored faithfully, zealously and intelligently to complete it, and bind together and make one people all who

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dwell beneath the British flag on this continent, and strengthen and maintain British institutions—if those predictions shall be in any part realised, he will have the highest reward that can come to the greatest statesman, the satisfaction of knowing, of believing, of seeing, that he has wrought a great advantage for his country. Sir, I believe that those predictions will be largely realised, and that a great future lies before us. But I must not detain the House to speak of that future. I was contrasting for a moment, in passing, the past with the present, the condition of things in 1867 with the condition in 1886. And, Sir, it is not alone in the increased area, nor in the improved means of inter-communication which we now have, but the change is most marked in the great improvement in the condition of the vast body of the people. Measured by every standard that tests the progress of the people, we see that they have made great progress, by the accumulations in our savings and our commercial banks, by the traffic upon our railways and upon our waters, by the growth of our towns and cities, by the private and public buildings which adorn them, by the comfortable homes of our rural population, by the churches and schools, and all the varied avocations in which men are engaged, and which mark the growth, the progress, the wealth and happiness of the people. Sir, in speaking thus, and expressing gratification at the growth of the Dominion, I do not forget my experience in the past with some minds narrow by nature or by prejudice, who will say that it is, perhaps, not in good taste in a Nova Scotian, not in good taste in me, particularly, to express this gratification. Sir, I desire a word of personal explanation, and I am moved the more thereto by the fact that the leader of the Opposition, when nothing else could be found to occupy his great mind at the opening of this Session, directed my attention, when I should occupy this place to-day, to the position I occupied in 1867. It is true that Nova Scotia was opposed to Confederation, but mainly owing to the financial terms then proposed; it is true that I joined in that opposition, but when the act was passed I took the earliest opportunity to define my position as a candidate for this House. Addressing a large public meeting of my constituents, I said—and, if I remember rightly, my remarks were reported by the gentleman who occupies the chief place at the Table of this House—I said: The Act of Confederation has become law, it is the Act of the British Empire, and no power that we possess can avoid it. We shall live under it, we shall test its working, and if I am elected as your representative in the House of Commons, believing that the terms on which we are admitted are unfair to Nova Scotia and may be amended, I shall labor to have them amended, and I shall join those who will endeavor to promote the best interests of the whole country at large. In substance, that was my pledge to the people of my county; and when I came here my utterances were in that direction, to have a modification of the terms on which Nova Scotia was admitted. And, Sir, to-day I stand with that pledge redeemed, and with having aided to secure better terms for my little Province down by the sea, and in having joined with those who were giving, and have given their best energies to the development and progress of the whole country. With that pledge redeemed I feel as free to stand here and express proud satisfaction at the progress of our common country, as could the most ardent Confederate of 1867. Now, Mr. Speaker, having detained the House with this introduction, I desire to invite attention to the Public Accounts which were submitted to the House some days ago, and which, I have no doubt, have been examined by hon. gentlemen present. Permit me, Sir, to direct attention to several points which seem to call for consideration. And first, dealing with the receipts of 1885, it will be noted that the late Finance Minister, in his Budget speech, placed the

revenue likely to be received at \$33,000,000, including in that amount the sum of \$500,000 estimated receipts from the sale of Dominion lands. The actual amount received from the several sources came to \$33,190,618, of which the amount from Dominion lands was \$393,618, the excess over the estimate being \$190,619. Many of the items in the receipts and in the estimates approach each other very closely. For instance, the Post Office revenue was estimated to produce \$1,900,000; it did produce \$1,841,372. The revenue from Public Works, including Railways and Canals, was estimated at \$3,000,000; it did produce \$3,065,000. The interest on investments was estimated to produce \$1,900,000; it produced \$1,997,000. Miscellaneous revenues brought in altogether \$605,838, against an estimated amount of \$800,000. Dominion lands produced but \$393,618. The interruption of the receipts from that source was caused by the troubles in the North-West, on account of which the receipts from that source almost ceased, and reduced the amount below the estimated receipts of \$500,000. Then there are the receipts from Customs and Excise. When Sir Leonard Tilley made his Budget speech about this time last year, he estimated the Customs to produce \$19,000,000; they did produce \$18,935,426, being \$64,574 short of the estimate. If hon. gentlemen have referred to the Trade and Navigation Returns they will have seen that the greater portions of the goods entered for duty in the Dominion during the past year were fully up to the estimates. The main falling off was in articles that are being manufactured in the country, manufactures of cotton and woollen goods, of iron and steel and the products thereof. The duties upon those articles was \$2,167,229.34 in 1884, and the amount realised in 1885, \$1,606,510. As hon. gentlemen will see, there was a large falling off in the receipts from those sources in consequence of our manufactories being able to furnish a larger portion of the goods required for the wants of the people. The receipts from Customs will, no doubt, constitute the items which will receive most attention from hon. gentlemen opposite and all who are opposed to the National Policy, and who desire to preach and put in practice the doctrine of Free Trade so far as is possible in this country. I may, therefore, be permitted to make a few observations on this subject before passing to other matters. The sum of \$18,935,426 from Customs last year was collected on a gross importation for home consumption of \$102,710,109, being 18.43 per cent. under the National Policy tariff. Comparison has been made on many occasions between the taxation of the Dominion and the taxation of the United States, and the results of the tariff in the Dominion and the results in the United States. It is, however, shown from the returns of 1885 in the United States that the percentage of taxation upon imports into that country was 31.45, or over 13 per cent. more than the charge under our National Policy. It is not so much with the United States tariff, but with the tariff of 1878 that we shall be criticised. The tariff of 1878 is entered in our books as showing a taxation of 14.03 per cent. upon a total importation of \$91,199,517, and that shows a difference of over 4 per cent. in the result of the working of the tariff as at present arranged and the tariff which hon. gentlemen applied in 1878. Now, even 4 per cent. of a difference of taxation is, perhaps, a considerable one; but it does not warrant all that has been said by hon. gentlemen opposite as to the grinding nature of our tariff. If it be really 4 per cent. more than the tariff of 1878, I do not think it deserves all the condemnation which hon. gentlemen have been pleased to shower upon it, but it is not. The Customs receipts for 1878 were \$12,795,693, being, as I have said, 14.03 upon an importation of \$91,199,577. The larger you have the importations for a given sum received the smaller is the percentage, and you have to look at the imports and compare the imports of 1878 with those of 1885, to reach a fair comparison of

the amount of taxation imposed by those tariffs respectively. In 1878, it will be remembered, breadstuffs were imported free into the Dominion, and all that passed through any part of the Dominion, by Grand Trunk Railway or otherwise, to the seaboard, for shipment abroad, was called an importation for home consumption. In that year the amount of imports of breadstuffs was \$13,452,460—in other words, 14½ per cent. of the whole imports of that year was in breadstuffs, not in necessary imports, not in compulsory importations for the consumption of the people, but a large portion on the way to the seaboard for shipment to other countries; and yet, being free, they were called importations for home consumption, although they only passed through the country. The amount added to the necessary importations we were compelled to make, increased the amount given as importations; and when the duty in that year is taken over the whole amount thus increased, it shows to the advantage of the tariff of 1878. Take out that amount of thirteen millions on breadstuffs, free, and you have \$77,747,117 left as the necessary importations of that year, upon which \$12,795,693 was collected, which brings the percentage up to 16.45 per cent., less than 2 per cent. of the taxation of 1885. If you look at the imports of 1885 and the collections thereon you will find that the increase of taxation is not on the necessaries of life, not on what is consumed by the poor man, and not what will justify hon. gentlemen opposite in saying that the National Policy tariff is grinding on the poor man, and drives him out of the country. It is not necessary, Mr. Speaker, that I should detain the House with a very close analysis of the importations of 1885; but I may take up two or three special lines, and show that the increase of revenue and increase of taxation does not result largely from impositions on the laboring classes or upon the poor man. In 1885 we collected on silks and velvets, \$1,029,657. In 1878 we only collected \$539,981, an increase of \$480,676; and that leaves as much silk and velvet for the poor man in 1885 as was imported in 1878. On spirits and wines we had an increase of \$642,100; on jewellery, gold and silverware, \$156,728. Now, here are three classes of goods which are considered as luxuries, on which we collected an excess over the amount collected for 1878, of \$1,279,504. Now, if you take this from the gross revenue received from Customs, it leaves \$17,655,924, which would make a fair comparison with the receipts from the importations of 1878; and when you do that, Sir, you bring the taxation down to less than three-quarters of 1 per cent. over the taxation of 1878. And I am sure, Sir, that if the investigation were pursued further, we should be able to show, having no duties on tea and coffee, and many other things which are largely consumed by the poor man, that the tariff under which we are operating and under which we have collected this revenue, bears much more lightly upon the working classes and upon the middle classes than did the tariff of 1878. Hon. gentlemen have been wont to exclaim against the tariff under which we are operating at present, because it is called a protective tariff. But, if we take the free trade tariff of England, we find that it is more grinding and bears more hardly upon the poor man and the laboring classes than it does upon the rich. Of the \$98,000,000 that are collected for Customs duties in England, a celebrated statistician, Mulhall, places the proportion paid by the laboring classes at \$56,000,000; the rich, \$6,000,000; and the middle classes, \$34,000,000; or, in other words, there is paid by the laboring classes more than 56 per cent. of the whole collection of Customs revenue in that free trade country of England. So we see that a free trade tariff is not necessarily light upon the laboring classes, or upon the middle classes nor the poor man. And, Sir, I say that if I were to pursue the analysis of our importations, I would be able to show that our tariff is especially framed to bear lightly in its taxation upon the

poorer classes; and, moreover, Sir, we know that the result of the working of that tariff has been to give the poor man and the laboring man employment. It has given him that employment which keeps poverty almost out of the country, and that is the object that any tariff—that any Government framing a tariff should have in view—to give employment to the people at large, and to bear lightly upon the laboring classes of the community. And the result of this tariff has been, Sir, that we have been giving employment to the masses of the people, to the laboring classes, and we are able, from the condition of our manufactures, to feed and clothe the workingman for work-day and holiday; and are able to put in his hands the implements by which he earns his living at lower prices than they were imported into the country under the tariff of 1878. The receipts from Excise have been \$6,419,101 as against an estimate of \$5,500,000. The large increase in the Excise is to be accounted for by the fact that distillers and others forestalled the changes that were made in the revenue and entered large quantities of their goods. The receipts from Post Office, Railways and Canals, interest on assets, and miscellaneous sources, including Dominion lands, amounted to \$7,806,089, showing a marked and gratifying increase since 1879 amounting to 88·3 per cent., or \$3,565,321. It will be noticed that I have included in that amount the receipts from Dominion lands. During the five years that hon. gentlemen opposite held the Government, all the receipts from Dominion lands were taken and counted as part of the revenue, and my hon. friend and predecessor, Sir Leonard Tilley, followed the same course up to 1881, placing these as part of the receipts from consolidated revenue account. From 1881 to 1885, Sir Leonard seems to have placed them to capital account. I suppose the reason will be found in the fact that he had a large surplus each year during that period, and it was immaterial whether they should be placed to capital or to revenue account. But, Sir, I think the House will agree with me that as we have made large expenditures in the North-West in opening up the country by railway, and incurred a large debt for that purpose, as we have made large expenditures in surveys in the North-West, for Mounted Police, and in Indian treaties, incurring large liabilities, it is but right that whatever revenue or return we should have from the lands in the North-West, should be placed to revenue account to meet the interest that we are paying on the expenditures, and the sinking fund that we are providing in order to pay off that indebtedness. I think the House will agree with me that we should do that instead of increasing the taxation of the country. Should we receive from the lands in the North-West a larger sum in any one year than would meet the sinking fund we have to provide towards the payment of our indebtedness there, and the interest upon our indebtedness for that expenditure, then it might very well be placed to capital account, but until that point is reached, I think we are justified in placing it, as hon. gentlemen opposite did, and as Sir Leonard Tilley did till 1881, to revenue account, and I have therefore proposed for the present and future to deal with it in that manner, calling it and using it as so much revenue, instead of increasing the taxation in order to meet our wants. The amount received from Dominion lands, as I have already stated, during the year 1885, was \$393,618, making the total receipts for the year on consolidated revenue account, \$33,190,619, against which there is the year's expenditure. This is of two classes—the ordinary expenditure, contemplated by Sir Leonard Tilley when he made his estimates, and the exceptional expenditure, caused by the unfortunate outbreak in the North-West. We may, I think, consider them separately. Dealing first with the expenditure in the North-West, caused by the outbreak, I find that there was paid through the Department of Militia and Defence the sum of \$1,697,881, and by the Comptroller of

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Mounted Police, \$93,950. There has also been an increase in the Indian expenditure, resulting from the outbreak, of \$82,375. The two first items together amount to \$1,791,831. This sum, deducted from the gross expenditure, as given in the Public Accounts, of \$35,037,060, leaves the sum of \$33,345,229, as against the receipts of \$33,190,619, showing, by taking out only the expenditure on the Mounted Police and on Militia and Defence, a deficit of \$54,634; but if you take out the additional Indian expenditure of \$82,375, you have a small surplus of \$27,741. I may say here that the additional receipts from Excise have reduced the amount of the deficiency for the year 1885, and have increased the deficit which we anticipate for 1886. Taking the receipts, and crediting them all to the year 1885, it will be seen that on the ordinary expenditure, exclusive of the expenditure caused by the trouble in the North-West, the accounts about balance each other; but as it will be seen later, that we anticipate a deficit, exclusive of the expenditure in the North-West, for the year 1886, I think it would be but fair that the over-expenditure for 1886 should be divided between the two years, 1885 and 1886, because a portion of the Excise revenue due in 1886 was anticipated and paid in 1885. The expenditure, it will be seen by the accounts submitted, differs in some respects from the estimates Sir Leonard Tilley made. The charges of management were increased \$63,518; the sinking fund, \$365,416; the premium on discount and exchange, \$108,988; public works, \$77,848; and miscellaneous, \$76,109. On other items there has been a decrease—On civil government, \$37,186; on legislation, \$33,845; on census, \$24,941; on railways and canals, \$18,073; on mail subsidies, \$125,194; and on Liquor License Act, \$57,770. The first item of over-expenditure I may refer to is the charges of management, of which the chief part arises from the commutation of the stamp duty on the 3½ per cent. loan of 1884. The difference in the sinking fund is made up of two items—a half year's sinking fund investment in the Consolidated Canadian 5 per cent. loan, which was not estimated for on account of its falling due on the 1st of January, 1885, and a half year's sinking fund investment on the Dominion of 1884, which loan was not floated when the estimates were made up. I supposed Sir Leonard Tilley intended to take up the 5 per cent. loan altogether, and re-issue without a sinking fund. As the House is aware, he converted that into a 4 per cent. loan, leaving the sinking fund. The premium on discount and exchange arises almost entirely from the discount on the gold we brought to the country in connection with the loan contracted in 1885. On ocean and river service there is an increase of \$49,276, caused by over-expenditure on the maintenance and repairs of steamers, and the outfit of a new steamer. On Indians the increased expenditure of \$82,375 was caused by the North-West troubles. On public works there is an increase of \$77,845, which was expended on works included in supplementary votes. The under-expenditures were as I have named. It may be, Mr. Speaker, and I have no doubt it is, to some hon. members on this side of the House, a disappointment that the Public Accounts for the year have not, as in past years, shown that large surplus which Sir Leonard Tilley was able, on a number of successive occasions, to announce to the House. It should be borne in mind that when the tariff was framed hon. gentlemen opposite said to us: "You will not get any revenue; you are expecting to manufacture in the country under your protective tariff the goods you now import." That was our expectation; but we knew at the same time that the increased activity given to trade would for many years necessitate our importing more largely than our manufactures would be able to supply, that our dependence for revenue would eventually have to be placed on articles of luxury, or on articles that were not grown or produced

in the country, and would not be manufactured for a number of years, and that these would have to be held in reserve for revenue. Our manufactures, however, increased more rapidly than we anticipated; the employment of our people in factories has been larger than we anticipated at the outset, and this is, perhaps, in some measure due to hon. gentlemen opposite. They, on every occasion, put before the country statements of the enormous receipts, dividends and profits manufacturers were receiving, and thereby induced, perhaps, a larger number to enter manufacturing than the circumstances of the country demanded for the time; and, therefore, Sir, from the more rapid increase of manufactures than Sir Leonard Tilley counted upon, the revenue has not come up quite to his anticipations. I admit, Sir, that under ordinary circumstances it is desirable that the receipts and expenditure should be equalized, but in adopting a new policy, there is so much difficulty in so regulating it and so estimating for the increase of home production, that it is difficult to make that harmony between receipts and expenditure which is always desirable. In the condition of our country, when we were requiring large expenditures on public works, there was no great loss in having a pretty large surplus and devoting it to the completion of public works and the improvement of the country, as was done during the time we had these large surpluses. They prevented the increase of our indebtedness by just so much, and they tended to improve the credit of the country abroad, enabling us to receive money on better terms than if we had not been in the receipt of surpluses. The fact that we have been increasing largely our manufactures is shown in the decline of the articles, in the manufacture of which we are mainly engaged. The importation of cotton and woollen goods, and of the manufactures of iron and steel, in 1878, amounted to \$22,367,000. When we started the National Policy and by protection gave employment to our own people in larger numbers, and when we were not in a position to produce sufficient goods, the demand called for, in 1882, \$33,588,158. In 1884, when our manufactures had increased, the importations fell to \$26,250,955, and in 1885 they dropped to \$22,369,720, or reached the point at which they stood in 1878. There is, perhaps, not a gentleman on either side of the House who will contend that the people have not been able to purchase more since then than they could in 1878; there is not one who will contend that more goods have not been consumed in the country than in 1878. The cause of the decline is wholly due to the increased output of our manufactures. This is evident in the importations of raw material. The importation of raw cotton from 1874 to 1878, five years, aggregated 25,641,000 lbs. From 1881 to 1885 it ran up to 104,528,000 lbs., or more than quadruple that of the first period. In the same period the importation of wool increased by 15,439,124 lbs., and the exports decreased 6,627,563 lbs., or a difference, comparing the two periods, of 22,066,783 lbs. for manufacturing. In 1885, the last year, the whole export of wool was only \$196,178, showing that we are manufacturing almost all the wool production of the country, and are importing very much more of some particular grades that are required. So with respect to every article, the employment of raw material has largely increased. Take the article of pig iron; its importation has more than doubled, in addition to the large quantity being manufactured in the country. Having referred to some of those minor items, I may be permitted to deal with some of the larger items of the Accounts of 1885. Hon. gentlemen have noticed that the largest item in the Accounts is that for interest. The charge for interest and management, unfortunately, foots up \$9,652,123, and deducting from this the interest we have received upon our assets of \$1,997,034, there is a net charge for interest of \$7,655,089. Now this is a pretty large amount, and it

requires us to go back and see what increase we have made to this since 1867. In 1867, the charge for interest and management was \$4,787,080, and the receipts from assets were \$126,419, leaving a net charge for interest in 1867 of \$4,660,661. The net figures from 1867 to 1885 are \$2,944,428. Now, it may be said, looking at all we have undertaken and accomplished, and all that was required to support our undertakings, we have only increased our expenditure under this head by \$2,294,428 over the charge for 1867, and it will be remembered that we had to bear the charge in 1867 when we were only four Provinces with a population of 3,331,000. Now, when we embrace the whole Dominion, from the Atlantic to the Pacific, and have made large expenditures to develop this country, it is easily seen that, without this, we could not have accomplished what we did. It required labor and money to dig canals and improve the navigation of rivers and lakes; it required large expenditure of money to build wharves and piers, to erect harbors of refuge along our coasts, and to dot our coasts and lakes with lighthouses to facilitate navigation and connect it with the commerce of the world. It required money to construct railways. Without it we could not have done all these things. We could not have cut down hills, filled up the valleys, and spanned the rivers; we could not have laid the iron rail from city to city, from town to town, as we have done all over the Dominion. We could not have sent the iron horse over the broad prairie or cut a pathway through the Rockies, that we might take the traveller down through the pleasant valleys and into the beautiful clime of British Columbia, if the hon. member for West Durham (Mr. Blake) will allow me to apply the term beautiful to that Province. We have done all this; but to do it all, it was necessary there should be large expenditure and that our indebtedness should be largely increased, and the result is that we paid, to the 30th June, 1885, \$2,994,428 more than we paid in 1867. But I want the House to bear in mind that the population in 1867 was 3,331,000, that the total interest paid in 1867 was \$4,660,661, after deducting the interest received on assets. That makes a *per capita* charge on the population of \$1.39¹/₂ per head. In 1885, we paid \$7,665,089 on a population which I should be disposed to estimate at 4,800,000, but I presume the hon. gentleman will question that, and I shall take off 100,000 to meet his views, in order that there may be no discussion upon this point; and on a population of 4,700,000 we paid \$1.63 in 1885, making a difference in interest paid in 1885 and that paid in 1867 of only 23 and one-tenth cents per head of the population; and I am sure, when we look at all that has been undertaken and accomplished, and when we look at the condition of the people, those of us who remember 1867 and those who know anything of the condition of the people at present will say that they are better able to pay a taxation for interest of \$1.63 per head now than they were to pay \$1.39 in 1867. I am disposed to pursue this a little further. A speech was delivered by the hon. the leader of the Opposition, a celebrated speech, a speech which attracted the attention of the whole Dominion, and indeed, the attention of other countries; a speech which may be called an important speech, so important that the greatest care should have been taken in the utterances made in it. The hon. gentleman on that occasion stated that we had increased the burden of interest and of indebtedness beyond the wildest conjecture of 1867 or 1878 or 1882. I think it necessary to pursue this matter a little further, and see whether we are amenable to the charge of having increased the burden of interest very largely since 1878. When the hon. gentleman assumed office in 1873, the charge for interest in the financial year 1873-74 was \$5,161,577. When they left office, five years after, the charge for interest in the year 1878-79 was \$6,687,794, an increase of \$1,526,217; or an average increase per year of \$305,244. In the finan-

cial year ending June 30th, 1885, the net charge for interest was \$7,655,089. Take from this the interest upon the public debt in the year when they left office, \$6,687,794, and we have \$967,295 as the net increase in seven years, or an average increase of \$127,182 a year as against \$305,244 during the period that those hon. gentlemen held office. I do not think that, if the hon. member for West Durham (Mr. Blake) had looked at the figures and had seen that when his friends were in office and he himself was aiding them, the rate of increase had been 200 per cent. faster than it was from 1878 to 1885, he would have, upon so important an occasion, announced to the world that we were increasing the burdens of interest beyond the wildest imagination of 1878. But let me treat this in another way. In 1878-79 the interest per head of the population, taking it at 4,125,366, was \$1.66½; in 1885, on a population of 4,700,000, it is \$1.63 per head of the population, or actually 3½ cents per head less in 1885 than it was in 1878, when those hon. gentlemen left office. And yet the leader of the Opposition announces that we are increasing the burdens of the population beyond the wildest imagination of any man in 1878. I do not say the amount of our indebtedness is less than it was in 1878-79. Oh, no. But I say that the credit of the country has been so improved by wise legislation, by wise administration and by the systematic and proper expenditure of the money that has been borrowed, that we have reduced the rates at which capital has been procured. Capital demands from the borrower that the security shall be good, capital demands that the purposes to which the money is applied shall tend to the improvement of the security, and capital demands that the person seeking the loan shall have, under ordinary circumstances, the wisdom properly to apply that money to improve the security. When a country goes to borrow, capital exacts the same conditions as from a private borrower. The hon. member for South Huron (Sir Richard Cartwright) seemed to be fully impressed with this on the first occasion on which he went to England to borrow money. On that occasion he issued a prospectus, which has become, I may say, famous in Canadian history. He described the condition of the country as he received it from the hands of his predecessors. He enumerated in that prospectus the successive, the continuous surpluses that had been given each year from 1867 downwards. He enumerated the various public works which had been undertaken, which had been carried forward, and which would yield a large revenue to the country, and would enable the country to pay the money that might be borrowed for the completion of those works. The hon. gentleman knew the value of having the country well represented, and he knew that it was well to make a favorable impression upon the minds of capitalists, and to prepare them for accepting the lowest possible rates for their money. But the hon. gentleman, Sir, contrary to the usual practice, contrary to what I would have expected on that occasion, did not test the market properly, he did not try how far the advantages that he set forth in his prospectus would affect the money market, and would improve the rate at which he might receive it. He praised the country, spoke of the condition of the country as being prosperous, and of the purposes for which the money would be applied as tending to increase the revenue and make the country better able to pay the indebtedness upon maturity. But, as I said, he did not test the effect that might have had upon the public mind, but named himself the price at which he would be willing to dispose of the bonds, fixing the price at the very lowest possible rate at that time. But, Mr. Speaker, what I meant to say was that we have been able so to improve the condition of the country and our credit abroad, that we have exchanged bonds bearing a high rate of interest for bonds bearing lower rates of interest, and thus reduced the taxation necessary to be placed upon the country in order to meet our indebtedness. It is not that our indebted-

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ness, on the whole, has diminished; it is because we have been able, from the improved credit of the country, to make this exchange, and, notwithstanding that, we have assumed all the debts of the various Provinces that have been admitted between 1873 and 1884, amounting to \$27,630,058. Add to this the expenditure for the Intercolonial and canals and other necessary public works. After all, the taxation on the people of the country, in 1885, is 3½ cts. less per head than it was in 1878. The hon. gentleman will, perhaps, claim that it was from the changed condition of the money market that this was largely due. I find, from a statement published by Mr. Giffen, statistician to the English Board of Trade, the rates of interest and the average rates of discount charged by the Bank of England, in quinquennial periods, from 1875 to 1879, the lowest rate of discount was 2 per cent. and the highest 5½. The average between those two years was 3¼; the average between 1880 and 1884 was 3¼, and the lowest was about 2 per cent. The highest in the five years was 5¼. In January, 1885, it was 4 per cent.; in March, 3½; in May, 3; on May 14th, 2½; June, 2; November 12th, 3 per cent. The hon. gentleman will see by this that from 1875 upwards the rates of discount in the Bank of England ranged from 2 to 5 per cent., and is very little less now. I have here a statement prepared by the Financial Agents at the time that Sir Leonard negotiated his loan, showing that the Canadian loan was more approved, that it commanded a higher rate upon the English market, than those of Victoria, Queensland, New Zealand and South Australia. The importance of standing well with the money markets of England cannot be over-estimated. It can only be seen when we look at the results. If we are able to go to the money market of England and place a loan at par, if we can sell a hundred dollar bond for \$100 in cash, it is a great deal better for us than if we could only be able to bring back \$88, or something thereabouts, as the hon. gentleman opposite did in 1874. Now, to illustrate the importance of this matter, I desire to call attention to the results. Take the unguaranteed loan of 1874, which was placed upon the market by the hon. gentleman opposite, and the unguaranteed loan of 1876. These two loans amounted to \$31,633,333, and the money that he netted for them and brought back to Canada was only \$23,064,770, showing a loss of \$3,568,563, or about 11.28 per cent. The loan of 1885 was for \$31,356,595, a sum just about equal to the two sums the hon. gentleman placed upon the English market in 1874 and 1876. This sum netted \$30,930,651, showing a loss of only \$425,944, or about 1.36 as against 11.28 on the hon. gentleman's two loans. The loans of 1874 and the loan of 1885 that Sir Leonard Tilley placed last summer were for the same amount, \$19,466,666. The loss on the former was \$2,208,329, or 11.34 per cent.; on the latter, \$140,443, or about 1/7 of 1 per cent. So the House will be able to see that a great deal depends upon keeping the credit of the country in the money market well established, and it is a great advantage that our credit should stand high when we have occasion to borrow money—but I hope that our days of borrowing are pretty well over. Now, I suppose reference will be made by hon. gentlemen opposite to the condition of the United States. In undertaking public works we have to consider the amount of interest, the present burden that they impose upon us for interest, and we have to look at the result of that work, and see what it will yield to the country, how it will effect the future, and whether the expenditure will enable posterity to meet the burden of payment. We have improved the condition of the country; we have improved the credit of the country, and the rate of interest has not been unduly burdensome. We believe that the return from the public works we have undertaken to carry to completion will enable our posterity to pay the indebtedness without its being unduly felt by them, just as they have in the United States. The United States

in 1865 emerged from the greatest civil war of history and with an enormous amount of indebtedness. Many a time during that struggle, men were heard to say that the country would be ruined, and they were advised to stop in their expenditure and in their efforts to maintain the Union. But they went on, they succeeded, and when they emerged from that war they had a debt of \$2,773,000,000, all at high rates of interest. They had a depreciated currency and their bills were selling that year at not more than 40 or 50 cents on the dollar. But they had preserved the Union; they had a large quantity of fertile prairie in the newer territories; they had a policy of protection for home industries which gave employment at wages which drew from all parts of the world population to them. In fourteen years after they emerged from that struggle their paper money was at par; they had resumed specie payments, and they have gone on reducing their indebtedness, and the burden of that indebtedness and the burden of reducing it is not felt by the people of the United States. And so it is with us. We are just emerging from a great war against the obstacles of nature, a successful, a triumphant war, and we have removed all those obstacles and made our country one; and the same result will follow. We have created public works which will be more important factors in enabling us to redeem our indebtedness than were to the United States the honored graves of the men who fell on their battle-fields. We have for our indebtedness visible public property to represent it. When we went into Confederation in 1867 our indebtedness was \$75,728,641. On the admission of Prince Edward Island and British Columbia it was increased by the debts of those Provinces and by the allowance to Manitoba, and in 1874 and 1884 additional allowances were made to all the Provinces by the assumption of the debt that was left with Ontario and Quebec. The whole of these increases amount to \$27,630,058, making a total indebtedness for that of 1867 and the additions to the Provinces, \$103,358,699. On 30th June the net indebtedness reached \$196,407,692, or a nett increase on public works and expenditures of \$93,048,993. This is a pretty large sum and it involves the payment of a pretty large amount for interest; but, as I have shown, and as I believe, it is not unduly burdensome, considering the condition of the people and the purposes to which it was expended. But, Mr. Speaker, it occurs to me that the ex-Finance Minister will not very much complain of this increase of indebtedness; that he will not very much complain, at all events, of the amount that has been expended on public works. It will be in the recollection of the House that in 1874, on the delivery of his first Budget speech, he contemplated large undertakings, and proposed to increase the public indebtedness by the sum of \$11,000,000. It will also be in the recollection of the House that he asked Parliament to increase the taxation of the country to the extent of \$3,000,000 to meet payments for interest on the accumulated indebtedness which he had in view. That sum of \$3,000,000 would have permitted him to have borrowed something like \$75,000,000 at 4 per cent. without any sinking fund. And it will also be in the remembrance of the House that up to the day the hon. gentleman took office we had had very considerable surpluses, and the addition to the revenue and the surplus that existed at the time of this taking office would have paid interest on a very large expenditure for public works. At the close of the financial year 1873-74, on which he assumed office, the nett debt amounted to \$108,324,965. On 30th June, 1878, it amounted to \$142,990,187, showing a nett increase of \$34,665,222. But the House will understand that the indebtedness incurred by hon. gentlemen opposite was more than the amount I have just named by the amount of the fishery award which was paid in the financial year in which they left office, but after they went out of office, and this reduced the amount by \$4,480,882, so that the increase of indebtedness for the five

years in which they were in office and for which they were responsible was \$39,156,104, or a yearly average increase of \$7,831,220. In order to make a comparison of the debt-creating proclivities of the two parties represented by the present Government and hon. gentlemen opposite, I may be permitted to look at the figures for which they were responsible.

Mr. CHARLTON. You are responsible for all.

Mr. McLELAN. The hon. gentleman says we are responsible for all. That is a matter which we are willing to discuss on any proper occasion. I may say that the ex-Finance Minister in his first year did not evince any hesitation in increasing the indebtedness. I have shown he came down to the House and asked to be allowed to increase the indebtedness in one year by \$11,000,000, more than, I think, had been attempted up to that period. The increase of indebtedness from 1867 to 1885, exclusive of the allowances to Provinces, was \$93,048,483; and then hon. gentlemen opposite are accountable for \$39,156,104, leaving \$53,892,389 as the net increase chargeable to our right hon. leader for the thirteen years of his administration, showing an average increase of \$4,145,156 against an average increase of \$7,831,220 by hon. gentlemen opposite. The hon. member for North Norfolk (Mr. Charlton) says we are responsible for it all, but he will find that by a comparison of the figures that when he and his friends were in power they increased the debt by \$7,831,220 a year, while we on this side have, in the thirteen years, only increased it \$4,145,156. Perhaps the hon. gentleman will say that I should not have deducted from this amount the \$27,630,000 allowed to the old and to the new Provinces. But I take that out because the Provinces of Prince Edward Island and British Columbia, when they came in, had debts upon them, and it was merely a transfer of indebtedness to the Dominion. The Provinces of Ontario and Quebec having been relieved of that indebtedness, all the other Provinces received a proportionate amount in order to enable them to meet their local requirements. But while I do not say that we should be charged for that \$27,630,000 which came from the Provinces, I do not pretend to charge it to hon. gentlemen opposite. They are, Sir, not guilty of incurring any public indebtedness for any of the Provinces. They never gave a dollar to one of the Provinces to increase their funds for local requirements. They never added a Province to the Dominion; every acre of territory that has been added to the Dominion at large, and every dollar that has been provided for the local funds of the Provinces, has been paid by our right hon. leader and his party from 1867 down to the present time. Now, Sir, I have stated that, apart from the original indebtedness of the Provinces in 1867, and apart from what we have added for the Provinces admitted, and we have assumed from the older Provinces, that increase of indebtedness to 1885 has been \$93,048,000. This is represented by railways, by canals, and by public buildings, in all amounting to \$142,550,875. So that taking the purposes outside and apart from the admission of the new Provinces, and the additions that we have made to the revenues of the older Provinces, we have increased the public debt \$93,048,000, and have expended on public works \$142,550,875. So, in addition to the increase of debt, we have expended \$49,501,882 paid from annual revenue, showing a large margin of property which is held by the Dominion over and above its indebtedness to the public. The next item, Sir, in the Public Accounts of any magnitude, is sinking fund, which has now reached a very large sum, which was last year \$1,482,051, the accumulations amounting to \$15,885,000 as available for the redemption of the public indebtedness. I come now to another large item in the Public Accounts, and I am disposed to ask the House to bear with me a little, because I find in respect to this item that there has been a great change, or there has

been a new manifestation of opinion—I do not say of public opinion, but of party opinion—in respect to that item. We saw it announced last autumn that a convention of the Liberal party was to be held in the city of Toronto. That convention was held, and it was spoken of by the organ of the party as being a large and representative convention. I turn to the *Globe* of the 16th of September, and I find an editorial headed as follows:—

“Young Liberals—Getting fairly down to work—The work of the day—Resolutions adopted by the convention—Hon. E. Blake elected Hon. President.”

That article said:

“The most sanguine hopes of the young men who originated the idea of a Convention of Young Liberals from all parts of the Province, and who have for the past few months been working to promote the movement throughout the country, were far exceeded yesterday morning as groups after groups of members presented themselves at the doors of Shaftesbury Hall to attend the convention. The observer could not fail to notice the alert, active bearing of the delegates, and their general look of keen intelligence. It may be said without offensiveness toward any other gathering that there never before has been in Toronto or probably in the Dominion an assemblage pervaded by a more thoroughly Canadian air. While there was plenty of life, there was little boisterousness, and while the utmost good humour and courtesy prevailed, there was manifested a most business-like intolerance of anything that seemed to tend toward sectionalism, hobby-riding, or the indulgence in fads of any kind. All appeared to fully realise that they were not here for mere amusement or child's play, but to discuss soberly and conscientiously the political situation of the country.”

Now, with such an announcement as this, and with the description of such an assemblage as this, I think it but right that the doings of that assembly should receive some consideration at the hands of the country and of myself on this occasion. On the following day the same paper said:

“The young Liberal Convention resumed session at 9 o'clock this morning, the newly elected president, Mr. A. F. McIntyre, in the chair. The delegates were punctual and the attendance larger than the previous day.”

In the *Globe* of the preceding day, the names of a large number of gentlemen are given. I do not know many of them, but I happen to know the president, Mr. McIntyre, and I am sure he is not engaged in anything like hobby-riding or fads of any kind, and I take it this means serious business. I find the *Globe* of the following day announcing as follows:—

“The Liberal Convention, which closed its meetings on Wednesday, was all which its most sanguine friends could have wished it to be. The attendance was large and thoroughly representative; the speaking exceptionally good; the orderliness and business tact displayed such as the most fastidious could not object to; while the most absolute freedom of discussion was maintained throughout. Motions were only voted down after those in their favor had been fully heard. However much any of the speakers might be out of accord with the general sentiment and feeling of the meeting, they still received patient and courteous attention to the close, and while their arguments and utterances were treated with perfect frankness, there was no attempt made either unduly to weaken the force of these or to belittle their importance.

“Nothing was more conspicuous throughout than the uniform good temper displayed, as well as the readiness with which the points were taken, and the frank cordiality with which, as far as possible, concessions were acquiesced in, and a full yet moderate and soundly Liberal programme agreed upon. There was little or no crankiness; no settled determination to ride hobbies;”—

You see that on the first day it was announced that no hobbies were to be ridden, and that at the close it was stated that no hobbies had been ridden.

“no persistent effort to carry at all hazards any particular or personal fad; no resolution to lead; no apparent desire, even, to shine. It was a business meeting, and was accordingly conducted in a practical, business-like style.

“To say that it was ‘captured’ by any clique or coterie whatever would be absurdly out of accordance with facts. The convention would neither stultify nor compromise itself by going further than the majority of its members approved of, or by stopping short of what that majority believed to be indisputable. If once or twice the tail sought to shake the dog, the dog simply refused to be shaken, and the tail then accepted the situation and subsided, if it did not perhaps altogether acquiesce.”

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Now, I find that the sentiments of that convention were participated in by the Club Nationale of Montreal, which sent this:

“The Club Nationale, Montreal, sends greetings, and wishes success to your movement. Let your platform be a broad one. Our aspirations are alike. They may to-day alarm many because of their boldness, but ideas ripen as quick as men, and with pluck and energy we may live to harvest what we sow in the political field.—R. DANDURAND, President.”

To this the president of the convention replied:

“The Young Men's Liberal Association of Ontario in convention assembled heartily accepts the fraternal greeting, good wishes and counsels of the Club Nationale as conveyed by your telegram and Mayor Beaugrand. We are trying to arrange for a Dominion Convention at Montreal, with a view to further the cause which you and we have so earnestly at heart. The platform we have adopted is practical and progressive, and our sentiments are largely in consonance with yours.—A. F. MCINTYRE, President.”

Now, Mr. Speaker, I have read one of these headings in which it was declared that the Hon. E. Blake, the leader of his party, was elected honorary president of that organisation. I find that the hon. gentleman accepted the honor, and accepted the platform that was laid down there, and he took occasion to announce that in his celebrated speech at London. On that occasion Mr. Blake said:

“I thank you, from the bottom of my heart I thank you, for the warmth and cordiality of your reception. I know it to be far beyond any poor deserts of mine, but it is another and most marked expression of that continuous, abiding and unbounded kindness and confidence which has been showered on me by the Liberal party for these many years, and especially during those dark and trying times which have passed since I took the lead. Will you allow me to use this my earliest opportunity to congratulate the Liberals of Ontario on the activity they are now displaying, and particularly to express my joy at the energetic conduct and successful organisation of the young Liberals—(cheers)—and my grateful thanks for the honor done me by my election to the honorary presidency of their great convention, a gathering from which I anticipate the best results.”

The hon. leader of the Opposition there accepts the presidency of the organisation formed at that convention, and accepts the platform which was adopted there. I was under the impression, Sir, that there was but one opinion upon the matter to which I have referred among the whole people of this Dominion. I find that one of the resolutions—and I only deal with the one bearing on the matter I have now in hand—reads thus:

“Resolved, That this convention disapproves of the payment of subsidies out of the Dominion Treasury to the Provincial Legislatures, believing that the system of subsidies leads to extravagance on the part of the Provincial Legislatures, because they have the power of expending money without the responsibility of imposing taxes; also, the subsidy system as carried out in Canada causes the bulk of the revenues to be collected by indirect taxation, whereas direct taxation is more just and more economical. Therefore, resolved that this convention approves of such a change in the British North America Act as shall provide that each Province of the Confederation shall collect as well as expend its own revenues.”

Now, this is so important a proposition that I thought it desirable to call the attention of the House to the matter at this stage of my review of the accounts. We are now paying out to the several Provinces about \$4,000,000. The platform adopted by the Opposition gentlemen, and accepted by the leader of the Opposition, declares that it is unwise and unjust that we should continue the payment of these subsidies, and that the Provincial Legislatures should be taught to resort to direct taxation in order to raise the revenues they require, so that they may be taught economy in their expenditure. Now, I have no doubt this will greatly relieve hon. gentlemen opposite, should they ever come to power. The hon. member for South Huron (Sir Richard Cartwright) would find it a considerable relief to his estimates if he could have that plank of the Opposition platform adopted by the country, and could strike out of his estimates the \$4,000,000 that we now provide for subsidies. But until that time comes, and until the hon. gentleman can persuade the country to accept that doctrine and resort to direct taxation for local purposes, we shall have to provide in our Estimates for Provincial sub-

sidies under the British North America Act, and, I think, for some considerable time we shall be called upon to do so. Therefore, Mr. Speaker, I have not been influenced in this matter, because I have provided in the Estimates for 1886-87 for the payments of the subsidies to the Local Legislatures. Coming then to the expenditures for public works charged to revenue, they amount to \$2,302,362, for which, as I am sure hon. gentlemen who have seen the works constructed by that department know, we have value, and they were called for by the wants of the country. The post office has been for some years increasing the charges upon our revenue. In the opening up of the North-West, it was necessary that we should give postal accommodation to large districts in which there was very little return; but, notwithstanding we were called upon to make extraordinary expenses in furnishing additional accommodation, the receipts from the Post Office Department compare most favorably with those of preceding years. In 1884, there was a falling off of the revenue which has been made up by the returns of 1885; and so far in the present year, there seems to be a similar increase. I may be permitted, in this connection, to give a few statistics by way of comparison:—In 1878, we had 5,378 post offices; in 1885 we had 7,084, an increase of 1,706. The miles of post route in 1878 were 38,730, and, in 1885, 50,461; or an increase of 11,731. The letters sent in 1878 amounted to 44,000,000, and in 1885, 63,400,000, showing an increase of 24,400,000. The money order post offices in 1878 numbered 769, and in 1885, 885, an increase of 116. The amount of money orders issued in 1878 was \$7,130,895, and in 1885, \$10,384,210, an increase of \$3,253,315. There has been an increase in the letters sent of 24,400,000, or 55.45 per cent. between 1878 and 1885; and I find, on comparing our returns with the postal returns of older countries—with those of Great Britain, for instance—that our percentage of increase has been very much larger than the percentage in that older established country; as in 1878, the letters despatched in Great Britain were 1,058,000,000, and in 1885, 1,360,000,000, showing an increase of 302,000,000, or 28.54 per cent. against our increase of 55.45 per cent.; so that we have an increase nearly double that of Great Britain. The increase of the receipts and expenditures may be compared also. Our receipts in 1878 amounted to \$1,207,790, and in 1885 to \$1,841,372, an increase of \$633,582, or 52.46 per cent. Our expenditure in 1878 amounted to \$1,724,933, and in 1885 to \$2,488,315, an increase of \$763,377, or 44.25 per cent. Thus our receipts from the Post Office since 1878 increased 52 per cent., while our expenditure increased only 44.25 per cent. Between 1874 and 1878 a similar comparison might be made. The receipts from 1874 to 1878 increased but 5.94 per cent., while the expenses increased 24.34 per cent., so that, although between 1874 and 1878 the expenditure showed a much greater percentage of increase than the receipts, the increase of receipts between 1878 and 1885 more than counterbalanced the increase of expenditure. The increase of traffic on our railways and canals has also called for a very large expenditure, which tends to swell the volume of the estimates, without at all affecting the taxation of the country. I may be permitted to refer to the increase in the traffic at another time, but I say the large expenditure which we are called upon to make in the working of the Intercolonial Railway and of our canals, has tended to increase the volume of expenditure shown in the Public Accounts, without at all increasing the taxation of the country. Yet it has been attempted to convey the impression that all this increase of volume in the accounts is an increase in taxation. I have shown that the receipts from sources which are not taxation, have, since 1878, very largely increased, running from \$4,000,000 up to between \$7,000,000 and \$8,000,000. If we were to-morrow to take possession of all the telegraph lines in the country, and

were to send messages at less rates than are now charged, the volume of our accounts would be largely increased, while there would, perhaps, be a gain to the people and consequently less taxation, owing to the reduced rates which we might charge for the messages. In this case as in the others, the volume of public expenditure might be largely increased, and it might with the same propriety be misrepresented to show there was a large increase in the taxation of the country, although in reality there was a decrease. A great deal has been said on the hustings with reference to our position in 1867, and I have been reminded of the charge which has been so persistently and continuously made against us in connection with the increase of our expenditure from 1867 to 1885. It may not be unprofitable, then, to go back to 1867 and make some comparisons between the expenditure in that year of some \$13,000,000 and the expenditure of 1885; so that we may see wherein there has been a great increase, and in what way, if any, we are amenable to the charge of having unduly increased the expenditure. I have pointed out that the receipts from Railways, public works and post offices, and other sources, none of which are taxation any more than would be the expenditure on telegraph lines, have nearly doubled since 1878, whilst from 1867 they have very nearly quadrupled. In 1867, the receipts were \$1,987,240, and in 1885 they were \$7,869,809, showing an increase in receipts of \$5,818,842, and the expenses have correspondingly increased. Now, the increases for working these services, I think, should be fairly taken out of the accounts before we institute the comparison. I have shown that the hon. gentlemen opposite are as chargeable with having increased the public indebtedness of the country as gentlemen on this side, and, at all events, if they are not, I have shown that we have good property and good value for the expenditure that we have made, and that therefore the charge for interest might also be eliminated from the accounts before we go to work on the comparison. Then there is the increase of subsidies to the Local Governments. We have brought in new Provinces, we have increased the subsidies that we have paid, and I do not think that that increase, at least, should be chargeable against us. We have added new territory, and we have been compelled to incur new expenses which were not in the accounts of 1867—I mean expenses in the North-West. Now, if we take from the accounts all such expenses as I have referred to, we come down to the increases in the ordinary workings of Government, of which the hon. gentlemen have a right to complain if we have unduly increased them since 1867. First, dealing with the interest in its gross charge, and excluding the receipts, there is an increase in 1885 over 1867-8, without management, of \$4,917,914. On construction and repairs of public works there is an increase of \$2,423,300, and, as I have said, we have visible property for this, so that this may come out. The increase on the working expenses of railways and canals, which is not a charge to taxation, is \$2,840,745. The increase for the post office is \$1,871,513; subsidies to the new Provinces, \$1,205,360; the increase in the sinking fund, and discounts and exchange, is \$1,207,963; on immigration and quarantine, and on services in connection with the North-West Territory, \$717,836. The protection and the cultivation of fisheries and the payment of the fishing bounty is a new service, which, I assume, will be approved very generally by the House, and in that the increase is \$250,000. Then there are those services which are entirely new, the mounted police, Dominion lands, Indians in the North-West and in British Columbia, and the Government of the North-West, amounting to \$2,331,929. Then there is a charge of \$1,791,851 for the trouble in the North-West, in the accounts of 1885. Taking out these special items, these special increases, from the accounts of 1885, we have left civil government, legislation, administration of justice, the maintenance of the penitentiaries, the collection of

Customs all the way from Halifax to Victoria, the collection of Excise, the militia and defence of the country, the maintenance of lights, buoys and fog alarms, marine hospitals, distressed seamen, steamboat and insurance inspection, pensions, management of the public debt, and miscellaneous services in regard to all of which we might make a comparison with 1867; and in making this comparison it must be borne in mind that we are governing, we are legislating for, and administering justice to a country ten times larger than it was in 1867, that we are collecting twenty millions of revenue from Customs instead of eight, and six millions from Excise instead of three, and that all the other services are proportionately increased; and yet the figures show only an increase in the expenditure of a little over two millions of dollars in eighteen years. If you take the total expenditure of 1884-85, \$35,037,060, and deduct the increase upon the special services which I have named as proper to be taken out, \$19,469,658, you have left \$15,567,402; from which take the expenditure of 1867-68, \$13,486,092, and you have for eighteen years an increase upon all the services I have named of only \$2,081,310. I say that, looking at the changes in the country, looking at the increased area and the increased business we have been doing, there is not a country in the world that has shown so little increase in all these matters connected with the civil government of the country as the Dominion of Canada has during that period. If we go to the United States we find that the expenditure in 1867 was \$51,110,224—that is exclusive of army, navy, pensions, war, Indians and the interest. In 1885 it had risen to \$37,494,000, an increase of \$36,000,000, without any increase of area at all such as we have. So, as I said, there is not, perhaps, in the history of the world, an instance in which a country has extended her operations so largely, has increased the responsibilities and duties of government so much, and has not increased her expenses more than the Dominion of Canada. I might take up any one of the services to which I have referred, and show what an enormous increase there has been in all the departments. I might be permitted, perhaps, to detain the House for a few moments, in order to refer to the lighthouse and coast service, and to show what an enormous increase there has been in that service, as an illustration of the increase there has been in every department of the public service. In 1867 the member for Northumberland (Mr. Mitchell) took charge of the lighthouse and buoy service of the Dominion, and of the lights existing at Confederation. The number then was 227 lighthouses, and two fog alarms, and the expenditure was \$174,982. The hon. gentleman saw the importance of that service, and with that vigor of intellect and that energy for which he is so distinguished in this House or out of it, gave that energy and that vigor of intellect to the improvement of that service, and I am sure it could not have been better employed than in improving and facilitating the navigation of the country and in providing means to render life and property more secure than it was in 1867, when he took charge of it. When he went out in 1873-74, he had increased the lights to 384, and the fog alarms to eighteen—an increase of 157 lights in the comparatively short time during which he administered the department. The hon. gentleman had successors in Sir Albert Smith and the Hon. Mr. Pope, and, when they left office, the number of lights had increased to 553. When I took charge of the department, I supposed, looking at the large increase, that there would be no additions required, but the new services, the opening up of the country, and the increased shipping to all parts of the country, called for additions even to the large number that had been already made. When I left that department, a few months ago, I left it with the number increased to 617, and with an expenditure of \$530,446. That expenditure, Sir, covered the construction of the light-

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houses of the year, it covered the maintenance of the 617 lighthouses that were then in operation, all the buoy service, with the addition of the coast service, and the maintenance of the different fog alarms that had largely been increased throughout the country. I only refer to this to illustrate the extent of the service that we are called upon to deal with in the government of the country. Notwithstanding that the work has so largely increased, I have shown to the House that in the eighteen years, comparing 1867 with 1885, there has been an increase of slightly over two million dollars, which is unequalled, I say, in the history of any other country in the world; and I anticipate that in the eighteen years to come we shall not be called upon to make even so large an increase as this to the ordinary expenditure of government, because we shall not be increasing our area and adding new Provinces so largely as we have done.

It being six o'clock, the Speaker left the Chair.

After Recess.

Mr. McLELAN. When the House rose at six o'clock, I was speaking of the expenditure as shown in the accounts of 1885. Without going back to that subject let me dwell for a moment upon the accounts of the current year 1885-86. The current year has been so far characterised by several disturbing elements to trade and revenue. We had in the early part of the year the North-West trouble, we had the effects of the anticipation of the revenue that had been made through Excise, we had the disturbance of trade which occurred in the city of Montreal, owing to the small pox epidemic which disturbed, to a large extent, and for a considerable time, the trade of that great commercial metropolis. All these things have had their effect on the trade of the country, and upon the revenues that were derived. At the present time, Sir, we stand fairly well. Taking out North-West expenditure and putting that aside, we had up to the 20th March, when the return was made, a total expenditure of \$25,958,481. Of this there has been charged to the war expenses \$2,502,936, leaving as the ordinary expenditure \$23,455,545. The receipts from all sources up to the same date have been \$24,030,060, or a surplus at the present time, or up to the 20th of March, of \$574,515. That is very well as far as it goes, but we have very considerable expenditure to meet during the year in the shape of interest and other items, which I fear will not leave the balance at the end of the year at all so favorable. Looking at the expenditure of 1885-86, it will be seen that the detailed amounts of supply during the last Session on account of the consolidated fund, amount to \$35,275,000. Taking out of this sum \$2,300,000 estimated as the expenditure in connection with the North-West rebellion, the ordinary expenditure as estimated was \$32,975,000. This will have to be supplemented by an addition for the interest on the public debt of \$730,000. The amount included in the estimate of 1885-86 for new loans and other indebtedness was \$2,250,000, of which the amount for new loans was placed at \$1,180,000, representing a capital of \$47,000,000, from which deduct the amount of the 5 per cent. consolidated loan of \$31,371,000. This leaves an amount of \$15,627,000 for new loans. After the 5 per cent. loan was converted into a 4 per cent. there was borrowed \$19,446,666, and there was a temporary loan of \$5,835,000, and an increase in the deposits in the savings bank of \$4,442,203. It will be seen that there was thus borrowed the sum of \$14,125,000 more than we covered by the estimate. The interest on this amount will be \$565,000, and is required in order to cover the subsidies given to the Province of Quebec of \$119,000, which was not estimated for, and \$471,000 the interest on the 5 per cent. stock which was converted into 4 per cent., for which only one-half the interest was calculated by Sir Leonard when he made his estimates. There

was also a further increase in the sinking fund which was not estimated for, being a year's payment on the reduced loan. Those who have studied carefully the Public Accounts of that year will find that Sir Leonard Tilley did not take an estimate for sinking fund for the loan which he converted from 5 per cent. into 4 per cent., I suppose his intention being to issue a new loan and issue it without a sinking fund. It was converted on the same conditions as regards sinking fund, and we shall have to provide for that \$470,000. The other ordinary expenditures on account of public works, post office, lighthouse, coast, militia, Franchise Act, and other services charged to the consolidated fund, will amount to \$1,500,000, giving a total to be added to the ordinary expenditure of about \$2,700,000.

Mr. LANDERKIN. What amount will be required for the Franchise Act?

Mr. McLELAN. That amount we shall be able to estimate more closely later on. These sums show an estimated payment to be made during the year somewhere in the neighborhood of \$38,500,000, from which if we deduct what we expect to be required and what we have in this estimate, including an amount for expenses in the North-West, \$3,500,000, there will remain \$35,000,000 as the ordinary expenditure to be provided for. It is estimated from what we have received up to the present time, that the receipts under the respective heads will be as follows: We had received up to yesterday from Customs \$14,499,664. We estimate to receive sufficient to make the sum amount to \$19,500,000. From Excise we have received \$5,171,000, and we expect to receive \$6,250,000. From the other sources, post office, railways, &c., we expect to obtain for the year \$7,800,000. All these sums, deducted from what we estimated to be the expenditure, will leave, on the year's business a deficit of \$1,450,000. This, as I said at the outset, should be divided between the two years of 1885 and 1886, inasmuch as a part of the revenue due to the present year has been anticipated and gone to the credit of 1885. Coming to the Estimates submitted to the House for 1886-87 I desire to say that, so far as I have found it possible, I have estimated in full for every service we are called upon to meet, except, perhaps, public works, and there are so many claims, so many demands, and apparently with good reason, made upon that department, that, until the House rises, it is almost impossible to say how much will be required for that service. My hon. colleague, the Minister of Public Works, is so anxious to meet the wishes of all the representatives of the people that it is difficult to say when his demands upon the Treasury will be all in. Taking the several items in detail I have a few observations to offer. The main increase arises in the public debt service. The increase in the interest on the public debt is estimated at \$118,636, this arising mainly from the increased deposits in the savings banks. There has been during the past year considerable discussion in the public press respecting the rate of interest which the Government should pay to savings bank depositors, and it seems to be a question which is growing in importance, and one upon which I think the hon. gentleman opposite has taken the view that we should reduce the interest upon deposits in the savings banks. The Government, having considered this question, does not come to that conclusion. We believe it is in the interest of the country at large that every encouragement should be given to the middle class, to the laboring class, to practice habits of economy and save their earnings as much as possible; and for this reason we are reluctant to reduce the rate and we think it would be an injustice to them to reduce the rate of interest we are at present paying to such depositors in the savings banks. We have examined into the practice in other countries. We find that in England a higher rate of interest is paid by the Government than is paid in the commercial banks of

the country. We find that in several of the States—the States of New York, Maine and Massachusetts—5 per cent. is allowed to be paid; and taking all these matters into consideration, and considering mainly the fact that it is desirable to encourage the working classes to be economical, saving and thrifty in their habits, we have refused to come down to Parliament with a proposition to reduce the rate of interest in the savings banks. More especially is this the case when we are paying for the money we have borrowed abroad, for a large portion of the public debt of the country, a higher rate than we are paying to depositors in the savings banks. I have had a statement prepared showing the rates of interest we are paying upon the loans we have effected since 1874, and although the nominal rate is 4 per cent., yet when we take into account the charges made by the agents in London, also the discount made upon those loans, it appears we are actually paying for the money we have obtained in England and abroad, a higher rate of interest than we are paying to our own depositors in the savings banks. Taking the several loans, from 1874 to 1885, I find we have borrowed \$124,796,598. Upon that sum there was a discount, to which I referred in the early part of my observations to the House, of \$5,965,040. So while we have borrowed \$124,000,000 odd, and we owe for that and are paying interest upon it, and some time we shall have to pay the capital; but we did not receive that much money, nearly \$6,000,000 less, so that the annual interest on the gross amount of those loans is \$4,991,863. Then take one-half of 1 per cent. added as commission for paying interest, and it makes the total amount per annum to interest, \$5,016,823, and an actuarial calculation shows that including charges the rate which the Government pays on these loans is nearly $4\frac{1}{2}$ per cent. Now, the returns of the working of the post office savings banks show that the cost, including interest and expenses, is $4\frac{1}{6}$ per cent., and a statement has been prepared of the amount in the savings banks under the control of the Finance Department, which shows that the expenses and interest amount to 4.22 per cent.; the average of both is 4.16, or $\frac{1}{6}$ of 1 per cent. less than is paid to the foreign lender. The Government thinks that it is unfair, while we are paying that rate of interest abroad, that we should not pay the same rate of interest to the working classes of our own country, and encourage them, as I said before, to habits of thrift and economy, and to lay by something for a rainy day. It is a question which has been raised as to whether the amount received from any one depositor may not be decreased—and some changes are likely to be proposed—but otherwise we propose to let the matter remain as it is. Sinking fund shows an addition of \$504,407, chiefly made up by the restoration of the sinking fund for the 4 per cent. reduced loan which was emitted last year. I need not weary the House by going over all the particulars respecting the small increases which have been made in the public service or that are proposed to be made in the various branches. Every care and economy has been exercised in order to reduce them as low as possible. I said in the outset that we had estimated largely for those services which usually come down to the House as Supplementary Estimates, and which include larger amounts than appear in the original Estimates. The Indian vote is increased to \$170,539, and I expect that will fully cover all the wants of that service. The mounted police vote has also been increased. There is no large increase in the collection of revenue service. It will be noticed that there is a reduction in the superannuation service of \$10,000. This arises from the fact that the superannuation service was rather over-estimated last year. This is an item which I think deserves some explanation to the House and to the country, because I find that the working of the Superannuation Act has been largely misrepresented—I do not mean to say intentionally misrepresented, but misunderstood. Hon.

gentlemen looking at the Public Accounts, see as the rates from the superannuation fund perhaps \$50,000; they see that the charge is made out, say, \$200,000, and they suppose, as a matter of course, that the superannuation is a tax upon the country of \$150,000 a year. I submitted to the House, on the opening of Parliament, a statement of the operation of the Act during the past year, showing that taking the superannuations made for the year 1835, there has been a saving of \$5,691; that is, that the superannuation allowance amounted to \$18,360, the gratuities to different persons \$2,568, and the new annual appointments \$15,763, making a total of \$36,692, whilst the salaries previously received by the persons superannuated amounted to \$42,384, showing a saving by the operation of the Act of \$5,691. But next year and in the other accounts, the particulars of this statement will drop out, and, as I said, all a person will see in examining the operations of the Act will be that we receive from the civil service \$50,000, say, and we pay out \$200,000, or that there has been a loss in the operation of \$150,000. Now, this has not been the case from the passing of the Act up to the present time. If you examine all the appointments that have been made at lower salaries and if you ascertain all the vacancies by persons who have been superannuated and their offices not filled, you will find that there has been a large saving to the country through the operation of that Act. In 1880 the Finance Department went through the whole service and made a calculation showing the branches in which there had been a saving and those in which there had been a loss to the country from the operations of the Act. The Department of Finance showed a saving of \$48,548.73; the Department of Agriculture, \$18,000; the Inland Revenue Department, \$42,570; the Department of Public Works, \$21,000; the Department of Marine and Fisheries, \$30,000; Secretary of State, \$5,482; Department of the Interior, \$6,893; Customs, \$177,398. In the Department of Railways and Canals there had been a loss up to that time of \$23,025; Militia and Defence, \$3,725; Post Office, \$6,000, or a gross saving of \$350,183, from which deduct the loss in the three departments, and you have still a saving of \$317,325, through the operation of the Superannuation Act up to that time. I have had in my own department the work continued down to the present date, and I find that for the inside service only the operations show a still favorable result to the country in a saving of over \$40,000, and that through the continuous operation of that Act a large saving will be effected to the country in general. Then, Sir, I come to other savings which I propose to effect this year, but I need not weary the House by going through them all. The total result of my estimates is before the House, showing them to be \$33,124,550. Now, I come to the other side of the account—the estimated receipts for the years 1886-87. I do not propose—I do not think it necessary—to make any very great change in the tariff in order to make up that sum, and in order to set something aside to meet the deficit which has arisen from the disturbance of trade and from the troubles we have experienced in the North-West during the past year. My chief alterations will be changes from *ad valorem* to specific duties where I find it practicable or advisable to do so. There has been during the past two years a large decline in the price of foreign goods as well as in the price of home productions; but in consequence of depression in other countries—greater depression, I must say, than exists in our own country—there has been a considerable slaughter of goods in other countries, and a great many difficulties have arisen in the Custom house in arriving at the proper values for entry. With specific duties that difficulty would be largely obviated; and I have in several cases to propose to the House changes in that direction, in order to overcome that difficulty and to lessen the inducement to parties abroad

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to send in goods with false invoices. Such change as I propose to make other than this will be upon articles which I think may fairly be considered as luxuries for the middle ranks of life, but they will not affect the workmen, and, therefore, will not give hon. gentlemen opposite any great inducement to increase their cry that we are grinding the poor man down by the burdens of our taxation. I may then, Sir, read to the House the changes that I propose to ask the House to make; and when we are in committee, that will, perhaps, be the better time to give the detailed information respecting the different items:

Almonds, shelled, a specific duty of 5 cents per lb.

Almonds, not shelled, and nuts of all kinds not elsewhere specified, a specific duty of 3 cents per lb.

Baking powder, a specific duty of 6 cents per lb.

Boxes, cases and writing desks, fancy and ornamental, and fancy manufactures of bone, shell, horn and ivory, also dolls and toys of all kinds and materials; ornaments of alabaster, spar, terra cotta or composition, statuettes, beads and bead ornaments, 30 per cent. *ad valorem*.

These articles which I have enumerated may be called luxuries, and yet they stood on our tariff at a lower percentage than many other articles that entered into more general use, and I ask the House to increase the duty on this description of goods.

Bolts, nuts, washers and rivets of iron or steel, a specific duty of 1 cent per lb. and 15 per cent. *ad valorem*.

Blueing—Laundry blueing of all kinds, 25 per cent. *ad valorem*.

Cider, a specific duty of 10 cents per Imperial gallon.

This was rated formerly at 20 per cent., which amounted to about 3 cents per gallon.

Cordage—Manilla and sisal cordage of all kinds, a specific duty of 1½ cents per lb. and 10 per cent. *ad valorem*.

Dessicated cocoanut, sweetened or not, a specific duty of 6 cents per lb.

Feathers, ostrich and vulture, undressed, 20 per cent. *ad valorem*.

Feathers, ostrich and vulture, dressed, 30 per cent. *ad valorem*.

Fruit, dried, viz.: Raisins, a specific duty of 1 cent per lb., and 10 per cent. *ad valorem*.

Fruit, dried, viz.: Currants, dates, figs, prunes, and all other dried fruits not elsewhere specified, a specific duty of 1 cent per lb.

Fruit, green, viz.: Blackberries, gooseberries, raspberries, and strawberries, a specific duty of 4 cents per lb., the weight of the package to be included in the weight for duty.

Peaches, a specific duty of 1 cent per lb., the weight of the package to be included in the weight for duty.

Gimps, cords, braids, ribbons and bindings, when imported by hat manufacturers for use in their factories, 15 per cent. *ad valorem*.

Gas, water and soil pipes of cast iron, 30 per cent. *ad valorem*.

Gloves and mitts of all kinds, 30 per cent. *ad valorem*.

Hair cloth of all kinds, 30 per cent. *ad valorem*.

Harness and saddlery of every description and parts of the same, 30 per cent. *ad valorem*.

Laces, braids, fringes, embroideries, cords, tassels and bracelets, also braids, chains or cords of hair, 30 per cent. *ad valorem*.

Lead pipe and lead shot, a specific duty of 1½ cents per lb.

Oleomargarine, butterine or other substitute for butter, a specific duty of 10 cents per lb.

We propose also to put an Excise duty of 8 cents per lb. upon that article manufactured in Canada.

Printed or dyed cotton fabrics not elsewhere specified, 27½ per cent. *ad valorem*.

Spirits and strong waters, not having been sweetened or mixed with any article so that the degree of strength thereof cannot be ascertained by Syke's hydrometer, for every Imperial gallon of the strength of proof and so in proportion for any greater or less strength than the strength of proof, and for every greater or less quantity than a gallon, viz.: Geneva gin, rum, whiskey, alcohol or spirits of wine and unenumerated, unmixed and not sweetened spirits by whatever name called, a specific duty of \$1.75 per Imperial gallon.

Old Tom gin, a specific duty of \$1.90 per Imperial gallon.

This was left at \$1.32½ cents last year.

Spirits and strong waters, mixed with any ingredients, and although thereby coming under the denomination of proprietary medicines, tinctures, essences, extracts or any other denomination, including medicinal elixirs and fluid extracts, whether in bulk or bottle, not elsewhere specified, shall be nevertheless deemed to be spirits or strong waters, and subject to duty as such, a specific duty of \$2 per Imperial gallon and 30 per cent. *ad valorem*.

So far as liquors are concerned the increase has been upon Old Tom, otherwise explanatory of the resolutions of last year and the year before.

Cologne water and perfumed spirits in bottles or flasks, not weighing more than 4 ounces each, 50 per cent. *ad valorem*.

Cologne water and perfumed spirits, in bottles, flasks or other packages, weighing more than 4 ounces each, a specific duty of \$2 per Imperial gallon, and 40 per cent. *ad valorem*.

Tubing, wrought iron, plain, 2 inches in diameter or under, coupled and threaded or not, 30 per cent. *ad valorem*.

Wire, iron or steel, galvanized or not, 15 gauge and coarser, 20 per cent. *ad valorem*.

Whips of all kinds, 30 per cent. *ad valorem*.

Wire fencing, buckthorn, strip and other similar fencing of iron or steel, a specific duty of 1½ cents per lb.

Yeast cakes and compressed yeast, in packages or bulk of 1 lb. and over, a specific duty of 6 cents per lb.

Yeast cakes, in packages of less than 1 lb., a specific duty of 8 cents per lb.

Portland and Roman cements to be classed with all other cement, at specific rates as now provided.

Now, I come to the question of sugar. Those who have studied the returns of past years will see that the revenue from sugar has been gradually declining. We did not impose so large a duty as was imposed in 1877-78. The revenue derived from sugar, under the tariff of 1877-78, was \$2.39 per 100 lbs. Under the new tariff the revenue, in 1881, was \$1.80. In 1882, the value of sugar had slightly declined, and the *ad valorem* duty gave a less return, namely, \$1.69; in 1883, it was \$1.61; in 1884, \$1.50; and in 1885, \$1.87 per 100 lbs. We propose to ask the House first to change the mode of testing the value of sugar. There has been a good deal of discussion upon this question with refiners of the different Provinces, some of whom have made complaints that favor has been shown to refiners in other Provinces which were not shown to themselves. I do not find that there has been any great ground for this complaint. I think that the officers of Customs have discharged their duty very faithfully, and when a comparison of the returns is made, it is seen that there is very little difference, an almost imperceptible difference, in the returns from the various refineries throughout the country. But I find that in the United States, all sugars are sold by the polariscope test, that the refiners of this country test their sugars, price them, and sell them by the polariscope test; and I think, from the satisfaction this has given abroad and from the contentions that arise under the old test, the color test, it is advisable to ask the House to adopt the polariscope test, and to name a specific duty for all refining sugars, which will be an average of the rates received between 1875 and 1881. What, then, I propose, is to ask the House to impose these duties:

On sugar, melado, concentrated melado, concentrated cane juice, concentrated molasses, concentrated beet-root juice and concrete, when imported direct from the country of growth and production, for refining purposes only, not over No. 13 Dutch standard in color, and not testing over seventy degrees by the polariscope, a specific duty of 1 cent per lb., and for every additional degree or fraction of a degree shown by polariscope test ¾ cents per 100 lbs. additional.

I may explain that the American tariff imposes a duty of \$1.40 per 100 lbs. for the test of seventy-five degrees, and charges 4 cents for every degree above seventy-five. What we have taken is a little over three-fourths of the American tariff, reducing everything about the same proportion, so as to charge a trifle over three-fourths of the American duty.

On sugar not for refining purposes, not over No. 13 Dutch standard in color, when imported direct from the country of growth and production, a specific duty of 1 cent per lb. and 30 per cent. *ad valorem* on the value thereof free-on-board at the last port of shipment.

On all sugars above No. 13 Dutch standard in color, and on refined sugar of all kinds, grades or standards, 1½ cents per lb., and 35 per cent. *ad valorem* on the value thereof free-on-board at the last port of shipment.

On all sugars, not imported direct, without transshipment from country of growth and production, there shall be levied and collected an additional duty of 7½ per cent. of the whole duty so otherwise payable thereon.

That is, in the case of indirect shipments, the duty shall first be ascertained under the rates named, and then 7½ per cent. of the duty shall be added for that. We have always had in our tariff that distinction between direct and indirect shipments.

Provided that when any cargo of sugar for refining purposes is found to grade, to the extent of not over 15 per cent. of the whole, above No. 13, Dutch standard in color, the whole of said cargo may be admitted to entry by polariscope test, as above provided for refining purposes only.

Syrups, cane juice, refined syrup, sugar house syrup or sugar house molasses, syrup of sugar, syrup of molasses or sorghum, whether imported direct or not, a specific duty of 1 cent per lb. and 30 per cent. *ad valorem*.

Molasses, other, when imported direct, without transshipment, and from the country of growth and production, 15 per cent. *ad valorem*.

Molasses, when not so imported, 20 per cent. *ad valorem*.

The value upon which the *ad valorem* duty shall be levied and collected upon all the above named syrups and molasses shall be the value thereof free-on-board at the last port of shipment.

Provided that molasses, when imported for or received into any refinery or sugar factory, or to be used for any other purpose than actual consumption, shall be subject to, and there shall be levied and collected thereon, an additional duty of 5 cents per Imperial gallon.

Provided that the change in the rates of duty on sugars and molasses shall apply only to importations arriving in Canada on and after the 31st day of March, instant, and not to such articles warehoused prior to that date.

Sugar candy, brown or white, and confectionery, a specific duty of 1½ cents per pound and 35 per cent. *ad valorem*.

Then, I propose to amend schedule "B," the list of goods which are entitled to be entered free of duty, by substituting the following provisions for the following items:—

Articles for the personal use of consuls general who are natives or citizens of the country they represent and who are not engaged in any other business or profession.

It has been found that a great many consuls have been appointed, and that several of them are engaged in other business and claim to have articles for their use entered free of duty. This is to explain the provision, and to confine it to consuls general, who are natives or citizens of the country they represent, and not engaged in any business.

Borax, in lump; grease, the refuse of animal fat; iron and steel, old and scrap, but nothing shall be deemed scrap iron or steel, except waste or refuse iron or steel that has been in actual use, and fit only to be re-manufactured; sumac, crude.

Then we strike out from the free list, iron sand or globules and dry putty for polishing granite. These are articles that are being manufactured now in our own country.

Philosophical instruments and apparatus, including globes, &c.

These have been on the free list for a great many years, and all the schools have been compelled to go abroad for such articles, and it has been found that many of the globes and maps imported have been specially designed for the country in which they are manufactured, and that special prominence is given to that country upon them. For a year or two, in Toronto, and I think in Montreal also, there have been gentlemen engaged in the manufacture of globes and philosophical instruments for schools, and, with the sanction of the superintendents of schools in Ontario—at least some of them from whom I have heard—it is proposed to encourage the manufacture, so that there may be a supply of those instruments within reasonable reach, instead of the trouble of sending abroad for them being necessary. Then, it is proposed to amend schedule "D" relating to prohibited articles, by striking out the item relating to copy-right works, and substituting the following in lieu thereof, namely:—

Reprints of Canadian copyright works, and reprints of British copyright works which have been also copyrighted in Canada.

There is another resolution declaring that it is expedient to provide for an Excise duty of eight cents a pound on oleomargarine, butterine, or other substitute for butter, manufactured in Canada. These, so far, are the propositions which we have to-night to submit to the House. Now, assuming that these are assented to by the House, I think that we may reasonably expect that the revenue during the year 1886-87 will be as follows: I may say, first, that I am not counting upon the full benefit of any changes that I have proposed here, that I am not counting upon any very large increase to the Customs

revenue of the country during 1886-87. We have had, or we are to have, the Canadian Pacific Railway opened through to British Columbia. Hon. gentlemen know by the returns that the amount of duties collected in British Columbia and Manitoba has been out of proportion to the ordinary collections in other parts of the country of similar population, because they have been shut out from connection with the manufacturers of the country, and I believe that, with the opening of the road, a great deal of the trade which hitherto went from British Columbia to the United States and from Manitoba also to the United States will be given to our own manufacturers in the Dominion. Therefore, I do not anticipate so large a revenue from those two Provinces as we have had in the past. My estimate then for the year 1886-87 will be:—From Customs, \$20,200,000; from Excise, \$7,000,000; from post office, railways, interest and miscellaneous services, \$7,300,000; making a total of \$34,500,000; against which I have shown an estimated expenditure of \$33,124,550, leaving, as the estimates now stand, a surplus of \$1,375,450. This, of course, when my hon. friend the Minister of Public Works has had his say, so far as he can have it, will probably be reduced, still I hope that the public service will not call for a very large additional expenditure this year, and that the amount of the anticipated surplus for 1886-87 will not be very largely reduced by Supplementary Estimates. It may be that the hon. gentleman who will follow me will think I have over-estimated this matter, and that I am over-sanguine as to the result that I shall receive during the coming year of 1886-87. I suppose that, if he speaks by the experience of the past, he will say I am over-sanguine. He might tell us that he entered upon his administration full of hope, as I am; that he had great expectations of revenue, and that, when he proposed to increase the duties by three millions of dollars, there was no doubt in his mind that he would receive that addition to his revenue; but we know the result; we know that time, and the policy that he was pursuing, frustrated his hopes and wrought his political ruin for that period. I know that this may, perhaps, be the impression on his mind now, and he may, perhaps, bring us the proof from the records that all this occurred, but I believe that the policy this Government is pursuing will lead to better results than the policy which the hon. gentleman and his party pursued from 1874 to 1878. It is true that we have not had in the past year or two that commercial activity that we had in 1881 and 1882, but there has been great caution on the part of our merchants, in view of the great reduction which has been going on in the prices of various goods throughout the world; and there has been a very large reduction, more especially in free trade countries, where the depression was most strong. I am sure, Mr. Speaker, that if we compare the position of the Dominion of Canada in its trade with the condition of any other country, more particularly free trade countries, we will find that the depression has not affected us so seriously as it has some of those other countries. We have every indication from the country at large that there is sound commercial life, and that there is ability to enlarge commercial operations in the country, and I rely upon that largely. The revenue to be derived from a people, depends a good deal upon the ability of the people to purchase goods, and upon their inclination to do so. I know, Mr. Speaker, that the inclination generally exists, and the ability to do so we may enquire into. Commencing with the agricultural class, I think we have every reason to believe that the farmers of this country are in a better position to-day than they have been for years—at all events, in a very much better condition than they were during the period from 1874 to 1878. We live beside the greatest agricultural people in the world, perhaps, and they are a people who, notwith-

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standing that they have a large surplus to export, will permit no article of agricultural produce to enter their country free. That was the condition of things from 1874 to 1878, and yet while that condition of things existed, the policy that was pursued by the Government of this country was to admit all agricultural produce free. Mr. Speaker, I do not wonder that this had a depressing effect upon the farmers of this country, and I think, Sir, that effect upon the agricultural community was evinced in the fact that so large a quantity of American farm produce came into this country free, and was consumed by our people, instead of being supplied by our own farmers. Sir, we have changed that policy. We have said to Canadian farmers, that just such a measure as the American Government has been meting out and does mete out to you, we will mete out to the American farmer. We will endeavor to shut out the large importation that has been going on of American farm produce to feed the people of this Dominion, who have so much fertile soil and so many willing hands to cultivate that soil and to produce all that is required for the sustenance of our own people. But we said more. We said to the Canadian farmer, we will inaugurate such a trade policy as will give employment to a large number of consumers whom you will have to feed and support from your farms, and we will increase your markets not only by stopping foreign produce, but by multiplying the number of consumers of your own farm produce. Under this changed policy the condition of the farmer seems to have rapidly improved. The importation of American agricultural farm produce has diminished, although our home consumption has increased largely. This matter has been discussed by the organ of the third party, in this house, and an attempt has been made to show that the National Policy has been a failure, because there is still a considerable importation of breadstuffs into the country. Well, Mr. Speaker, it is true there has been some considerable importation, but my position is this: that under our National Policy we have largely reduced the importation of American breadstuffs, and we have also stimulated the Canadian farmer to greater activity, that he has supplied what has fallen short in importation, and he has largely increased his exports abroad. The increased activity which has been given to all branches of industry seems to have affected as well the farming population, and they are able to supply the three or four million dollars worth of American farm produce that used to come in, and we have largely increased our exports abroad. Now, Mr. Speaker, in 1875 there was entered \$12,389,900 worth of American breadstuffs; in 1876 there was imported \$11,114,000 worth; in 1877, \$13,858,000 worth; in 1878, \$13,452,000 worth, a total in those four years of \$50,811,914 worth. We exported \$24,000,000 odd, leaving, as consumed by the people of this country, \$26,707,126 worth, or \$6,676,000 worth per year. Now, Sir, under the present policy, without giving the sum for each year, the total imports for six years, beginning with 1880, has been \$18,784,000, or \$3,130,811 a year, as against \$6,676,000 before the National Policy was inaugurated. That is, we have imported per year less than one-half as much as was imported, per year before the adoption of the National Policy. I may state that the article of Indian corn was mentioned in the organ of the party, and it was shown that it has been taxed to the large amount of 7½ cents per bushel. Well, Mr. Speaker, it is true that under this policy we did tax Indian corn 7½ cents a bushel; but a large portion of the imports of Indian corn was for the purpose of being distilled into whiskey. In 1880 there were 739,000 bushels imported; 1881, 754,000 bushels and so on; in the six years there were 5,368,123 bushels imported, paying 7½ cents per bushel duty, all for the purpose of being distilled into whiskey and not for the purpose of being consumed as breadstuffs. But I have

shown by statistics that we have shut out by our policy more than \$3,000,000 worth a year of breadstuffs coming in from the United States, and I will make a comparison showing the exports of farm produce. In 1875 we shipped agricultural exports, including breadstuffs and products of animals, to the value of \$29,958,000; 1876, \$40,000,000; 1877, \$28,000,000; 1878, \$32,000,000; 1879, \$33,000,000; or a total of \$165,580,000 in those years. Since the introduction of the National Policy the exports have been as follows:—1881, \$42,000,000; 1882, \$51,000,000; 1883, \$43,000,000; 1884, \$35,000,000; 1885, \$39,000,000—\$212,000,000 in all. From this sum deduct \$165,000,000 exports in the same number of years without the National Policy, and you have left an increased export of \$46,858,833 or \$9,371,756 a year. Our farmers have exported annually, on an average upwards of \$9,000,000 in excess of what they did before, and they have supplied the home market to the value of \$3,500,000 of American produce shut out, making over \$13,000,000 more than was exported under the policy of hon. gentlemen opposite.

Mr. CHARLTON. Where is the home market?

Mr. McLELAN. Why, I have just explained to the hon. gentleman, as well as I could, that we have given the home market to Canadian farmers to the extent of \$3,545,000 a year; and that is supposing there had been no increase of population during that period. But it will not be pretended that there has not been more supplied with the increase of population in the manufacturing districts since 1881, and that the home market has not been larger than it was before, the \$3,545,000 in addition. A word more in regard to the home market. In the first six months of this year, the importation of farm produce and provisions for the use of the people has declined over \$2,000,000 as compared with the first six months of last year. So the House will see that year by year our farmers have steadily taken possession of the home market as well as increasing their exports abroad, and the encouragement afforded them has given them greater activity and life, and they do not now leave the oxen idle in the stall and the plowshare rusting in the field. The hon. gentleman opposite does not seem to be quite satisfied that our farmers have been benefited by the operation of this Act; and when an hon. gentleman, who was elected for his intelligence as a representative of the people, claims not to see in what way the farmers have been benefited, I think there may possibly be farmers who have not yet seen clearly in what way they have been benefited.

Some hon. MEMBERS. Hear, hear.

Mr. McLELAN. Some hon. members say "hear, hear." I suppose you could put it more clearly to the farmers. The hon. gentleman knows Toronto, a city with a population of 100,000. Suppose you could draw a cordon of American Custom house officers round the city and say to the farmers of Ontario: You shall not take in a pound of butter or any agricultural produce to feed that population of 100,000, but they shall be fed entirely by American farmers. If you could do that in practice it would bring the matter home to Ontario farmers, and I think the hon. gentleman himself would not ask how they were at present benefited, and the farmers would see how they had lost by such a transaction by being shut out from supplying the city. Suppose hon. gentlemen opposite should come into power and should bring their policy into operation, and all the men who are now employed in manufactures, and who were not employed in 1873 under their policy by which great importations of slaughtered goods were sent in from the United States, had to shut up and go to the United States. My predecessor brought down last year a statement showing that by statistics there had been established, under the National Policy, factories giving employment to 34,000 hands. The proba-

bilities are that under such a change of policy as I have indicated almost the whole of those people would be driven out of the country into the United States to manufacture the goods that might be wanted by the people who would be left behind.

Mr. LANDERKIN. More than that number has been driven out.

Mr. McLELAN. The hon. gentleman says that more than that number has been driven out. But he would not object to driving out 34,000 more,—

Mr. LANDERKIN. I would.

Mr. McLELAN—and all the people connected with them. Let me carry the supposition further. Suppose that after those people have been in the United States for a time manufacturing for the Canadian people, being fed by American farmers and paying tribute to the American Government, they should say: The products of our toil go over to Canada; we are scattered in different towns; suppose we unite, cross the line and establish ourselves at one central point, and take over the men who build our houses, and our lawyers, doctors, clergy, wives and children and servants connected with them; and make a population of over 100,000 and locate at some place where not a pound of butter or an article from a Canadian farmer would come, but American farmers would have free entry by market waggon and railway to come and go and supply us with everything we need, and the Canadian farmer shall have no intercourse with us. Then the hon. gentleman himself and all the Canadian farmers would see the effect of that operation in practice, and I think they would say: It is better we should have a policy that will keep those mechanics and their families here and enable our own farmers to supply them with their farm products, and thus find a market for them at home. Mr. Speaker, I have referred, in reply to the hon. gentleman, to the increase in the number of wage-earners and to the fact that Sir Leonard Tilley had statistics prepared showing the increase in the number of artisans employed in the various factories of this country from 1878 up to the commencement of 1884. I have not had the opportunity of continuing that operation, but in our trade returns there is sufficient evidence to show that the increase in the number of wage-earners and artisans employed has been enormous from 1878 up to the present time. We have imported more than \$10,000,000 worth of machinery since 1878. That machinery was not imported to stand idle. That machinery is now giving employment to large numbers of people in various portions of the country. We have imported largely on the raw materials, which I have already referred to—of cotton, wool, hides, pig-iron, and everything that enters in the manufacture of goods, and all these things prove conclusively to me that there is an increased number of people employed, an increased number of wage-earners who are receiving good wages, and who will be able to purchase goods and contribute to the revenues of the country during the year. In everything there is evidence of increased activity. I read to the House to-night, the increase in the post office service. Hon. gentlemen opposite claimed that we would kill out the shipping trade of the country, but there has been a steady increase in the coasting and foreign trade of this country ever since this policy was introduced, all tending to show that the country is progressing favorably.

Mr. MITCHELL. Sailing vessels?

Mr. McLELAN. I will read the figures to the hon. gentleman. The coasting trade in 1884-85 was 15,944,422 tons; the foreign trade in ships was 7,644,615 tons.

Mr. MITCHELL. Sailing vessels?

Mr. McLELAN. Sailing vessels and steamers.

Mr. MITCHELL. I am asking about sailing vessels.

Mr. McLELAN. I have not separated them. I have not learned yet that a steamer cannot carry goods and passengers. I think that the steamers carry just as many goods in proportion to their spare tonnage as sailing vessels and deliver them quicker, and I was taking them both together. The foreign tonnage was 7,644,615.

Mr. MITCHELL. Foreign tonnage?

Mr. McLELAN. The coasting and foreign trade together was 23,582,000 tons. In 1878-79 the coasting trade was 12,066,683 tons; the foreign trade 6,000,000 tons, or a total of over 18,000,000 tons. There is an increase in the six years of 5,433,804 tons or an average of 905,634 tons a year.

Mr. MITCHELL. Foreign tonnage, but not Canadian; that is the point.

Mr. McLELAN. I am not speaking of whether we owned more or less tonnage—

Mr. MITCHELL. Ah! That is what I want to know.

Mr. McLELAN. I am speaking of this point: that the people of this country, the trade of this country and the wants of this country, employed a larger tonnage by 5,433,804 tons than they did in 1878.

Mr. MITCHELL. Yes, but owned by foreigners; there is the point.

An hon. MEMBER. It makes no difference.

Mr. MITCHELL. It makes a great deal of difference.

Mr. McLELAN. I am not aware that foreigners own a very large proportion of the shipping that is engaged in the coasting trade of this country. I am not aware of it, and if the hon. gentleman will show it to me, I will accept the figures he will give, but it does not alter the position I have taken, that the trade of the country requires 5,433,804 tons, and employs that tonnage more than it did in 1878-79. Then if we come down to railways we find that in 1878-79 we had 6,664 miles of railways in operation; their train mileage was 19,000,000; the total passengers carried, 6,444,000; the number of tons of freight carried, 7,833,000. Now, Sir, in 1885, we have 10,149 miles of railway in operation; we have a total train mileage of 30,623,000; the total number of passengers carried, 9,672,599, and the total number of tons of freight carried, 14,679,949; or an increase in all these items of over 50 per cent., all tending to show that there is an increased trade, an increased activity in business throughout the country. Therefore, Sir, I think that I am right in the position I take, that the business of the country is more active and better. Then we have the fact as shown by our bank returns that we have \$16,000,000 more of bank and Dominion notes in circulation than there were in 1878; that the deposits in the chartered banks in 1885 were \$106,000,000; in 1878, \$72,000,000; or an increase of \$34,000,000. We have the fact that the savings banks deposits have increased from \$8,497,000 to \$35,280,000 up to last night, an increase in deposits of \$26,783,079. But, Mr. Speaker, we have an increased number of men engaged in business, and we have also an increased number engaged in business without failing as they did in 1878. The number of traders, in 1885, was 70,043, with failures amounting to \$8,743,000. In 1878 we had 56,347 traders, with failures amounting to \$26,875,000. There is an increase of 13,698 in the number of people engaged in trade throughout the country, and there is a decrease of \$18,132,060 in the amount of the failures, and I take these facts as the best indication of the condition of the country, that larger numbers are engaged in trade, and engaged without loss to themselves and to the country at large. The returns for the first period of this year show still more favorably in respect to the failures. The return, as given for

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the first six weeks of 1886, was 192 failures, as against 235 in the same period of 1885, and 287 in 1884; so that, comparing with 1878, the decrease is very great in the number, and the decrease in the amount of liabilities is something enormous. I was very deeply impressed with the explanation which the hon. member for Bothwell (Mr. Mills) gave a year or two ago, of the causes of failures from 1874 to 1878. He put the whole case in a nutshell. He said that "the merchants failed for want of customers;" and I suppose there were no customers because there was no employment for the people, and no money among the people to enable them to purchase the merchant's goods. Therefore the merchant stood idle at his counter, waiting in vain for customers that did not come—that could not come—because they had no money and no employment; and therefore ruin and bankruptcy fell upon the merchant, and the official assignee walked the land like a pestilence at noonday. Sir, I start from one point—idleness of the people, want of employment, no factories in operation, and you have no customers for the merchant—and there follows a bankrupt merchant and an empty treasury. I start from the other point—employment for the people, money for the people, money taken by the people to the merchant, the merchant busy, and a full treasury. You start from one point, and you reach the conclusion absolutely; you start from the other point, and you reach the other conclusion just as certainly. When you have employment for the people, you have not only a busy merchant and a full treasury, but you have above all a contented and happy people. Daniel Webster, the great American statesman, who has gone, speaking upon this point, after he had been converted to protective views, said:

"The interests of every laboring community requires diversity of occupation, pursuits and objects of industry. The more that diversity is multiplied or extended, the better. To diversify employment is to enhance wages. And, Sir, take this great truth, place it on the title page of every book of political economy intended for use, put it on every farmer's almanac; let it be the heading of every column in every mechanic's magazine. Proclaim it everywhere, and make it a proverb, that where there is work for the hands of men, there will be work for their teeth. Where there is employment there will be bread. It is a great blessing to the poor to have cheap food; but greater than that, prior to that, and of still higher value, is the blessing of being able to buy food by honest and respectable employment. Employment feeds, clothes and instructs; employment gives strength, sobriety and morals. Constant employment and well paid labor produce, in a country like ours, general prosperity, content and cheerfulness. Thus happy have we seen the country, thus happy may we long continue to see it."

The hon. member for South Huron (Sir Richard Cartwright), some time during this Session, told us that the National Policy had been a failure, because there had been large importations in excess of the exports; and he gave figures by which he made it appear that there had been an excess of \$101,762,000 worth of imports over exports. Now, Sir, let me refer to this for a moment. We were in very peculiar circumstances. Manitoba, the North-West and British Columbia imported largely of foreign goods, having no facilities for procuring goods of domestic manufacture. If the hon. gentleman will compare the imports into Manitoba, the North-West and British Columbia from 1874 to 1879 with the imports from 1880 to 1885, he will find that they imported in the latter period \$45,603,000 worth of foreign goods. If he will take that from our excess of imports over exports for the same period, he will find that it leaves but \$56,159,000, or \$9,259,833 a year. He will also find that the imports into those districts from 1874 to 1879 were only \$18,000,000, which deducted from the excess of imports over exports, will leave \$86,000,000; or in that period there was an excess of imports over exports, exclusive of Manitoba, the North-West and British Columbia of \$17,242,000 a year, while from 1880 to 1885 there was only an excess of \$9,359,000 a year. But the hon. gentleman will also find, on examination of the trade and revenue returns, that a large proportion of the excess of imports over exports in the older Provinces was raw material for manufacture, or

articles that should come in free. For instance, there was an increase in 1885 over 1878 in hides and horns of \$563,000, in cotton and wool of \$1,500,000, in settlers' effects of \$746,000, in coin and bullion of \$2,250,000, and so on, making an excess of imports over exports in those articles, which are free, of \$8,630,000; so that the whole excess of imports over exports in the older Provinces is disposed of in that way. Mr. Speaker, I have detained the House at greater length than I intended, or should have done, and I must apologise to it. But an hon. gentleman opposite has said that we have driven more than 40,000 people out of the country; and I suppose we shall hear the same thing from the hon. gentleman who is about to address the House on the opposite side. It is true, Sir, we have not had in the past that great increase of numbers that they have had in the United States. In the United States, long previous to the taking of the last census, they had a policy of protection to home industry. They had a policy of giving their people employment and high wages, a policy which drew immigrants to the United States from all parts of the world. They had also opened for settlement large tracts of prairie country, and the two policies combined largely helped to increase the population of the United States at a greater rate than the increase in the Dominion. But, Sir, if we take the American census of 1880 and the Canadian census of 1881, and if we select a number of the older States, which offer a fair ground for comparison with the Dominion of Canada, we will find we have held our own very well. Take the State of Connecticut. Of course, if you go into the newer States, with attractions of new territory and prairie soil, you will find a much larger percentage of increase; but what I want is to make a comparison with the older States. Connecticut, which had 537,000 inhabitants in 1871, had 622,683 in 1881. Connecticut, Maine, Massachusetts, New Hampshire, Vermont, Dakota—I put in Dakota as a set-off to Manitoba—comparing those States with Prince Edward Island, Nova Scotia, New Brunswick, Ontario, Quebec, Manitoba and British Columbia, I find that the American States increased 16·06 and the Dominion of Canada increased 17·03 per cent. in population, according to the last census; so that when we make a proper comparison between the Dominion and the older and more settled portions of the United States we find we have more than held our own. Now, the complaint has been made that the National Policy has not done its duty, because times have not been so brisk as they were in 1882-83. But, as I said before, if we compare the position of trade in Canada with the position of other countries—in the United States, and Great Britain, for instance—we will find that our position is better than theirs, and we can gather from this that, but for the National Policy, ruin and bankruptcy would have been upon us. It is in times when there is depression abroad, when there is great depression in surrounding countries, when there is over-production and slaughter in prices of goods in those countries, that we find the protective policy is desirable and advantageous, and it has proved itself here highly beneficial in protecting us from the onslaughts which would have been made upon us by foreign manufacturers. I proposed to deal with this question more fully, but I have occupied so large a share of the public time that I cannot go into it as fully as I would wish. I want, however, to give one instance to show how the National Policy is affecting the wage-earner in this country at present. All that is required for the production of cheap goods in this country, is that there shall be a market for those goods, and the larger the market the cheaper they will be. Our people are as active and as intelligent as any others, and when they are forced abroad, as they have been, they make as good artisans, with a little experience and training, as are to be found in the world. All that they require to be fit to manufacture everything required in this country, and to manufacture them as

cheaply as they are manufactured in the United States or elsewhere, is that they shall have some training, and this they will obtain by our furnishing them with a market for their goods. Now, the manufacturer and the capitalist seeks a fair return for his investment; he looks into the chances existing for placing the products of his investment; and the smaller the output he has, the larger percentage he must put upon that output in order to meet the interest upon his capital and the depreciation of his plant. There is a very familiar illustration of this. You take a blast furnace which requires \$30,000 to meet the interest upon the capital invested in it and the depreciation of the plant. If the output of that furnace be 15,000 tons of pig-iron, of course there must be \$2 a ton put upon the iron, in order to pay the interest and the depreciation of the plant. If you increase the output to 20,000 tons, then it only requires \$1.50 per ton to pay these charges; if you increase it to 30,000 tons, you only want \$1 a ton upon it, to pay a dividend and you can sell the pig-iron \$1 a ton cheaper. If you run the output up to 60,000 tons, all you want is 50 cents a ton, and you have \$30,000 raised, and the pig-iron is \$1.50 cheaper than it would be with only 15,000 tons of output. The same principle holds good in all the manufactures in which we are engaged. The percentage which must be put upon every yard of cloth which comes from the loom depends upon the output, in order to meet the interest upon the capital and the depreciation of the plant. You must have one of two things. You must either have a large market and a large output or you must have a low rate of wages, and that means a low scale of living and a small expenditure for the benefit of the farmer. And more, you cannot continue, you cannot have for any considerable length of time men employed at a low rate of wages, while across the border, in the United States, there are larger wages paid and attractions offered to draw them away into that country. The intention of the National Policy is that we shall give a large market to our own manufacturers. We have not so large a market of course as they have in the United States, but we can give a proportionate market, one-tenth or one-twelfth in proportion to the population of the other side. David Wells, the American apostle of free trade, has been often quoted in this House, and he says:

“Wages are labor's share of product, and in every healthy business are ultimately paid out of product. No employer of labor can continue for any great length of time to pay high wages unless his product is large. If it is not, and he attempts, it is only a question of time when his affairs will be wound up by the sheriff. On the other hand if a high rate of wages is permanently paid in any industry and in any country it is in itself proof positive that the product of labor is large, that the laborer is entitled to a generous share of it, and that the employer can afford to give it him.”

That is what we have been striving to do in this country, and it is what we are accomplishing, when we are giving a larger market to our own manufacturers, and we have the result that a larger, a more generous wage is being paid to the employees than previous to the introduction of this policy. I have not gathered any statistics, except from one company, the Canada Cotton Manufacturing Company, of Cornwall, and I have a comparison in regard to that company between 1878 and 1885, with which I wish to trouble the House in order to show the result of the National Policy in increasing the rate of wages, the number of hands, and not the price of goods.

Mr. MITCHELL. There is a 35 per cent. duty though.

Mr. McLELAN. In 1878, in the six months from July to December, there were 407 hands employed in that factory, who received \$47,557 in wages; the daily amount paid being \$305, and the average paid to each hand per day 75 cents. Times seemed to grow worse, and in the three months from October to December the amount paid to each hand ran down to 72 cents; and in the month of December it ran down to 69 cents. Now I come to 1885, under the

operation of the National Policy, and I find that, for the six months ending December, there were 640 hands employed, receiving \$91,144 in wages; the daily amount paid being \$584, or an average per day of 91 cents to each hand, against 75 cents in 1878. For the three months from October to December, there were 670 hands employed—the number increases as we go on—and the average amount paid was 92 cents. In the last month of the year, 672 hands were employed, and the average amount paid to each was 90 cents. For the six months, the percentage of hands between 1878 and 1885 shows an increase of $57\frac{1}{4}$ per cent., the wages paid an increase of $91\frac{5}{8}$ per cent., and the amount of daily wages to each hand an increase of 21 per cent. In the three months there was an increase of $56\frac{1}{4}$ per cent. in the number of hands employed, of $98\frac{7}{10}$ per cent. in the amount of wages paid, and of 28 per cent. in the amount paid to each hand. In the last month of the year, the increase in average wages was 30 per cent. over that paid in 1878. So you will see from the figures given that the people employed by this company are receiving a greater wage per day than they were in 1878. But the hon. gentleman says we have a duty of 30 per cent.

Mr. MITCHELL. I said 35 per cent.

Mr. McLELAN. Well, 35 per cent. In 1878, the price of standard sheeting, weighing 2·85 lbs. per yard cost 10 cents, less $7\frac{1}{2}$ per cent. discount, or 26·36 cents per lb., with the average price of cotton $10\frac{7}{8}$ cents. In 1886, that same sheeting, weighing 2·85 lbs. per yard, cost $6\frac{1}{2}$ cents per yard net, or 18·52 cents per lb., against 26·36 cts. per lb. in 1878.

Mr. MITCHELL. What did the raw cotton cost?

Mr. McLELAN. It cost $10\frac{7}{8}$ cents in 1878, and in 1886 it cost 10·56 cents per lb. This shows that, though the hon. gentleman says there is a duty of 35 per cent. consumers are getting their sheetings now for $42\frac{1}{3}$ per cent. less than they paid in 1878, while the raw cotton is not quite 3 per cent. cheaper. That is the result of the operations in that factory, and I am satisfied that it will be shown to be the result all over this country, that men are being employed, that they are receiving greater wages, and that the output of the factories is given at less cost than it was in 1878, when people had a narrow market and could not produce as cheaply as now when they have a larger market. This is what we are doing with the National Policy and that is what we intended; we are giving employment to the people and at better wages, by our protection. It is not the cotton in its raw state that we want to protect, it is not the ore in the mountain, is it not the coal in the mine, it is not the clay in the potter's hands that we want to protect; it is the hands that are forming and fashioning the clay, it is the men who dig the ore from the mine, the men who take the ore and smelt it in the furnace and the factory, and form and fashion it into the shape we require to use; it is the men and women who are manipulating the warp and the woof in the cotton factories,—it is these whom we want to protect, and it is these whom we have protected, as I have shown, and whom we have secured a higher rate of wages. Therefore, the National Policy is no failure, from any point of view you look at it. I have detained the House too long—

Some hon. MEMBERS. Go on.

Mr. McLELAN. No, I must close, in justice to my hon. friend opposite. I have gone over the Public Accounts, and I have shown the position of affairs in 1885. I have shown that, taking the year by itself and apart from the troubles in the North-West, we stand very well. I think hon. gentlemen will admit that we stand very well, for they never liked the idea of having a large surplus. I have shown that in 1886 we shall not be so very bad, and that there is a jus-

Mr. McLELAN.

tification for us for putting that extraordinary expenditure which we have had in connection with the North-West to capital account, because during the years that we have administered the Government of the country, we have paid from revenue a large amount into capital account. It is not the custom with other countries in the world, which have been engaged in wars, to place all the expenditure of those wars on revenue immediately. The United States did not, they could not, they left it to capital account, and it was years before they commenced the reduction of their indebtedness. It was fourteen years before they returned to specie payments. I have shown, I think, conclusively, that there is no great cause for alarm in the amount of burden that is imposed upon this country for interest at present. I have shown that there was, up to 1885, a less rate of interest *per capita* upon this country than existed in 1878, and only 23 cents at the most more than there was in 1867, when the people were poorer and had not the ability to pay. I have shown that, taking out the extraordinary expenditures and those that are not taxation, the increased expenditure from 1867 to 1885 has been comparatively trifling, a little over \$2,000,000. So, Sir, I do not anticipate that we shall hear very much more of the increased taxation from \$13,000,000 up to \$34,000,000 or \$35,000,000 in eighteen years. Sir, they have first to convince the man who has engaged in the business and the duties in life, and who is expending \$35 for an outfit and a suit that he is doing wrong, and ought to go back to the \$13 suit, that he had eighteen years ago, when he was a boy. They will have to convince the merchant who is doing a business of \$1,000,000, that he is in danger of bankruptcy and ruin because his expenses are larger, his staff of clerks is larger than they were when he had a little corner shop, and as Carlyle said: "The red herrings and the pipes painfully crossed in the window." Sir, before they can convince the people of this country that we are doing wrong in our expenditure, they will have to persuade the stockholders of the Bank of Montreal to sell out if they wish to avoid bankruptcy and ruin, because the Bank of Montreal, when it started, only expended £400 or £500 a year, whereas they now have established agencies all over the Dominion, and in New York and London, and are expending an enormous sum yearly in keeping up those agencies. They will have to persuade the stockholders of the Bank of Montreal that they are in danger of ruin and loss before they can persuade the people of this country that they are in danger of ruin and loss because there has been necessarily an increased expenditure owing to the increased area of this country. Sir, there have been necessary expenditures, because we have had large undertakings which were necessary to our very existence, and we have had a great struggle to accomplish this purpose; but, Sir, we have succeeded, and the liabilities arising out of that have been placed upon us earlier than we anticipated. We entered into an engagement to construct the Canadian Pacific Railway, and have it completed in 1891; but circumstances made it desirable, in the interest of the country, for this House to hasten the completion of that great work. Well, they have it almost completed, and, as I have shown the House, the burdens for interest are not unduly pressing upon this country. We have come out of our operations with far less burden per head than pressed upon the United States when they came out of their struggle. They are now reducing their indebtedness. We also have accomplished our purpose, and will take the opportunity of retrieving and improving our position. And, Sir, we shall do that; we shall rest from our labors, and we shall give our attention to reducing the indebtedness of our country, and reducing it a great deal without unduly taxing the people. Sir, I spoke of the Canadian Pacific Railway. They have accomplished a great work, and we have assisted them.

An hon. MEMBER. No.

Mr. McLELAN. Mr. Speaker, I remember the discussion in this House, when it was said that we were giving them everything, and I think the echoes of some of those speakers still linger in the corners of the ceiling, when it was declared that all we were doing for them was a gift, and that the loan of \$35,000,000 which we made to them would never be repaid to the country. It was only last year when they came here and asked that we should allow them to issue bonds to the amount of \$35,000,000 and take \$20,000,000 of this as security for \$20,000,000 of our indebtedness, and put the other \$10,000,000 upon lands in the North-West, looking to them only for it, and that we should loan them \$5,000,000 more. At that time the gentleman who says "no," perhaps, or some one beside him, said it was only another gift of \$5,000,000 to the Canadian Pacific Railway, and that it would never be returned. Sir, we did, in the interest of the country, adopt that proposition, and \$10,000,000 was left upon lands, and they sold their bonds and paid us the \$5,000,000. They have gone on and nearly brought to completion that great work. But, Sir, we know that there are a great many things to be done in order to make that work a complete success. The termini of that road have been spoken of as being at Liverpool and Hong Kong, and it is desirable, in the interest of this country, that they should be enabled to make that communication between Liverpool and the eastern countries. They say to us: It is difficult for us to do it because nearly all the money we have raised from that \$15,000,000 is exhausted in our undertaking; you now hold a mortgage upon all our lands, and we are unable to raise any money upon them. It will be known to hon. gentlemen that last year great pressure was brought to bear upon members of the House that we should give up that lien upon the whole of the lands and take a certain portion of the lands, leaving the rest free for the company to raise money upon. They come again and ask us to do the same thing. They represent that a great expenditure is necessary to make the proper connections east and west and efficiently equip the road, and they ask us to take a certain portion of that land as payment for the lien we hold upon the land, and upon the land only, and leave them to deal with the rest for their own benefit. Well, Mr. Speaker, we have considered that matter. We have considered it carefully, and we have thought that—having aided and assisted the Canadian Pacific Railway Company to accomplish so much, to obtain a standing and footing in the money markets of the world, and to be recognised as a great and powerful company, that has accomplished a work of Imperial importance—that company can well stand alone, can well work out its own destiny and accomplish its own purposes. And we have thought it to be in the interests of that company and in the interests of the country at large if we were to remove the lien that extends over the whole of the Canadian Pacific Railway lands and take a certain portion which we consider of the value of \$9,000,000. We have said to the Canadian Pacific Railway Company: Gentlemen, this is the position of things. Now that you are a strong and powerful company able to walk alone, now that you have shown the world the importance of this great undertaking, let us close all accounts, let us make a full and complete settlement. You take your lands and raise what money you require to meet your purposes and we will take a portion of those lands and hold them and dispose of them for the purpose of meeting the loan and paying the \$20,000,000 in cash which we have advanced to you. And, Mr. Speaker, I am able to announce to the House that arrangements have been made by which the company agree to accomplish that purpose and to pay us \$20,000,000 in cash, one-half in May and one-half on or before 1st July, and we have made an arrangement to close all accounts with the Canadian Pacific Railway Com-

pany and receive our \$20,000,000 that we may provide for our floating indebtedness and have spare cash in the Treasury and not be under the necessity of increasing our indebtedness. We were told time and again that the money and aid we were giving to that company was a gift, and would prove an entire loss to the country. But we believed otherwise, and the result has proved we were right in placing faith in that work and in those who managed it. When we receive that money we shall be able to pay off all that sum of \$14,000,000 of floating debt, and be able to turn our attention to the older Provinces. The House and the country know that a large portion of the time and attention of the Government has been given to the North-West and the Canadian Pacific Railway, perhaps to the neglect of some of the older Provinces, and we think it is desirable in the interests of the older Provinces that the attention of the Government should be given to them, and that the Canadian Pacific Railway now being on its feet should work out its own destiny. We have advanced so far, and at the earliest possible day I shall submit to the approval of the House a proposition to carry out this undertaking and enable us to settle all accounts with the Canadian Pacific Railway Company, and to receive the money that is represented by the \$20,000,000 of bonds which the Government hold. I think taking the whole position we have cause for congratulation. We have cause for congratulation that we have done so much and not imposed more burdens upon this country, and that we have gone through with our part of the undertaking and not suffered more inconvenience than we have done. Sir, we all deeply regret the condition of affairs during the past season; we all regret deeply the outbreak in the North-West; we all regret the loss of life that was occasioned by it; but if we are to believe the words of hon. gentlemen opposite even that has done us good. The House will remember, and will remember with admiration, the speech which the hon. gentleman opposite made in the absence of his leader, the speech which he made when he came out of the shadow of partyism and spoke as a man and a Canadian. He said:

"Sir, people respect those whom they find to be able to fight for their own land and to defend their own country. Our conduct has been watched and scrutinised on both sides of the Atlantic, and there is no doubt whatever in my mind—I say it frankly—that we stand before the nations of the world in a better position to-day than we did three or four months ago on that single score."

Even that occurrence, the hon. gentleman says, has done us good. We came back from that fight lamenting the death of those who fell in the defence of their country; but we came back without a permanent wound or disfigurement, we came back without being dismembered, we came back wearing no empty sleeve, but with both our good arms tried and strengthened and skilled to carry forward the banner of our country and to work out a grand destiny for ourselves among the nations of the earth. Mr. Speaker, I beg to move that the House resolve itself into Committee of Ways and Means on the following resolutions:—

1. *Resolved*, That it is expedient to provide that the following rates of duty shall be assessed and collected on each of the articles hereinafter named, and to repeal all Acts or parts of Acts now in force, in so far as they provide for assessing and collecting any different rates of duty than the rates hereby provided, or which are inconsistent therewith:—

1. Almonds, shelled, a specific duty of 5 cents per lb.
2. Almonds, not shelled, and nuts of all kinds not elsewhere specified, a specific duty of 3 cents per lb.
3. Baking powder, a specific duty of 6 cents per lb.
4. Boxes, cases and writing desks, fancy and ornamental, and fancy manufactures of bone, shell, horn and ivory, also dolls and toys of all kinds and materials, ornaments of alabaster, spar, terra cotta or composition, statuettes, beads and bead ornaments, 30 per cent. *ad valorem*.
5. Bolts nuts, washers and rivets of iron or steel, a specific duty of 1 cent per lb. and 15 per cent. *ad valorem*.
6. Blueing—Laundry blueing of all kinds, 25 per cent. *ad valorem*.
7. Cider, a specific duty of 10 cents per Imperial gallon.
8. Cordage—Manilla and sisal cordage of all kinds, a specific duty of 1½ cents per lb. and 10 per cent. *ad valorem*.

9. Desiccated cocoonut, sweetened or not, a specific duty of 6 cents per lb.
10. Feathers, ostrich and vulture, undressed, 20 per cent. *ad valorem*.
11. Feathers, ostrich and vulture, dressed, 30 per cent. *ad valorem*.
12. Fruit, dried, viz.:—Raisins, a specific duty of 1 cent per lb. and 10 per cent. *ad valorem*.
13. Fruit, dried, viz.:—Currants, dates, figs, prunes, and all other dried fruits not elsewhere specified, a specific duty of 1 cent per lb.
14. Fruit, green, viz.:—Blackberries, gooseberries, raspberries and strawberries, a specific duty of 4 cents per lb., the weight of the package to be included in the weight for duty.
15. Peaches, a specific duty of 1 cent per lb., the weight of the package to be included in the weight for duty.
16. Gimps, cords, braids, ribbons and bindings, when imported by hat manufacturers for use in their factories, 15 per cent. *ad valorem*.
17. Gas, water and soil pipes of cast iron, 30 per cent. *ad valorem*.
18. Gloves and mitts of all kinds, 30 per cent. *ad valorem*.
19. Hair cloth of all kinds, 30 per cent. *ad valorem*.
20. Harness and saddlery of every description, and parts of the same, 30 per cent. *ad valorem*.
21. Laces, braids, fringes, embroideries, cords, tassels and bracelets; also braids, chains or cords of hair, 30 per cent. *ad valorem*.
22. Lead pipe and lead shot, a specific duty of 1½ cents per lb.
23. Oleomargarine, butterine or other substitute for butter, a specific duty of 10 cents per lb.
24. Printed or dyed cotton fabrics, not elsewhere specified, 27½ per cent. *ad valorem*.
25. Spirits and strong waters, not having been sweetened or mixed with any article so that the degree of strength thereof cannot be ascertained by Sykes' hydrometer, for every Imperial gallon of the strength of proof of such hydrometer, and so in proportion for any greater or less strength than the strength of proof, and for every greater or less quantity than a gallon, viz.: Geneva gin, rum, whisky, alcohol or spirits of wine, and unenumerated, unmixed and not sweetened spirits, by whatever name called, a specific duty of \$1.75 per Imperial gallon.
26. Old Tcm gin, a specific duty of \$1.90 per Imperial gallon.
27. Spirits and strong waters, mixed with any ingredient or ingredients, and although thereby coming under the denomination of proprietary medicines, tinctures, essences, extracts or any other denomination, including medicinal elixirs and fluid extracts, whether in bulk or bottle, not elsewhere specified, shall be nevertheless deemed to be spirits or strong waters, and subject to duty as such, a specific duty of \$2 per Imperial gallon and 30 per cent. *ad valorem*.
28. Cologne water and perfumed spirits in bottles or flasks, not weighing more than 4 ounces each, 50 per cent. *ad valorem*.
29. Cologne water and perfumed spirits in bottles, flasks or other packages, weighing more than 4 ounces each, a specific duty of \$2 per Imperial gallon, and 40 per cent. *ad valorem*.
30. Tubing, wrought iron, plain, 2 inches in diameter or under, coupled and threaded, or not, 30 per cent. *ad valorem*.
31. Whips of all kinds, 30 per cent. *ad valorem*.
32. Wire, iron or steel, galvanised or not, 15 gauge and coarser, 20 per cent. *ad valorem*.
33. Wire-fencing, buckthorn, strip and other similar fencing wire of iron or steel, a specific duty of 1½ cents per lb.
34. Yeast cakes and compressed yeast in packages or bulk, of 1 lb. and over, a specific duty of 6 cents per lb.
35. Yeast cakes in packages of less than 1 lb., a specific duty of 8 cents per lb.
36. Portland and Roman cement to be classed with all other cement at specific rates as now provided.
37. On sugar, melado, concentrated melado, concentrated canejuice, concentrated molasses, concentrated beet root juice and concrete, when imported direct from the country of growth and production, for refining purposes only, not over No. 13 Dutch standard in color, and not testing over 70 degrees by the polariscope test, a specific duty of 1 cent per lb., and for every additional degree, or fraction of a degree shown by polariscope test, ¾ cents per 100 lbs. additional.
38. On sugar not for refining purposes, not over No. 13 Dutch standard in color, when imported direct from the country of growth and production, a specific duty of 1 cent per lb., and 30 per cent. *ad valorem* on the value thereof free on board at the last port of shipment.
39. On all sugars above No. 13 Dutch standard in color, and on refined sugar of all kinds, grades or standards, 1½ cents per lb., and 35 per cent. *ad valorem* on the value thereof free on board at the last port of shipment.
40. On all sugars not imported direct without transshipment from the country of growth and production, there shall be levied and collected an additional duty of 7½ per cent. of the whole duty so otherwise payable thereon.
- Provided that when any cargo of sugar for refining purposes is found to grade, to the extent of not over 15 per cent. of the whole, above No. 13 Dutch Standard in color, the whole of said cargo may be admitted to enter by polariscope test as above provided for refining purposes only.
41. Syrups, cane juice, refined syrup, sugar house syrup of sugar house molasses, syrup of sugar, syrup of molasses or sorghum, whether imported direct or not—a specific duty of 1 cent per lb. and 30 per cent. *ad valorem*.
42. Molasses, other, when imported direct without transshipment and from the country of growth and production—15 per cent. *ad valorem*.
43. Molasses when not so imported—20 per cent. *ad valorem*.
The value upon which the *ad valorem* duty shall be levied and collected upon all the above-named syrups and molasses shall be the value thereof free on board at the last port of shipment.
44. Provided that molasses, when imported for or received into any refinery or sugar factory, or to be used for any other purpose than actual consumption, shall be subject to, and there shall be levied and collected thereon, an additional duty of 5 cents per Imperial gallon.
Provided that the change in the rates of duty on sugars and molasses shall apply only to importations arriving in Canada on and after the 31st day of March instant, and not to such articles warehoused prior to that date.
45. Sugar candy, brown or white, and confectionery, a specific duty of 1½ cents per lb. and 35 per cent. *ad valorem*.
2. Resolved, That it is expedient to amend Schedule "B," being the list of goods which are entitled to entry free of duty when imported to Canada, by substituting the following provisions for the corresponding items now contained therein:—
1. Articles for the personal use of Consuls General who are natives or citizens of the country they represent and who are not engaged in any other business or profession.
 2. Borax, in lump.
 3. Grease, the refuse of animal fat.
 4. Iron and steel, old and scrap, but nothing shall be deemed scrap iron or steel except waste or refuse iron or steel that has been in actual use and fit only to be remanufactured.
 5. Sumac, crude.
3. Resolved, That it is expedient to strike out the following articles from the list of goods which may be entered free of duty when imported into Canada, viz.:—
1. "Iron sand or globules, and dry putty for polishing granite."
 2. "Ottar of roses."
 3. "Philosophical instruments and apparatus, including globes and,"
 4. Resolved, That it is expedient to amend Schedule "D," relating to prohibited articles, by striking out the item relating to copyright works, and substituting the following in lieu thereof, viz.:—
Reprints of Canadian copyright works, and reprints of British copyright works which have been also copyrighted in Canada.
 5. Resolved, That it is expedient to provide that an Excise duty of 8 cents per lb. be levied and collected on all oleomargarine, butterine or other substitute for butter manufactured in Canada.
 6. Resolved, That it is expedient to provide that the foregoing resolutions, and the alterations made in the duties of Customs and Excise on the articles therein mentioned, shall take effect upon and after the 31st of March instant.

Sir RICHARD CARTWRIGHT. Mr. Speaker, before the question is put, I desire to say a word or two as to the present position of this country. I rise, on this occasion, with feelings of considerable regret. I regret, in the first place, the absence of the First Minister, and I regret its cause. I regret exceedingly—and I say so without in the slightest degree desiring to disparage the merits of the hon. gentleman who now fills that office—I regret exceedingly, for certain reasons of my own, the absence of the late Minister of Finance; and I still more regret that it is utterly impossible for me, however much I might desire to do so, to concur with the Finance Minister in thinking that the present position of Canada is by any means that which a true Canadian would desire to see it. Mr. Speaker, I was always myself a strong supporter of the movement which resulted in Confederation, and I must say that when I recall the high hopes and the very reasonable expectations which were entertained at the time when that measure was under discussion, when I recollect what has transpired in the twenty-two or twenty-three years since Confederation was first proposed to the people of Canada, I do not see how it is possible that any man who has paid a careful attention to the affairs of Canada during that period, can feel otherwise than I do at this present moment, and that is, filled with profound regret that such great opportunities have been so exceedingly badly taken advantage of. Sir, had any gentleman told me nineteen years ago, much more, two or three and twenty years ago, when we were first discussing this project, that in the nineteenth year of our Confederation the debt of Canada would be very nearly three times as much per head as the debt of the people of the United States is to-day; had anybody told me that the necessary taxation of Canada would

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be 50 per cent. greater than the necessary taxation of United States; that in 1886, in the nineteenth year of our Confederation, our total volume of trade would be \$24,000,000 less than it was thirteen years ago, in 1873; that after having had possession of the North-West for fifteen years, after having expended \$100,000,000, or thereabouts, of the public funds, and a very large amount—how much I am unable to state—but probably \$40,000,000 or \$50,000,000 of the private means of the people of Canada, in endeavoring to develop and settle that country, we should to-day have, on the evidence of the census returns placed in our hands by hon. gentleman opposite, after that huge expenditure and after the lapse of fifteen years, we should scarce boast, from the Pacific Ocean to the confines of Ontario, of a poor 200,000 settlers there; had anybody told me that starting with the advantages we had, after nineteen years and after importing, at great cost to the people of this country, some 900,000 immigrants, as our records allege—whether truly or falsely—the total white population of Canada should, at the expiration of those nineteen years, be scarcely 1,000,000 more than it was in 1867, I must confess I should have felt tempted to treat that person very harshly—almost as harshly as some hon. gentlemen have occasionally felt disposed to treat me, not for venturing on predictions, but for calling attention to certain facts as they actually existed. Sir, had anybody made such a statement then, I would have pointed to the increase of Canada in the twenty years which elapsed before Confederation. I would have pointed to the increase of the United States in the first twenty years of their existence, from 1790 to 1810, when they, certainly under greater difficulties than we have had to contend with, made far greater progress than has unfortunately fallen to our lot. I would have pointed to the progress of our sister colonies in other parts of Her Majesty's dominions, and I should have asked what reason there was to suppose that Canadians would have fled from their country as if it were stricken with a pestilence, or to suppose that our people would have displayed so little prudence and so little energy as to permit such a state of affairs to exist. But, Sir, to-night, after listening to the speech of the hon. Minister of Finance, after examining the Public Accounts and the Trade and Navigation Returns, after consulting the statistics of our census and the information afforded to us by the Government of Ontario. I am compelled, though reluctantly, to admit that the facts are so. Sir, I say that those are facts, which rightly understood and properly studied, ought to fill any man, who cares for the welfare of his country, with feelings of profound regret, and to that regret may well be added some astonishment—I will not say indignation—at finding that Her Majesty's Ministers have put into the mouth of His Excellency, when addressing the people of Canada, the declaration that we have cause to be satisfied with the material progress and advancement of this country. Now, Sir, I do not consider that the present is an occasion on which it is desirable to review in very minute detail the small items of our expenditure, the occasion for that will come better at a later time when we will be called upon to review the several items in going through the Estimates. It is quite true that there is abundant food for reflection in many of those estimates which have been submitted, that when you come to examine the estimates for civil government, for superannuation, for Indian grants, for public works—at any rate as shown in the last Public Accounts—for expenditure on railways, for the immigration department above all, and for sundry other things which I will not pause now to enumerate, you will find only too good reason to think that in a great deal of this expenditure there has been much waste, much extravagance, and I fear in some cases down-right positive corruption of a very grave character. But we have passed beyond those small details. What we have to consider to-night are really the consequences, not so

much of these petty misdoings as of certain grave and long continued errors of policy. These errors have been of various kinds. We have had errors in our fiscal policy, errors political and errors administrative; but although they have been of various sorts they all, I think, may be fairly traced to one source, and that is the determination on the part of the hon. gentlemen opposite, at any cost, and at all hazards, without the slightest reference to the effects of their conduct on the future of this country, to maintain themselves and their friends in place and power. Now, Sir, beyond all doubt, the man who is chiefly responsible is the Prime Minister, and chiefly responsible on this ground: That, perhaps, alone of all his present Cabinet he sees clearly and understands what are likely to be the consequences of the policy he has adopted. As for his colleagues, or, perhaps, I should more fitly call them his subordinates, for colleagues, in the proper sense, that hon. gentleman for a long time has had none—as for the hon. gentleman's colleagues—for I will not quarrel about a word to-night—as for those gentlemen, Sir, I think some leniency might be shown. Reviewing their conduct, I have come to the conclusion that a considerable proportion of them, at any rate, might be fairly described as having become morally and politically color blind. Now, Sir, it is well known that in the natural kingdom whenever any animal ceases to make use of certain organs, nature punishes it in an appropriate way by depriving it hereafter of the use of these organs; and I apprehend, to a certain extent, a similar fate has befallen some of those hon. gentlemen. Not having been in the habit, since they became colleagues of the First Minister, of acting on their independent judgment, or their independent conscience, nature has caused those organs to become atrophied—they have no longer any use for them. It was shown to us very learnedly the other day by the Minister of Justice that men, even when they are morally irresponsible, particularly if that moral irresponsibility has resulted from faults of their own, should not, therefore, be always exempt from punishment; but although I admit that the fact of their moral irresponsibility need not exempt them from punishment, I think the House ought to allow reasonable indulgence to those hon. gentlemen on the ground I have stated, that they are not really and truly in a full degree responsible for the policy to which they have unfortunately committed themselves. Sir, last year the hon. gentlemen were thrice warned. The Session was of unusual length; it became perfectly clear what the issue of the affairs in which they were engaged last year would be; and I myself took the opportunity thrice over of calling the attention of the Government to the very serious position into which our finances were drifting. Well, Sir, the Government and the majority of their supporters chose deliberately to shut their eyes on that occasion. They preferred to prattle to us about the state of affairs at the antipodes or about the orange blossoms that decked the brows of Canadian maidens; but no power of ours could induce them to take into serious consideration the probable large approaching deficit, or to take such precautions as they might fairly be expected to take at that time to prevent the state of things arising which we see now exists. Now, Sir, concealment of our actual position has become impossible, and we must consider what the facts are as revealed to us in the Public Accounts and by the statement the hon. gentleman has just made. It is impossible, even for the Ministry or their supporters to deny that last year they had a deficit of at least \$2,240,000. As the Minister candidly admitted about \$1,000,000 further was borrowed from 1886, making the total deficit last year in reality \$3,240,000. But what he did not tell us was that in the capital account on the Intercolonial Railway at least \$187,000 were charged for items which I contend have no business or place in capital account, inasmuch as they consist of running stock,

perishable articles, which never ought to have been charged to the capital account of any railway under Government management long after that railway was fairly completed. I might add that the \$403,000 granted for railway subsidies is not, in my opinion, a proper charge to capital account; while if he chose to take to his credit \$393,000 on account of Dominion lands, he should in all fairness have added \$303,000 which you will find charged to capital account for expenditure on those identical Dominion lands. Now, Sir, in point of fact, but for the expedient of borrowing, and borrowing at enormous cost, from the revenue of the present year, the actual deficit for last year would have amounted to no less than \$3,900,000; and even giving him credit for the \$1,700,000 which was expended in the North-West, there would still remain a deficit of \$2,200,000 to be charged against last year. With respect to the deficit for the present year, on the 1st March, we had a deficit of \$4,716,000. The hon. gentleman tells us that since that time a very large amount of money, some \$3,800,000, as I understood him, has been paid by anticipation of the revenue. Well, Sir, the hon. gentleman and the House know quite well that if you choose to anticipate by many millions the revenues which are likely to accrue in the succeeding three or four months, the result will not in any degree be to permanently help the revenue of this year, unless, indeed, we perform—by way, I suppose, of paying 1886 for what was lost for the benefit of 1885—the still further act of robbing the revenue of 1887 for the benefit of the revenue of 1886. I am not disposed, however, to quarrel much with the estimate the hon. gentleman has made of the expenditure for 1886, and which he put in all, if I took it down correctly, at \$38,500,000. But, Sir, I am disposed to enter a very strong protest, indeed, against the absurd and unbusinesslike idea of charging \$3,500,000 of that expenditure to capital account. What does that \$3,500,000 represent? I had always supposed that every item in capital account was supposed to represent some actual value—that at least we had a canal, or a railway, or something of that kind to show for it. Where have these \$3,500,000 gone? Sir, they have all been blown into gunpowder smoke, rendered necessary by the extreme mismanagement of hon. gentlemen opposite in dealing with the affairs of the North-West; and it is utterly improper and absurd to put such an item, as the cost of suppressing the rebellion, into the capital account of the Dominion of Canada. So, Sir, instead of admitting, as the hon. gentleman would desire us, that he is justified in saying that he will close this year's account with a deficit of \$1,400,000, even supposing all his expectations are realised—that he will get all he expects, and that we shall not be called on for larger Supplementary Estimates—we find that we shall close the year 1886 with a true, genuine deficit of \$4,900,000, if not more, according to the statement of the hon. Minister himself. Sir, the hon. gentleman enumerated—I dare say correctly enough—sundry expenses which 1886 would have to bear over and above 1885. He would not, indeed, tell us what he expected the Franchise Act would cost; nor did I observe that he told us what would be the expense inflicted on this Dominion as the fruit of that great constitutional measure known—I beg the hon. gentleman's pardon for naming him—as the McCarthy Act, as to which I fear, unless the information which has reached me is entirely erroneous, a sum of \$200,000 or thereabouts will represent what the country will have to pay for the constitutional opinion of the First Minister endorsed by that of the hon. member for Simcoe. Sir, the hon. gentleman said nothing to us—perhaps he thought that was not a thing on which it was desirable to dwell—of the enormous shrinkage, which the combined exports and imports—imports for consumption and exports of Canadian products—for 1885, exhibit. But we find that in 1885, our total exports of Canadian produce were about \$81,158,000, while we imported for consumption, \$102,700,000;

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making in all \$183,858,000. It is a very serious thing to consider that thirteen years ago, in 1873, our total imports and exports of a like sort amounted to \$207,000,000; so that in these thirteen years, although there has been a very considerable growth in the country, although there has been, whether you take my estimate or that of the Minister of Finance, a large addition to the population of the country, nevertheless the total volume of the trade of Canada has shrunk a matter of \$24,000,000. And I am sorry to observe that, on reference to the returns brought down by the Minister of Customs, the shrinkage is continuing. The exports of Canadian produce to the 1st February amounted to some \$51,000,000, and our imports for consumption to \$56,733,000, or a total of \$107,750,000; while on the 1st of February, 1885, we had an exportation of \$53,368,000 and an import of \$61,178,000, or a total of \$114,546,000. So that it follows that in those seven months there has been a shrinkage in our exports and in our imports amounting to \$7,000,000. Sir, when you add to this the confession made by the hon. gentleman, that the gross amount of Canadian indebtedness reaches \$281,000,000, that there was in addition a number of million dollars of liabilities under the guise of railway subsidies and other claims incurred but not accrued, I think the House will see that there is a great deal in our present condition which calls for our most serious consideration. With what, as the hon. Minister of Finance justly said, is more important still, that is the incidence of this taxation on our people, I shall deal later on; but I desire, before quitting this subject, to call the attention of the House to the enormous proportion which the fixed charges, that we cannot possibly reduce now, bear to the total income of Canada. Why, take these Estimates, and we find, that for interest and subsidies alone, we are called upon to pay \$15,400,000 a year; we find that the charges on Customs and Excise, which are necessary to be paid as a matter of course, before we can collect revenue amount to \$1,125,000; we find that our average payments for Indian grants reach no less a sum than \$1,100,000—that is to say, that is the sum which we have been obliged to pay for the last three or four years, and as those grants are largely in the nature of treaties, they must be added, I think, for the purpose of this argument, to show the regular fixed charges. Then the Minister did not deny that the expenditure on post office account now involved an annual deficit of \$1,000,000. The expenditure demanded is \$2,840,000, with the prospect of a considerable addition in the Supplemental Estimates, and our total receipts from that source are not computed to exceed \$1,850,000; while as to our railways and other public works, if those accounts are made out fairly, if what ought to be charged to capital account will only be placed there, and what ought to be charged to ordinary expenditure be placed under that heading, I am sure I would be rather under than over the mark in stating that the annual deficit in working all our railways is likely to amount to \$500,000, particularly when the Short Line, which we are about to subsidise at the cost of the people, to cut the throat of the Intercolonial Railway, shall be completed and in working order. So that you get this result, that out of an estimated revenue of some \$27,500,000, probably \$19,000,000 will have to be expended on charges like these before we will receive any money for the ordinary use and expenses of this country. Now, I say those facts taken collectively are a most scandalous exhibit. I say there is no justification whatever for a country in our position and our circumstances having allowed such a state of things to exist; and those hon. gentlemen who recollect as well as I do the boastful promises with which this National Policy was ushered in, those who recollect the still more absurd predictions which were indulged in as to what it would accomplish, will know how little dependence is to be placed on any of the calculations which these hon. gentlemen submit to the

House on these occasions. Whether we remember the declaration that we might expect, before the next four or five years, the sum of \$58,000,000 from the sales of lands in the North-West, or whether we recollect the declaration with which every hustings re-echoed in 1882, that when the people of Canada once confirmed the National Policy, hundreds of millions of foreign capital would rush in for the erection of manufactories throughout the length and breadth of this Dominion, whether we recollect the statement given on the highest authority that the Crooks Act was not worth the paper it was written on, whether we remember the declaration of the Minister of Public Works, that he and his colleagues had traversed the North-West from end to end six months before the rebellion, without being able to discover one single person with a grievance, or whether we remember the statement of the late Minister of Finance that ten years of assured and certain prosperity awaited this happy people—I think we may say there is some ground for hesitating to put implicit credence in any of the calculations that may be submitted to us to-night. But three years have elapsed since the then Minister of Finance (Sir Leonard Tilley) standing here, exulted, and exulted with some apparent reason, in the fact that Canada was possessed of a surplus of \$7,000,000. To-day the Finance Minister (Mr. McLelan), if he chooses to state the question fairly and honestly, is obliged to admit, on his own showing, a deficit of nearly \$5,000,000. Now, the fact that there were great surpluses three years ago, so far from excusing or palliating the deficit of to-day, in reality greatly aggravates it. It shows the worst possible financial management that we should have these great surpluses within these few years, and that they should be followed by equally great deficits. I say more, that there was everything in the circumstances which preceded and attended the great increases of revenue in 1882 and 1883 to give warning to hon. gentlemen opposite. It was quite clear those great increases were, in the nature of the case, unhealthy increases. There was no corresponding growth throughout the country; there was no corresponding increase of people; there was no corresponding or adequate increase in the exports. There was a great capital expenditure, it was true, going on, largely provided by the people of this country at their own expense by borrowing money abroad. It was clear that must stop, and that when it did our imports would cease to a very large extent, and our revenue would consequently fall. And I say that this enormous surplus was a proof that the taxation levied on the people was most excessive; and it was doubly mischievous in this respect, that it tended largely to cripple their resources and had a very great tendency to encourage the Government in the most extravagant possible expenditure. The hon. gentleman, who was most particularly responsible for that state of things, has disappeared for the second time. I am sorry, Sir, he did so, but, like other prudent commanders, when stormy winds do blow he has found it convenient to seek the seclusion which his cabin grants. I may say I most sincerely regret his disappearance from the scene; I would have been very glad had he been present to-night; I would have freely forfeited the difference between the salary which he now receives and the salary he then received had he not resigned, no doubt, because he was convinced conscientiously he was no longer capable of fulfilling duties. But, Mr. Speaker, as to the hon. gentleman who succeeds him, I have no doubt that his case calls for considerable commiseration at our hands. I have no doubt whatever that the hon. gentleman has been somewhat hardly treated in having been called upon at such a time to assume the duties of his present post. It is well known to those of us who have had the opportunity of watching the ways and works of the First Minister, that that hon. gentleman has usually had his reasons for anything that he has done. Now, Sir, that hon. gentleman has always been con-

spicuous—at least, his friends and admirers have always claimed credit for him, and I think he has taken great credit to himself—for two things: for his extreme knowledge of constitutional law, of which the proofs can be found in the recent decisions of the Privy Council *passim*; and for the skill which he has displayed in selecting the proper parties to fill the proper places, and I am not at all disposed to say that the hon. gentleman has not justified his high reputation in the present instance. I am aware that many persons are under the impression that it is necessary that Ministers of Finance should know finance, but I venture to say that is a vulgar superstition. *Cela dépend*, as my French friends would say. It depends almost entirely upon what duties are required from the Minister of Finance for the time being. If it be his duty to curb, or if it be desirable that he should endeavor to curb, the extravagance that some departments may naturally feel disposed to engage in, or if he is to form an accurate estimate of the resources of the country so as to prevent us from being committed rashly to undertakings far beyond our real resources, or if it is expected that he will be willing to undergo a certain temporary unpopularity rather than engage in a policy which may bring ultimate disaster and injury to the country, then, no doubt, it is desirable in such cases that the Minister of Finance should be well acquainted with the principles of finance. But it is sometimes possible that a Minister of Finance may be desired for other qualities than these. It is possible—and of course the House will understand that I only speak by way of hypothesis and illustration—it is possible, for instance, that a Minister of Finance may be required for the purpose of bringing up the average respectability of the Cabinet to the proper standard, and of giving certain influential parties an excuse for voting for the Prime Minister of the day; and in those cases it is very likely that a knowledge of finance may not be necessary or perhaps desirable in the Minister who is to fill that post; or under certain contingencies it may be possible that a Minister of Finance is wanted for other purposes than these. A Minister of Finance may be required occasionally to discharge the functions—I speak it with all respect—of a buffer. It may be that a Minister of Finance may be required to act as “feather bed ’tween castle wall and heavy brunt of cannon ball,” and in certain cases he shows the merits of a good general, if he has to hold an indefensible position that cannot be defended except at great loss, to garrison that post not with his best troops, but with the troops he can best spare. I would be very sorry to impute such things to the hon. the First Minister, but I may say that it would be excellent strategy, though somewhat hard on the poor troops that might be sacrificed. I think it due to the Premier in his absence to say that I, for one, feel convinced that he will be found to have had his reasons—and I dare say very excellent reasons—for everything he has chosen to do, whether it be his choice of a Minister of Finance or his conduct in drawing up a motion of want of confidence to be moved by a staunch supporter against his own Administration.

Mr. BOWELL. And against which you voted.

Sir RICHARD CARTWRIGHT. That shows the tact of the hon. gentleman. As to the Estimates, as I have said, I cannot agree with the idea that you should charge to capital account the cost of suppressing the recent rebellion, and as to the rest I fear the hon. gentleman will prove to have been in error in considerably more than one respect. The hon. gentleman admitted that he had not included in his expenditure for the future year the expenses of the Franchise Act, and, whether they be as large as in the present year or be considerably diminished, they must of necessity form a considerable item. I am very much afraid, from our

experience in the past, that the sum which he demands for Indian grants will prove inadequate. Over and over again we have seen similar attempts to cut down those grants, and over and over again it has been found absolutely necessary to add two, or three, or four hundred thousand dollars by Governor General's warrants to the sum at first demanded. I fear very much that at least \$150,000, if not \$200,000, will be required for that service before the Supplementary Estimates for 1887 are done. In the case of the mounted police, if I can form any conjectures from the expenditure which has been incurred for the 500 men who formerly composed that force, I fear that a very considerable amount will have to be added to the sum demanded. As to public works, the hon. gentleman admitted frankly and candidly that there was no doubt a considerable further sum would be wanted. Now, Sir, the original estimates for 1884-85 amounted to \$29,811,000, the sum actually expended was \$35,000,000; and deducting from that \$1,700,000, which was the cost of putting down the rebellion in the North-West charged to that year, you find that the original estimates for 1885 were exceeded by the sum of \$3,500,000. I very much fear, however earnestly the Minister of Finance may desire to control these estimates, that he will find very soon that instead of the sum of \$33,124,000, he will require at least \$35,000,000 for the service of 1886-87. As to his calculation for receipts, it is almost impossible, eighteen months ahead, to form any accurate forecast. If we are careful, if we avoid any more disturbances, if we have good harvests, if there is no great trade convulsions, then, possibly enough, the hon. gentleman's estimates may be realised. But I point out to him that if my calculations be correct, and if he requires to raise, as I fear he will, a sum of \$35,000,000 for the service of 1886-87, there will still be a very considerable deficit to be supplied for which his additional taxes will hardly make provision. The hon. gentleman has not taken into account, at least so far as I heard him, the important fact that there is now a very great cessation of capital expenditure, and consequently a great cessation of imports, and the revenue derived therefrom. Neither has he taken into account the important matter that there is now an era of low prices, particularly as regards the price of agricultural products, all over the world, and that there are very few signs of any improvement in that direction for some time to come. As to his proposed taxes, Sir, I doubt very much if the Minister of Finance, or, indeed any of his advisers, are able, at present, to form any accurate idea of how those taxes will really result. That substitution which he proposes to make of specific for *ad valorem* duties, although from a revenue point of view something may be said for it, is, nevertheless, one which tends, and always will tend, to add very considerably to the weight of taxation which falls on the poorer class of the community. Of necessity every specific tax must always press more heavily on the class of goods consumed by the poor than on goods consumed by those in comfortable circumstances; and although it may possibly be the case that some considerable accession of revenue may accrue from two or three of these alterations, still the hon. gentleman is perfectly aware that if there be any additional manufacture of any importance created by reason of this change, that will entirely do away with the effects of the increased revenue he may otherwise count upon. As to the tax he proposes to levy upon the articles of sugar, I cannot, without detaining the House for a length of time, which I would not feel justified in doing now, venture to form any accurate idea of the amount of revenue which he expects. I do not remember that he stated himself, but I should suppose from the general tenor of his remarks, that he counts on receiving something like \$500,000 from that source. If he counts on more, perhaps the hon. gentleman will state so.

Mr. McLELLAN. No less.

SIR RICHARD CARTWRIGHT.

SIR RICHARD CARTWRIGHT. But I observe that apparently, a tax of about 2½ cents per pound, or thereabouts, was to be levied in future on all sugar above No. 13 Dutch standard. Now, Sir, as we imported about 200,000,000 lbs. of sugar in the year 1885, even after making a considerable allowance for the waste and loss in the process of manufacture, it appears to me that one result of these proposed taxes will be to add very materially to the cost of sugar to the people of this country, without bringing an adequate return to the revenue. If 2½ per cent. be the tax proposed to be levied on sugar above No. 13, that would, converting the 200,000,000 lbs. into the quantity of sugar which we may fairly suppose would be manufactured from that amount, involve a total tax in reality on the people of something like \$4,750,000—I speak roughly—but I think that it will be found to amount very nearly to that sum; whereas, so far as I can understand the hon. gentleman, the total revenue he expects to receive would hardly amount to more than \$3,000,000 at the outside. What the effect of the addition of his tax on cottons, which I understand he proposes to raise from 20 to 27½ per cent., may be, I have not at present the means of ascertaining, and I will follow the example of the hon. gentleman in that respect and defer further criticism on that head until we receive his explanation in detail. But I may say, in general, that I am very much afraid it will be found that the practical result of all these taxes will be to add very much more considerably to the burdens of the people than is represented by any revenue we are likely to gain for the Treasury. Now, Sir, it is worth our while, under the circumstances, to make a brief analysis of the free list as it is left by the hon. gentleman. When I come to examine the free list, and when we deduct the articles imported free for the use of the Canadian Pacific Railway, settlers' goods and articles for public use, tobacco for Excise purposes, wool, cotton and hides for manufacturing uses, we may ask what article of general consumption, with the solitary exception of tea, the hon. gentleman proposes to leave untaxed in our present tariff? Sir, deducting those articles, none of which, as I have said, with the exception of tea, can be considered as articles of general consumption, it is really worth the attention of this House to see what necessities of life a paternal Government has seen fit to exempt from taxation. Deducting those, Sir, I find that the chief articles which the people of this country are to be allowed to import free of duty are copies of old masters, diamonds in the rough, fossils, ambergris, musk, leeches, cabinets of coin, and sawdust; while, Sir, luxuries, such as the food of the people, the fuel of the people, the tools of the people, books, clothes and medicine, are one and all visited by a remorseless taxation. Sir, the hon. gentleman and his colleagues have practically neutralised the benefit of every invention which has been made for the last half dozen years, at least, and they have the proud distinction, as far as I know, of having devised a tariff which admits fewer articles of general consumption used by the bulk of the people free, than any other tariff I have ever had the opportunity of perusing. Last year when I took occasion to call the attention of the Minister of Finance to some of these matters, in the course of his speech made in the latter part of that Session, I remember that the hon. gentleman told us the Government were not afraid to spend money. That, Sir, was a remarkable boast, and also a truthful one, for I am bound to admit that neither the hon. gentleman nor his colleagues are in the slightest degree afraid of spending other people's money. The hon. gentleman laid great stress on one matter which he appeared to think was a sufficient answer to all that has been advanced on this side of the House, as to the pressure of taxation on the people of Canada. He pointed to the increase of the savings banks deposits, and said that was a proof of great prosperity. Sir, I say that is not a proof of great prosperity, but it proves that the people are afraid to invest; it is a proof

that the people are afraid to buy, are afraid to build, are afraid to engage in new undertakings. Now, Sir, I was sorry to hear the hon. gentleman, in speaking of that question, avow the determination of the Government to adhere to the policy they have heretofore pursued in the matter of savings banks, and as he appeared to me to have considerably misrepresented the attitude of gentlemen on this side on that question, I desire to call his attention, for a few moments, to what we did really contend. Now, Sir, I say that in respect of this matter of savings banks, the Ministers, or some of them, were really very ignorant of what our contention was, or else they were wilfully misleading the people. Our allegation was this: That it is impolitic and imprudent to pay on large sums of money 33 per cent. more than the current market rate, especially when the returns show clearly and conclusively that that money is paid not for the purpose of encouraging the poor to save, not for the purpose of encouraging thrift among the poorer classes of the community, but is simply and solely taxing the rest of the public for the benefit of a very large number of persons who can by no stretch of language be considered as specially entitled to the protection of the Government. Sir, I find from the returns recently laid on the Table of this House that in the case of the post office savings banks alone there were in June, 1884, \$13,179,000 on deposit. Now, it is quite true there were a very large number of depositors, numbering some 66,000, and as the hon. gentleman contended, if you divide \$13,000,000 by 66,000, the average is a very small one. But that conceals a very transparent fallacy. When you come to analyse those returns you find that \$2,789,000 of that amount was held by 2,476 persons who had an average of \$1,112 apiece; that \$3,119,000 was held by 5,000 persons, with an average of \$700 apiece, and that \$3,200,000 was held by persons with an average of \$400 and upwards apiece: so that of those \$13,000,000, \$9,300,000, in average amounts of \$650 was held by one-fourth, or rather less, of the whole depositors. And in the same way in the Government savings banks; out of \$16,000,000, \$9,000,000 were held by 4,000 people, in sums of \$2,100 and upwards, and \$2,900,000 in sums of \$700, and \$1,600,000 in sums of \$400 and upwards. The result of all that is plain and clear. The Government of Canada has been paying 30 per cent. more than the current rates, for the benefit of persons who have no claim in any shape or way to have the rest of the community taxed for their exclusive benefit. I am willing enough to concede to the Ministers the propriety, if they like, of granting to those who hold small sums of money, let us say below \$300, the privilege of depositing in the Government savings bank and receiving interest at 4 per cent. But of this gross amount of \$35,000,000 it is quite clear that not 20 per cent. is held by such persons. The vast bulk is held in sums largely in excess of \$400 apiece by a class of the community not in any shape or way entitled to expect that the rest of the country should be taxed to enable them to obtain a high rate of interest. Sir, let us look at the absurdity of the whole proceeding. Every one who is conversant with these matters is aware that the rate of interest has fallen from 30 to 40 per cent. within the last six or seven years. It is quite true when I was Minister of Finance, we were in the habit of giving 4 per cent. on average balances in the savings bank, because 4, 4½ and 5 per cent. could be obtained in banks of very good standing, for the same kind of deposits. So that it cannot be said that the Government of Canada at that time were interfering with the market or were paying one farthing more than the money was really worth. Now, what is the fact? The hon. gentleman cannot name any bank in high standing which pays 3 per cent., and it is known to him, I have no doubt, as it is known to many hon. members here, that 2 per cent. is all that is given for deposits in more than one of the chief banks of this Do-

minion. So that we have Ministers paying an excessive rate of interest for money, making misleading statements and generally injuring and interfering with business, because the Minister of Finance must be aware of this fact, that if the Government choose to pay more interest than money is worth, they will greatly interfere with the legitimate trade and business of the country, and will, to a very considerable extent, prevent men from investing in new enterprises, which they would undoubtedly do if they could obtain money at fair and reasonable rates, and thereby give employment to many persons whom the hon. gentleman says he desires to assist. The hon. gentleman stated that the National Policy has been eminently successful. Well, Sir, thanks to the National Policy, or at all events under the National Policy, we have had far larger deficits than we ever had since Confederation commenced. The National Policy has led to far greater expenditure, far heavier taxation, greater debt, and very serious dissatisfaction among the very persons who are specially designed to be protected. It may suit the hon. gentleman and it may suit his friends to assure the House that the manufactures of Canada are to-day thoroughly well satisfied with their position. But those who will take the trouble to acquaint themselves with the temper and feelings of the manufacturers know that I state the simple truth when I say that wherever you go and wherever you mix largely with manufacturers you will find there is a very strong undercurrent among them of desire for a commercial union. I have always pointed out, and I repeat now, that that is the logical and natural outcome of a protective policy as applied in a country like this, and I am bound to say that it is utterly impossible when applying a protective system to so small a country as this to prevent people from perceiving that if you are going to persevere in such a policy, it is far better to have free trade, with 60,000,000 of people, than to persevere in our present state of barbarous isolation. There is a political and a very serious side to this question, on which I do not desire to dwell now; but I have no doubt whatever in my mind, as there was no doubt when this policy was proposed, that our stupid and foolish imitation of the American protective system would inevitably result, as it is resulting to-day, in causing a very large number of manufacturers of Canada to desire, at any cost and in any shape or fashion, to extend our markets and obtain a commercial, if not a political incorporation with the United States. The Minister of Finance was good enough to allude to the position which hon. members, on this side of the House occupied seven years ago. I shall not shrink, for my part, from accepting his challenge. What was the attitude of the present Opposition in 1879. We were called upon to consider the probable consequences of the great fiscal revolution that was impending. What was the line we took? We showed then, as I can show to-night, that from a revenue point of view, it was a very foolish proceeding. We showed then that the tariff was so framed that with the solitary exception of the barbarous taxes on flour and on coal, no additional revenue could possibly be obtained from it until general business improved, and that the moment general business improved, then that tariff would produce a great deal more than the necessities of the country required, and this excessive taxation would tend to scandalous corruption and scandalous extravagance. We showed in the next place that for a protective system the Canadian market was far too small. I said then and I say now that the manufacturers if they had known their own interest would have been infinitely better off in the long run under the tariff of 1878. I said then and I say now that the result of that tariff has been largely to increase the cost of manufacturing, that it has diminished the number of the manufacturers customers, and it has diminished their power of purchasing manufactures, that it has led to an enormous waste of capital, and so far as manufacturers are

concerned the domestic competition to which they have been exposed has been very much keener and more injurious to them than the foreign competition they were so desirous to escape.

An hon. MEMBER. No, no.

Sir RICHARD CARTWRIGHT. I say yes, and I am speaking, in making that statement, according to the information given to me by manufacturers of every class and grade, including a great many who were formerly as loud clamorers for the National Policy as even my hon. friend opposite. The more you protect those gentlemen, the more of necessity they want protection, and not altogether of their own fault. The hon. gentleman's policy, as I said before, has greatly increased in many articles the cost of production, and having greatly increased the cost of production, these gentlemen find now, that in order to keep out the competing goods which they dread, they are obliged to come constantly to the Minister of Finance, and in some shape or form, either by a direct addition to the taxation, or by the substitution of a specific for an *ad valorem* duty—which is a neat and easy way of covering a large addition—they demand further protection at his hands. As regards the great bulk of the people, every day's experience has demonstrated its worthlessness. We said it was sure to injure the farmers. These gentlemen said: Give us our National Policy, and you shall have such prices for all your products as you never saw before, and in truth they have such prices as they never saw before. In my own county, where I was defeated largely because I declined to impose a tax of fifteen cents a bushel on barley, I recollect that on the 17th of September, 1878, barley touched \$1.15 per bushel, and to-day—I am sorry for it—the price is only 45 cents per bushel. These hon. gentlemen's organs are constantly instructing the farmers to-day that it is absurd, unjust, and irrational to expect that the Government should fix the price of grain, that the price of grain is fixed by the London and Liverpool market, and that it is unjust to hold the Government responsible for the fall in the price of grain and agricultural products of all kinds. And, Sir, there may be some truth in that, but those hon. gentlemen are not entitled to plead that in mitigation, seeing that they won their present places by most solemn promises to their unfortunate dupes that they would succeed in obtaining the highest possible prices for all articles they had to sell. We pointed out that the imposition of this heavy tariff would be sure to stop settlement in the North-West, that it was a cruel as well as an impolitic thing to so add to the taxes of these pioneers as practically to take a large percentage off the small capital they needed to establish themselves in that country; and we pointed out further what events have shown, that diminishing the profits of the farmers and those dependent on them, was a sure way to increase and not to stop the exodus of the people from this country. Lastly we pointed out then, and I repeat it now, that no more stupid act of folly was ever committed than in insisting on imitating the protective policy of the United States. I say there are no two countries which afford less precedent, one for the other, than the United States does to Canada in that respect. I do not believe that the Americans have profited by their protective policy. I hold, as Mr. Chamberlain, and as many of the best informed Americans hold to-day, that they would be infinitely more formidable competitors with England in the markets of the world if they adopted a more rational fiscal policy. But I have always admitted this, that the circumstances of the United States are such that there is probably no country on the face of the earth where the experiment could be tried with less risk of permanent injury than the United States, as also we contend that there never was a country less suited for that experiment than this Dominion

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of Canada. Why, Sir, the United States extend from the tropics to the arctic zone. They have an enormous inter-provincial trade, if you so choose to call it; they have a large natural market; they had attained a very great degree of manufacturing prosperity under their old system before introducing a protective tariff. During the best portion of American history, from 1845 to 1860, they had a tariff almost precisely similar to that which existed here from 1874 to 1878, and it was only when they fell into the misfortune of their civil war, and when it became possible for greedy adventurers to turn the needs of the nation to their selfish purposes, that they adopted their present fiscal system. Now, Sir, in Canada, in every possible shape and way we are at a disadvantage in adopting a protective system. Our several Provinces, be it Manitoba, or Quebec, or Ontario, or Nova Scotia, or New Brunswick, or Prince Edward Island—all substantially produce the same articles; they are all rather competitors than customers to each other; their markets are largely outside of Canada, and from the stress of natural circumstances their markets will continue to be outside of Canada. That may be our misfortune, but it is none the less the fact. Now, Sir, I say that there have been two very potent causes of mischief in bringing about the present state of affairs here. One of those I believe to have been the protective system and not so much in its direct as in its indirect results. Sir, the moment you succeed in convincing a large portion of the people of a country that by some financial legerdemain, you have devised a means by which great taxes may be imposed on the people without impoverishing them, you destroy of necessity almost the only wholesome safeguard you possess to enable you to restrain the extravagance in which otherwise Governments would indulge; and it has been to a considerable degree because hon. gentlemen opposite have succeeded in confusing the people's mind to that extent, that they have been allowed to go as far as they have gone in their career of wholesale extravagance. As to the direct effects they are almost equally pernicious. They tend to create a permanent and most corrupt lobby and to foster a great many sinister influences; they tend directly to make manufacturers careless of their own business, and much more disposed to rely on the political influence they can bring to bear on the Ministers of the day, than in the exercise of their own brains and their own energy in advancing their manufactures. That is one cause, but it is only one cause of the present state of things. There is another which is equally potent, and that cause I am sorry to say is the corruption of our present system of Government. To a very great extent it is painfully true that the policy of the present Government has been to debauch, not merely the members, but the constituencies and the Provinces of this country. I say, Sir, that these hon. gentlemen would appear almost of set purpose to have devoted themselves to the task of setting aside the Act of Confederation; and, Sir, although we knew very well what were the private inclinations of hon. gentlemen opposite, it remained for certain revelations the other day to show us that even in 1867 nothing but the resolution of the late Sir George Cartier prevented the will of the people from being practically set aside and a legislative union substituted for Confederation in the conference at London. Sir, I charge these gentlemen with having deliberately violated the whole spirit of our federal compact. I say this federal compact of ours is essentially a limited partnership. We had tried, at least in old Canada, a closer form of union. We found it would not work, and we dissolved it; and now, being thus federated, having entered into this limited partnership, I say—and I am sorry if the sentiment is not approved of by the general good sense of this House—it is practically a fraud for any one partner to take the general property and appropriate it to his private uses. If there be one thing

more than another which deserves to be denounced on the floor of this House, and before the people, it has been the use, or the abuse, which has been made of a certain doubtful clause in the Confederation Act to enable the present Government to obtain possession of the whole system of railways of Canada, and to make use of it as a vehicle for almost unlimited corruption. As for the North-West, although I should be very glad indeed to hear that the hon. gentleman had succeeded in devising any way in which they could relieve us from the burden of the enormous advances made to the Canadian Pacific Railway Company, I must say I would welcome still more the tidings that the most unwholesome monopoly which has been created in favor of that corporation were at once and forever abolished. The result of creating that monopoly has been to make all the sacrifices that Canada has incurred up to this time all but worthless. As matters stand, even according to the statements made by the hon. gentleman, what is our position? We have practically nearly doubled our debt; we have practically—if you regard the amount taken out of the pockets of the people, not simply the amount put into the Treasury—trebled our taxation; we have had rebellions on the right and deficits on the left. We have, moreover—and this is a point hon. gentlemen will have to consider—all sorts of claims impending by reason of their unwise legislation, particularly in this matter of donations to local railways. Hon. gentlemen may not be aware that in very many sections of Ontario there is a very strong feeling, with which they will have to reckon one of these days; that the many millions of dollars which have been advanced by the people of Ontario out of their own pockets, through grants from the Local Legislature or by municipal bonuses, to the various railways in Ontario, must be compensated for if the Government of Canada are undertaking to provide railways for the convenience of the inhabitants of every other section of the Dominion. What we may have to pay to Ontario for the permits which were freely granted a short time ago to plunder her territory in dispute, I am not in a position to say, although I have no doubt hon. gentlemen opposite will soon hear on that subject, if they have not heard already, from the Ontario Government. Sir, the hon. gentleman congratulates us that Confederation is now at last held together by means of the magnificent railway which has lately been constructed. Well, Sir, that would be more to the purpose if we, the people of Canada, who have been obliged up to the present moment to find every penny which went to build that railway, were the possessors of our own property; but as we do not even own or control it—as for aught we know, the whole control of that railway, with the vast privileges and territories appertaining to it, may be to-day in the hands of some French or American or German capitalists, I do not know that we can regard that as any very great pledge of the permanent continuance of Confederation. I must say, Sir, reviewing the whole situation, and going back not merely to the time of Confederation, but going back for a period of twenty-seven or twenty-eight years, the situation is not one which any man can regard with pleasure. I do not intend to inflict on the House a detailed statement of Canadian finances for the last twenty-eight years; but I may as well call the attention of the House to these facts, that in 1858 we had a deficit of \$3,375,000; that a period of eight years elapsed before we had produced an equilibrium in our finances; that after entering Confederation we had, it is true, in the first year an apparent equilibrium, but in the second a real deficit; that after that, it is true, we had several surpluses, followed by five successive deficits; that then we had three surpluses more; that then, in the year before the last, if you state the accounts fairly, and give credit for sums that ought to have been placed to ordinary expenditure account, you will find we barely made both ends meet; that in 1885 we have a deficit of \$2,250,000; and that for 1886, even accord-

ing to the statement of the hon. Finance Minister, we shall have a deficit of \$5,000,000, unless we permit him to charge the \$3,500,000 which he expects to spend on North-West account, to capital account. Now, Sir, to put the matter briefly, in the last twenty-eight years, taking into account the history of old Canada, we have had some fifteen deficits, three years in which we barely equalised our expenditure and our revenue, and ten surpluses. Sir, there is a lesson to be learned from all that. Three times over we have had the opportunity of recovering our position, and three times over we have chosen to take advantage of that opportunity for the purpose of incurring many further and unnecessary expenses; and in some respects, it must be borne in mind, our present situation is worse than any situation we have been in before. Prior to 1880 there is no doubt there was a very large margin available for taxation. Prior to that date there was a large steady annual growth. I am not in a position to say exactly what was done in the Maritime Provinces; but I believe that in Quebec and Ontario during those years 300,000 or 400,000 acres of moderately good new land were regularly brought into cultivation. Of late this has been entirely changed. Putting Manitoba aside for the moment, we find that very little new land is being brought into cultivation in the various Provinces; and we find, what is worse, that the increase of our population is very slow. The hon. gentleman puts it at 4,800,000. I would be very glad for my part to believe that that was the case; but I am sorry to say that the investigation which I have been able to give to that subject strongly tends to convince me that the total white population of Canada at this moment does not exceed 4,500,000. That, it is true, does not differ materially from the calculations of the hon. gentleman, if he assumed 4,700,000 as his basis, and added 100,000 for the Indian population. But, since 1881 we have had before us the statistics of Quebec and the statistics of Ontario; and we have also very serious evidence, in the returns recently laid before us, of the population of the North-West, of the extremely small number of immigrants we have been able to settle in that region. I may add that a very curious piece of evidence will be found in the American census, showing that, while in 1880 there were 717,000 native Canadians in the United States, there were in the same year 939,000 children of Canadian fathers and mothers born in the United States—a fact which shows extremely clearly, first of all, that the number is not at all likely to have been exaggerated, and next that those who left our country were persons in the prime and vigor of manhood or womanhood, as the case might be.

An hon. MEMBER. Who are responsible for that?

Sir RICHARD CARTWRIGHT. The men who raised the expenditure of Canada from \$13,000,000 to \$35,000,000; who doubled and trebled our debt, doubled and trebled our taxation; who created land monopolies and the most scandalous railway monopoly the world has known, at the cost of the unfortunate people who are condemned to pay the expense. Those are the men who are responsible for the loss of 2,000,000 Canadians, who are responsible for the loss of 717,000 Canadians in the United States in 1880 and for the loss of the children born of Canadian people in the last twenty years—those and none other. Doubtless, during the last six or seven years, we had a very great opportunity presented to us, which, if wisely used by the present Government, might have atoned for all their errors, fiscal and otherwise, and might have resulted in the formation of a magnificent Province of which we might all be proud. Look at what has occurred in the North-West, and what has occurred in the adjacent States. I am not disposed myself to say that the very large expectations which were held out to us by the Government, seven or eight years ago were at all too highly colored, if the Government had only used common prudence, common energy, and common hon-

esty in endeavoring to fulfil them. Had the Government in 1880 simply stood aside and allowed the people to use that magnificent country and make the best of it, had they not interfered, had they not, by the creation of their railway monopoly and by their most injudicious and ill-advised management of our lands, driven hundreds of thousands of our people away from Canada to seek homes in the United States; all that was expected by those hon. gentlemen from the growth and progress of the North-West might have been very easily secured. But as it is, we have spent, as I said, \$100,000,000 of the people's money; of the property of private persons, many millions have also been sunk in the North-West, and whereas we might easily have had three-quarters of a million, if not a million, of people settled there now, we find there is scarcely 200,000 of white population. We find, looking at the very last returns those hon. gentlemen have sent us, of the population of the three immense Provinces, Assiniboia, Saskatchewan and Alberta, that the population in each is as follows:—

Assiniboia	16,478
Saskatchewan	1,792
Alberta	4,800

Between the second and third meridian, a distance of 200 miles long by fifty broad, along the line of the Canadian Pacific Railway, there are forty homesteads; between the third and fourth meridian, another distance of 200 miles, there are ninety-eight homesteads. I wonder do hon. gentlemen opposite understand in the least what those territories comprise or what those statements mean? Those three Provinces cover an extent of 280,000 square miles, 400 miles in width by 700 miles in length, and have the Canadian Pacific Railway line running through them for 800 miles; and all the result of this huge expenditure, all the result of this enormous sacrifice made by the people has been to add but 3,000 families to the population which was already there in 1881. Now, the hon. gentleman accused us of being altogether too narrow-minded in hesitating at the expenditure of public money. I beg to say that, for my own part and on the part of my hon. friends beside me, we have not the smallest hesitation about expending public money, if only we could obtain adequate results. Let those hon. gentlemen show us a million or even three quarters of a million of settlers; let them show us public works that yield anything like a fair and honest interest on the money expended, and I will not complain of them for having added \$100,000,000 or even \$150,000,000 to the public debt, or for having enormously increased taxation. What I complain of is that those gentlemen have muddled away our millions and given us nothing to show for them. Contrast their conduct with the conduct of the United States or Australia, as they seem to be desirous of drawing a comparison between our position and theirs. I turn to the United States, and I find that whereas in 1790 the United States started on their national career with a population of 3,900,000 and a debt of \$75,000,000, without any immigration whatever, without any assistance from foreign states, in twenty years, one year more than Canada has at present completed, the population of the United States stood at 7,215,000 and their debt had sunk from \$75,000,000 to \$53,000,000. I shall not pursue the painful record further than this, that in 1850, before their great civil war, the population of the United States was 23,000,000, and their debt \$63,400,000. Or, take the case of the Australian colonies; take the case of New South Wales. There you will find a great outlay but also a great return. A small colony, with a population under 900,000 souls, ventured to borrow \$100,000,000, an enormous percentage no doubt, in proportion to the population; but you will also find that this \$100,000,000 was so wisely expended that, over and above the working expenses of their railways, a net return of something over 4 per cent. is now paid on the

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public works of that colony. These are two examples, if the hon. gentleman wants them. The one is the case of a Federal State which has wisely kept out of debt; the other is the case of a State having a legislative form of Government, where good value has been got for all the money spent. But what have we got for our \$200,000,000 added to our debt within the last 19 years? We have: Item, one Canadian Pacific Railway scandal; item, two rebellions; item, seven deficits; item, one outrageous railway monopoly. We do not even own the road we ourselves built and paid for. Here lies our reproach; we have neither known how to spend nor how to save. I believe myself that of the \$200,000,000 which have been added in nineteen years to our national debt, a prudent and wise expenditure of \$50,000,000 would have given us far better results. We have had very great advantages. Some that came to us by pure accident and good fortune, and I am sorry to say we must be considered by all impartial observers to have attained, in the use of those advantages, a most signal failure. Those very returns just brought down show that we brought, since 1867, 900,000, within the merest fraction, immigrants to this country, and everybody knows, not only how we utterly failed to keep them here, but, what was much more important, we have failed to keep our own people in the country; and the failure has been much more pronounced since the introduction of the National Policy than ever before. There was another point touched on by the Minister of Finance to which I shall call attention. He insisted on the incidence of taxation. He gave us to understand the policy of the Government was, as far as they could, to free the poor man from an undue pressure of taxation. If that be the case, I for one will be disposed, to a very great extent, to excuse all the faults and follies of the National Policy. But not only have they done that, but they have worked the direct opposite. I believe that I shall presently be able to show the House that there is scarcely any English speaking country where the frugal, abstemious, temperate, honest workman has to pay so heavy a portion of the public burdens as he has in this country of Canada. Now, it will not do, in measuring the incidence of taxation, to look simply to the gross amount of the taxes, or to look to the mere number of the people. You have to see how the taxation is put on, and you have to see, into the bargain, what is the proportion it bears to the wealth of the people. I will take three cases, and, in the first place, I will take the case of England. There, no doubt, there is a large total taxation. Their population is put in their last return at 36,000,000. Their taxation amounts, in the whole, to £72,000,000 sterling, but £26,000,000 of that is levied by way of income tax and stamp taxes, which no one can pretend in any way effect an ordinary poor man. Then their Customs tax amounts to £19,700,000, and their Excise to £27,000,000 that class of taxation amounting in all to about £46,600,000 which is the taxation which the poor man may be said to bear. If hon. gentlemen will divide that by 36,000,000, they will see that the total Customs and Excise of England amounts to exactly \$6 24 per head while the total Customs and Excise of Canada, computing the population at 4,500,000 white people, will amount, according to the Minister's statement, to \$27,500,000, giving a result of \$6.10; so that the total *per capita* taxation which can with any propriety be said to be paid by an ordinary wage-earner in Canada is almost precisely equal to that which is paid in England. But, when you recollect how this taxation bears upon the frugal, abstemious, temperate laborer, you will see how greatly English taxation is in favor of such a man and how greatly Canadian taxation is against him. It must be recollected that the entire Excise taxation is purely voluntary. Any man who chooses, for his own sake or for the sake of his family, to deny himself the use of liquors and tobacco, escapes the whole of that taxation either here or in England, but, when you come to consider the Customs

taxation, then the enormous superiority of the English method so far as the poor man is concerned, becomes exceedingly marked. Of the nineteen millions and a-half of English Customs, about fourteen millions and a-half are levied on wine and spirits and tobacco, leaving barely five millions, chiefly in the duties on tea and coffee, which is necessarily borne by the English poor man who chooses to be frugal and abstemious and to deny himself the ordinary luxuries of his class. So it follows that an average tax of 66 cents per head is all the English laborer need pay, under the existing English tariff, to the English revenue. How stands it in Canada? Strike out, if you like, the entire Excise duty; strike out, if you like, the entire duties on wine and spirits and tobacco which are levied by our Customs tariff; and you will find that in Canada, no matter how frugal, how abstemious, how temperate a man may be, he must necessarily pay at the rate of at least \$4 per head for every member of his family and for himself, as against 66 cts. per head which is all that his brother mechanic need pay in England. And, if you choose to refer to the condition of things in the Australian colonies, you will find that, in place of the enormous taxation which I saw with some surprise hon. gentlemen asserted was paid in Australia, and which I think was rated as high as \$35 or \$40 per head—although a very little consideration might have shown those gentlemen that such enormous taxes were never likely to be paid in any community—if you refer to the recent statistics published by those colonies, you will find that, so far from that being the case, in New South Wales, with a population of 869,000, the total taxation was £1,891,000, being at the rate of a little over \$10 per head from all sources. It is true that that is apparently a much larger taxation than the taxation in Canada; but ours is a federal system, these persons are living under a legislative union, and, on looking at the expenditure side of the account, I find that almost one-half of the total amount is devoted to schools; I find that £870,000, out of a total of £1,891,000 is paid for schools; and, of their total Customs taxation of £1,500,000, the sum levied on liquors and cigars is no less than £954,000. So that, again as before, in New South Wales as in England, the frugal, temperate wage-earner is practically almost exempt from taxation. I need not say to those persons who have taken the trouble to acquaint themselves with the statistics of Australia that the wealth of the Australian colonies is much greater than ours. It is absolutely true that in New South Wales, with a population of 869,000, the exports in 1883 amounted to \$99,000,000, or nearly \$20,000,000 more than we, with our 4,500,000 of people or 4,700,000, if the hon. gentleman likes, were able to export in the preceding year. If I were to pursue the examination, if I were to compare the quantity of stock possessed by these colonies with ours, the disparity in agricultural wealth between those colonies and Canada would appear in very startling colors indeed. Then we will take the case of the United States, to which also the Minister of Finance referred. Now here alone in one respect is the burden equal, because, as he fairly enough showed, the protective system of the United States is even heavier than ours; but, in the United States, at this present moment, all the people of that country require to raise by taxation is barely \$230,000,000. Their total expenditure, apart from the sum they applied to the reduction of debt, was \$200,000,000, of which about \$30,000,000 was received from miscellaneous sources, similar to those which figure in the same manner in our accounts; so that all they require to raise is \$230,000,000, to be collected from a population 57,000,000 odd. The result of that is, that whereas we require in Canada to raise by taxes \$27,500,000, being at the rate of a little over \$6 for every man, woman and child in Canada, all the people in the United States require to raise is \$4 per head; so that the statement which I made a while ago that the necessary taxation of Canada is 50 per

cent. more than that of the United States is simply and literally accurate; and I might add that a very much larger percentage of the taxation of the United States is raised by internal taxes of the nature of Excise on spirits and tobacco than with us; so that all the Americans require to raise by Customs duties is barely \$118,000,000, being at the rate of a very little more than \$2 per head, as against \$4.50 at least which we require to raise under our present system. Now, Sir, that simple fact involves some serious considerations. If it pleases the people of the United States at any time to adopt a wiser and more wholesome system than their present protective system, they can, by a mere stroke of their pen, almost entirely annihilate their present tariff without any inconvenience to their treasury. A tax on tea or sugar, and a very moderate income tax, or land tax, if they prefer that, would enable them in point of fact to dispense with all their Customs. A tax on tea and sugar, and a very low *ad valorem* tax, would enable them to dispense with all other Customs revenue. I need not say that our case is very different, and that for a long period to come a heavy Customs duty is almost inevitable here. Now, Sir, as to Australia, the conditions on which the comparison would be fair would be, in the first place, to add to all our expenditure on federal account the expenditure they incur for purposes which are defrayed here by our municipalities or legislatures, as in the case of schools; and I promise the hon. gentleman that whenever our debt is represented by productive property paying a fair interest over and above its working expenses, I shall cease to complain of the debt; and when our exports are \$400,000,000 a year on a population of 4,500,000, which would be a fair proportion as compared with the population of New South Wales, then I will not complain if they should find it necessary to raise our taxation to a similar standard. Now, Sir, putting the matter briefly, the comparison of the incidence of taxation between ourselves and those countries is this: That our necessary taxes are quite 50 per cent. of those of the United States, and our necessary Customs tax is very nearly 150 per cent. of theirs; that in the case of Australia, our wealth is far less than theirs, and the distribution of their taxes is infinitely less oppressive; that our Customs and Excise per head fully equal the Customs and Excise of England, and the unavoidable taxes which any man, no matter how abstemious, no matter how temperate, no matter how frugal, must pay, are vastly heavier in Canada than they have been of recent years in England. If the statistics given to us by the labor bureau can be at all relied upon, the average income of the laborer or mechanic in Ontario at this moment does not exceed \$300 a year; and, therefore, it follows that the nominal tax, which we inflict upon these people, would fully equal something like two shillings sterling on the pound, and if, instead of the nominal, you are to take the actual tax, and you are to include the real sum which is paid by them, although it does not go into the Treasury, I say that to-day the rate of taxation on the income of the ordinary laborer, artisan, mechanic, or wage-earner in Ontario, and probably in the other Provinces, would fully equal three shillings sterling in the pound. I say this is as unjust a system of taxation as well can be, and that it is especially unjust when it occurs in a country like ours, where, as everybody knows who compares our climate and our position with those of the greater part of the United States, of England and Australia, a man's needs are greater, where he requires more and better food, where he requires more costly clothing, where he requires more fuel and better lodging, in order to keep him in a condition of equal efficiency or comfort with his competitors in these countries. Well, Sir, the hon. gentleman asks what we infer from all this: Whether we were disposed to maintain that the case was desperate; that Confederation was a practical failure; that we must give up the idea of becoming a nation. Sir, I do not say that. I refuse to believe

that. I have too great confidence in the energy, the integrity, the ability of our people, to believe that that is the destiny which awaits us. Yet the hon. gentleman must know that men are discussing and discussing very seriously, in many quarters, what is going to be the result of all this measureless extravagance, of all this intolerable corruption. Our own returns, the American returns, our own recent census in the North-West, all clearly show that the case is as I have said: that of native born Canadians in North America, you will find one man in four in the United States, and that of imported immigrants brought to this country, at our cost, nine out of ten, if not nineteen out of twenty, also find their way to the great adjacent republic. Sir, we must admit that our growth for many years has scarcely equalled that of many countries in Europe and that our taxes have been growing in much greater proportion than theirs. Worse still. We must believe, and there are too many indications of it in the concluding remarks of the Minister of Finance, that this vicious system is going to prevail, and going to be increased. We must admit that so far our system has been a failure in this, that we have been entirely unable to educate the several Provinces to depend on themselves. For nineteen years, we have been practically tying millstones around our neck by making perpetual concessions to several Local Governments, and this can have but the result of utterly embarrassing us and utterly destroying all chance of bringing Confederation to a healthy state. Now, Sir, I have to say this, that our first duty, under the circumstances, is to do what we can to educate the people of Canada to a clear comprehension of the situation. I look for no good result to Confederation, Sir, I must say, until our people realise a good deal better than they have done the nature of the federal system, and until they understand that no single partner has a right to appropriate the public funds to his own special use. Nor do I expect, Sir, any very great improvement until the members of the Cabinet, and the members of this House, are also taught to understand that they are trustees of the people, and not entitled to make profits out of the property of their wards. Moreover, we have got to realise the insane folly we have been committing in piling up this mountainous debt without having anything whatever to show for the expenditure, except perfectly unproductive property, or worse than unproductive property, as appears to be the case in some of those enterprises in which we have invested a great many millions of dollars. Now, the hon. Minister intimated to us that they were not going to do this thing any more. He talked of retrenchment; he talked of paying off our debt; he talked of our having engaged in a triumphant war against nature—and he might have added against common sense; and he talked of our not emerging in any worse condition than the Americans emerged from their great civil war. Sir, I say that those hon. gentlemen cannot do it. Those hon. gentlemen are caught in their own precedents. Every unwise grant, every unwise piece of legislation, that has been conceded, is of necessity the parent of many more. You cannot escape the result of your own acts. Even if a moral miracle were to be wrought in our behalf, even if the members of this Cabinet were to cease to hunger for timber limits, or railway subsidies for the benefit of railways in which they are large proprietors, and if their supporters were to cease to be applicants for timber limits, coal areas, ranches, shares in colonisation companies and railway subsidies for the benefit of themselves or their constituents—if all these wonderful things were to occur, Sir, still remember that those sections of the country which have been taxed for the benefit of others have got their rights. What has been the action of the past three years? In 1883 we granted subsidies to eleven different railways, involving appropriations of \$2,250,000. In 1884, for certain good

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reasons which "No. 8" could tell, we granted subsidies to twenty-six different railways, involving appropriations to the extent of \$8,000,000. In 1885 we granted subsidies to nineteen other railways, involving appropriations of \$3,000,000; and I should not be surprised, in spite of all the protestations of the Minister of Finance, to find that before this House rises this Session many other railway grants will have to be conceded to hungry supporters. Now, I say all this involves a complete and utter violation of the Confederation Act. I say those hon. gentlemen have established every kind of bad precedent. I say that there is no scheme or project however wild that will not find good grounds for making demands or raids on the Treasury in view of the grants which hon. gentlemen have already conceded. Sir, I say that this absorption of the railway system of this country was the corruptest of all the corrupt acts this Ministry has ever attempted. At one master stroke by seizing on the railways of the country and by introducing this detestable system of granting subsidies in aid of private men and private roads, they have succeeded, I am sorry to say, to a very great extent, in corrupting not only the members of this House, but in too many cases the constituencies they represent, and sometimes even the Province from which they come. One case alone I can admit exists where it may be allowable for the Dominion Government to do this thing, and that is the case where the Dominion is the sole proprietor of the land or where it has appropriated the land of a Province for its own use. There I can understand this being done. Look at the example of the United States, on the whole the most successful example of the working of the federal system we have ever seen. What has been the saving clause with the people of the United States? Why, it has been this: that from first to last the people of the United States have had the good sense to recognise the federal compact for what it was, and with a few trifling exceptions they have steadily persevered in refraining from devoting the general funds of the whole commonwealth to the advantage of any particular locality or any particular section. And if we wish to make our federation a success, I believe we shall have to retrace our steps; we may have to revise the constitution on this head, and at any rate we shall have to put an end to the system we have unfortunately adopted. There is one factor which the Minister talked of, but did not consider enough. He has overlooked in his estimates for the future this important consideration, the fact that the income of a very large portion of our people, I mean of the agricultural portion of the people, has of late years been very seriously diminished. We have not got absolutely perfect statistics, but I think I am correct in saying that, apart from what they raise for their own use, our farmers throughout the Dominion probably sell about \$100,000,000 of produce, part for export and part for consumption by the remainder of the population. Now, I am in the judgment of the House whether I am not correct in saying that there has been a reduction of probably 20 per cent. at least on the average value of those farm products, and while the hon. gentleman and his friends have been adding many millions to the taxation of those farmers, the reduction of prices to which I have alluded has reduced the selling value of those persons' produce by probably at least \$20,000,000 a year. Sir, the hon. gentleman thinks that we may rely on a rapid increase of prosperity. It is my opinion that the resources of the country are such that it is probable enough we shall continue for a considerable time to come to increase at all events in material wealth, if not so rapidly as I could desire in general prosperity. But as regards the effect on the revenue I would call the hon. gentleman's attention to this fact, that in old Canada we had an almost similar experience to that we are now undergoing. If there be a parallel to our position it is to be found in the position of old Canada in 1858. Then the two great railways, the

Grand Trunk and the Great Western, had just been completed. An enormous amount of English money had been expended in the country. We had our "boom," and in that "boom," as I can well remember, the follies enacted fell very little short of those that occurred recently in the North-West. We had formed very great expectations, not altogether without reason. The financial results for the eight or nine years succeeding 1858 were briefly these: That on a revenue of about \$5,000,000 in 1858 we had a deficit of \$3,375,000; in 1859 it was \$1,500,000; 1860, \$2,000,000; 1862, \$2,000,000; 1863, \$870,000; 1865, when we changed the financial year, \$380,000, and not till 1867 did we succeed in arriving at a financial equilibrium. I do not anticipate, I should be very sorry to anticipate, any such results in this case; but I must say that, if such results did accrue, the Government of this country have done their very utmost to produce them. Then there is another thing to which the hon. gentleman made no direct allusion, although it has probably been present to his mind. In considering the financial position of this country we must not overlook the present state of the Provinces. We know perfectly well, and none probably knows better than the Finance Minister, that about two weeks ago delegates from his own Province were here to represent to him that Nova Scotia required better terms. They were here to point out that although it might be possible to raise money by direct taxation, yet that Nova Scotia in common with the other Maritime Provinces had been so impoverished by the results of the heavy taxation laid upon them in defiance of the pledges on the faith of which they were invited to enter Confederation, it was very dangerous in a political sense to strain the patience of the people. We know perfectly well that in the Province of Quebec those who have charge of her finances consider there will be a very heavy deficit during the current year.

Mr. WHITE (Cardwell). No.

Sir RICHARD CARTWRIGHT. I have not myself the means of ascertaining, but I was informed by the hon. member for Megantic (Mr. Langelier) that there is expected to be a deficit of between \$400,000 and \$500,000.

Mr. WHITE (Cardwell). There is no deficit this year in the Province of Quebec, but on the contrary a surplus.

Mr. LANGELIER. They say so every year.

Mr. WHITE (Cardwell). It was not so when you were there.

Sir RICHARD CARTWRIGHT. We have heard this before, and the treasurer ultimately announces a deficit. Even in the case of Ontario, which has a large sum to its credit and is on the whole in a good financial condition, there can be no doubt whatever that there must be thrown on the municipalities a considerable portion of the present expenditure, or after a certain number of years they will also have to have recourse to direct taxation. I believe our Local Governments, if they care to avail themselves of the possibilities which exist in the better management of the Crown domain, might obtain largely increased revenues in the space of a very few years which would entirely relieve them from the necessity of any application here; and it is possible that out of our present position good may come, and those communities may be obliged at last to look the situation in the face and to learn to rely on themselves, and not, as now, on making periodical raids on the Dominion Treasury. The Finance Minister took occasion to charge the leader of the Opposition with having given in his adhesion to a certain plank in the platform of the Young Liberals' convention which met at Toronto. As I understand the matter, all those gentlemen meant was to call attention to some of those things to which I have been calling attention to-night, and to place on record their opinion, in which I entirely concur, that if it was possible to dispense with

the system of subsidies, as has been done in the United States, it would be greatly to the advantage of the people of Canada. I do not know that I would dispute with the Minister of Finance as to whether it is possible. I believe it was an unfortunate necessity that we were obliged to subsidise the various Provinces at their entrance into Confederation. I think it would have been wiser and better had it been possible to have given them revenues to raise, and as that resolution states, to have compelled them, if they wanted more money, to take the responsibility of raising it themselves. I believe our present system is unfortunate, but I am not any more than the hon. Minister prepared to say that having adopted it, it is now possible for us to abandon it without such a total revolution of the British North America Act as I can hardly venture to expect. But to come to another plea of the hon. gentleman, he would have us believe that although it be true that the debt and the taxation of Canada have been enormously increased, yet that the construction of the Canadian Pacific Railway is ample atonement for all. Now, I am not disposed to say that the Canadian Pacific Railway is not a very considerable enterprise: viewed in certain aspects it might fairly be considered a great enterprise, and it undoubtedly has been pushed with very great energy, and I am quite willing to admit that it is likely, under certain conditions, to be of great service to Imperial interests. I well recollect some eleven or twelve years ago, being myself then on a mission to London, calling the attention of Lord Salisbury, who was at that time Indian Secretary in Lord Beaconsfield's Administration, to the value the Canadian Pacific Railway might be to Great Britain, and I recollect well, when I said to him that he should assist, or endeavor to induce his Government to assist, the then Canadian Government in constructing the railway—because as I pointed out, and as he admitted, it would be of benefit to Imperial interests—although he received me most courteously, he also admitted to me that however feasible such a plan might have been, had the Canadian Government in 1870 or 1871, when the project was first under consideration, approached the British Government—yet at that date, after we had annexed British Columbia, after we had bound ourselves to complete this railway, he feared it would be a matter of extreme difficulty to induce the British House of Commons to come to our assistance. And having myself taken that stand, I am not in the slightest degree inclined to dispute the assertions of these hon. gentlemen that this road may be, under certain conditions, of very considerable value to British interests. But I say that that road has been constructed at an excessive cost. I say it has entirely passed out of our control. I say that that road in one aspect at any rate can only be regarded as a most outrageous monopoly, and the creation of that monopoly has tended in the highest possible degree to mar the settlement and development of the North-West. The minor object may have been partially attained, but the sole, real justification which warranted the imposition of this heavy debt and these heavy taxes on the people of older Canada, has been missed altogether. Sir, these hon. gentlemen have absolutely driven the people away. We have had that country under our control for fifteen years. It was partially settled then. Now, had we got any adequate results for our huge expenditure, I would have been perfectly content. Let us contrast Dakota, which the hon. gentleman proposed to contrast, but did not, so far as I could hear, carry out his pledge. In 1870 at precisely the same time that we got possession of Manitoba, the population of Dakota was 12,887, and the population of Manitoba and the North-West, I believe, 12,400. By the last census of Dakota, made in 1885, the population of Dakota is 415,263, of whom I regret to say a very large and valuable portion are Canadian born. Now, we have territory almost enough for half a dozen Dakotas. We have a territory at any rate quite equal to the area of Ohio, Pennsylvania,

Virginia, Indiana, Iowa, and I believe Illinois to boot, and all we have been able to do, according to the last reports afforded us, is to settle a paltry 3,000 families, or thereabout, in the three great Provinces of Alberta, Saskatchewan and Assiniboia, while in old Manitoba, according to a recent statement of Mr. Brydges, who has great means of information, and who is not in the slightest degree likely to underrate the present population of Manitoba, it is very doubtful whether we have all told, 110,000—and certainly not more than 120,000 white inhabitants. I repeat that I would admit the Minister's plea were he able to show us a road owned and controlled by ourselves, able to point to a strong central Province inhabited by three-quarters of a million of prosperous settlers. Nevertheless, I admit frankly that our only real chance of extricating ourselves from the unfortunate position in which, as I contend we stand, lies in one way or other in promoting the settlement and development of the North-West and in some respects a good deal of encouragement may be drawn from the examples both of Dakota and Australia. If there is one thing clearer than another it is this: that under certain favorable conditions a comparatively small number of people may in the North-West, as in Australia, create a very large amount of traffic and bring a great amount of revenue into our exchequer. I see no reason, in spite of the misfortunes which have unhappily attended the development of the North-West so far, if we were able to transport some 20,000 or 40,000 Canadian families to that region, why we should not very easily equal all that has been done in Dakota, and that in a very few years. And as I see the last returns from that State show that they succeeded in raising 30,000,000 bushels of wheat in the year before last. I must say this, that if it were possible to induce our people to occupy that territory, if it were possible to bring back the wave of emigration which has been setting steadily for so long a time to the American North-West, we might reasonably hope to attain important results in a very short time. But again I ask, Sir, is it possible for the present Government to do this? Here, as elsewhere, they are fettered by their former acts. How can they be expected to apply themselves in earnest to relieve these people from the effects of this railway monopoly which they have apparently taken pride in creating? How can they be expected to modify for the benefit of the settlers of the North-West, this outrageous and oppressive tariff of theirs which they claim, though falsely, is the basis of sound national prosperity? How are they going to get rid of colonisation companies? How are they going to get rid of the division of that great territory amongst the camp followers of the present Government? How can they turn back the stream of emigration? The task is a hard one at the best and it is impossible for them. Imagine if we can the hon. the Minister of the Interior convincing his hungry supporters and pointing out to them how wrong it was either for individuals, singly or under cover of a company constituted for the purpose, to obtain undue favors from the Government. Imagine the other Ministers pointing out to their supporters, that the time had passed away when great railway subsidies should be granted for the benefit of private persons, or for the benefit of roads in which they had a personal interest. Sir, as to the security of the debt which the hon. gentleman spoke of, I would be glad to hear that \$20,000,000 were, from any source whatever, about to be refunded to the people of Canada, although I may call his attention to this—that whereas we were told there would not be the slightest difficulty in our receiving back every penny of our \$30,000,000, it now appears that we are to be content with a dividend of 60 cents in the dollar, which is all he apparently expects to receive. And as for graciously giving us back a certain portion of our own lands in exchange for the other \$10,000,000, I do not feel, for one, any great obligation to

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the Canadian Pacific Railway Company or their friends for any such suggestion as that. I would be very glad indeed to believe that the Canadian Pacific Railway was about to be a great financial success. At best, I am inclined to think the problem is going to be a tolerable hard one. If we are to form any judgment from the returns laid on the Table of this House, they will find it, at any rate as regards their main line, a somewhat difficult problem to make it pay on the basis of a fertile territory of 400 miles or thereabouts, which will be obliged to defray all the expenses of working a railway something like 2,400 miles in length, at least one-half of which passes through territory in which up to the present time no very productive means of traffic have ever been discovered. I am afraid, so far as this country is concerned, that it will prove that the undue haste of construction has been a grave economical blunder; it has, at any rate, entirely destroyed the utility of that road as a means of settlement. It has helped to create a boom; it has helped to give us, for a time, a fictitious revenue; it has helped to create trade disturbance; and I doubt exceedingly whether it is going to prove a good asset to anybody until both the policy of the company and the policy of the Government are entirely reversed, and until at least 750,000 people are settled in that country. Now, Sir, I think we have had enough, perhaps too much, for a great many years of this leap before-you-look policy. Let us review very briefly what has been ascertained as the result of our policy in the last twenty-three or twenty-four years. Now, Sir, I say no man can consider it anything but unsatisfactory; and the mischief is tending to become chronic. So soon as we succeeded in any shape or way in extricating ourselves from the difficulties in which we have been involved, we appear to have made any success that the industry and energy of our people may have secured us, a simple pretext for rushing into further extravagant and foolish undertakings. Now, that has not been, and never was due to any natural causes existing in Canada. We have very considerable resources, and many opportunities have been granted to us; but we have been guilty perpetually of discounting our future; and we have adopted a most vicious system, particularly since Confederation, which, unless checked, can only result in the speedy disruption of our Confederation. I believe that has been due in part to the inconsiderate adoption of a protective system; but I believe it has been due a great deal more to what I must describe as a deliberate violation of the federal compact. Now, to a certain extent, I fear we must make up our minds that a period of stagnation has arrived. It is quite clear that our farmers, in particular, are going to be exposed to an era of low prices, and are going to have to contend with a much more formidable competition than they had to reckon on a few years ago. In the older Provinces our population is almost absolutely stationary in a great number of the constituencies and in many of the towns. With the exception of two or three great cities, I doubt that there is any portion of Canada to-day in which we maintain even our ordinary natural increase, whilst in the newer Provinces it is only too clear that we are failing to advance in the same proportions as our neighbors. It is not to be wondered at if under such circumstances there is much alarm and discontent among a considerable number of our people. They see that we are going behind; they see that we fail to attract desirable immigration; they see we fail, what is worse, to retain our own people here. What are the obstacles, I should like to know, that stand in the way of our progress? I believe they consist mainly in these four: First of all, that we have adopted a very oppressive and unjust system of taxation; in the next place, that we have been foolish enough to create railway and land monopolies, which must be removed before any considerable progress can be made in the development of the larger portion of our country; third, the

unfortunate system of making perpetual concessions to the various Provinces of this Dominion, whenever from any cause they get into financial difficulty, which I regret to see the present Finance Minister is much more disposed to encourage than to prevent; and lastly, a very vicious and corrupt system of administration. Sir, I am sorry to have to say it, but I believe many of our people have forgotten the very A B C of government; they have been given over to a strong delusion, to believe a lie; they have come to think that it is a very excellent and fine thing to pile up a huge debt; they have come to believe that the best way to enrich a country is to heap up taxes; they have come to suppose that truth, honor—common decency I was going to say—are superfluous in the administration of our public affairs; they have come to suppose that plunging into huge enterprises without counting the cost, or considering how they will affect the future of the country, is the best test and proof of high statesmanship. It has come to pass that to-day, however much we regret it, we are obliged to admit that every second member of the Cabinet has been either the recipient of a testimonial largely subscribed for by public contractors and public employees, or that Ministers have received subsidies granted for the purpose of assisting railway lines in which they are large shareholders; or that they have been participants, by means of the cloak of a special company created for that special end, in printing contracts and other jobs which they could not have undertaken in their own proper persons without putting their seats in peril; or that they have been recipients of timber limits; and I am sorry to say, as the Cabinet are, so are the majority of their supporters, and so are the majority of the press that support them both. Now, there is some excuse perhaps to be made for ordinary members of this House. I believe a great many of them never considered the effect of what they were doing when they became applicants to the Government for those various favors. I am aware that some of them made no profit, though that cannot be said of all. I believe many of them were carried away by the great speculative whirlwind that swept this country a few years ago; and on the whole, I am not disposed to deal so severely with the conduct of members as with the conduct of the Ministers who fostered this thing, and put temptation in the way of their supporters. But be that as it may, the results are substantially as I state them. I say, the positions are thoroughly irreconcilable; I say that no man being a trustee, whether he be a privy councillor or a member of the House, has a right to speculate in the property of his own wards, which the public are; I say that no man, being another's attorney, is able or can be able honestly or fairly to deal with the man for whom he is acting. Now, Sir, all these things, —

An hon. MEMBER. Are you in earnest?

Sir RICHARD CARTWRIGHT. I am very much in earnest, and I have to say this to the hon. gentleman, that it is one of the worst proofs of the political degeneracy to which Canada has come, that I can state such things of one-half the Cabinet and one-half of their supporters, and that the accusation is received with a laugh. All this has occurred in a loosely cemented country, side by side with a very great State; all this has occurred in defiance of warning and after the amplest experience of the mischief of this kind of thing; all this has occurred after we have been rescued again and again from difficult positions. I say to the hon. gentlemen opposite that it is a record to cause every true Canadian to blush, and I say more, that it would be idle and criminal on our part to conceal our opinion of these things. If they go on, a few years or a few months may bring our whole Confederation to a very abrupt termination. Hon. gentlemen or, at any rate, the country will have to learn that government by bribery

is the most costly and the most dangerous system of administering the affairs of a country. Our duty is to oppose and fight these evils; a short time will tell whether Canada is to shake off the incubus that now presses on her, or whether our Confederation is to rot to pieces by its own corruption before it is well able to stand alone. I am grieved, Sir, to have to make these statements, but I have not been twenty-two or twenty-three years a member of the Canadian House of Parliament, and five years a Minister of the Crown, without knowing what the results of this kind of conduct are likely to be. The proofs are superabundant; no man can or dare deny the substantial accuracy, at any rate, of the statements I have made, whether as affecting certain members of the Cabinet or many of the members who support them. No doubt, there are many causes which have combined to produce this state of things. We have had a bad fiscal system; we have had in addition a temporary inflation which has had the result of turning a large part of this country into something little better than a great gambling table; we have embarked foolishly in huge premature public works; but the first and worse and chiefest of all the causes, has been the shameful corruption of a certain portion of the Cabinet and a certain portion of their supporters. If hon. gentlemen dispute the statement as made by me, I will give a few words of an independent authority, which, on certain occasions when it suits their turn, they quote with great respect:

"Most of us have learned pretty well to acquiesce in the fact that the Dominion Government is a government of corruption. Men, places, Provinces, interests, churches, organisations of every kind, are bought in different ways, some more coarsely, some more subtle, in order to form the basis of a system which is administered, after its kind, with great ability, and is closely bound up with personal ambition of its veteran chief. Corruption is not wholesome; it does not become more wholesome as it becomes more inveterate; to say nothing of the debt which it is rolling up, it must deprave the political character of the people, as, in fact, it is visibly doing, and in the end prove fatal to the spirit, if not to the form, of representative institutions. Nor can the architect and manager of a corrupt system be himself a Chatham, though power, not lucre, may be his personal object, and he may be in a certain sense patriotic. That he should have around him a swarm of low political agents is an inevitable and a very noxious incident of his position."

That is the language of a person who poses, and whom hon. gentlemen are fond of quoting, as an independent authority. The facts, I fear, are substantially true; and although I hold that the spirit of the article is dastardly and the inference detestable, inasmuch as it would lead us to acquiesce in this kind of thing instead of endeavoring to redress and reform it, I say there is no denying the serious nature of the charge, there is no denying there is too much foundation for that indictment against our present Government and our present system of Government. This is the temper of the instructors of the people, it is the existence of this temper in just such persons as the writer of this article, whoever he may be; it is the existence of this temper in the pulpit and among respectable men, which goes a very long way to make his corrupt system possible, and the presence of hon. gentlemen opposite as governors of this country possible. Under the circumstances, it is no wonder that in seven years we have added \$109,000,000 to our national debt, it is no wonder we have added \$12,000,000 to our annual expenditure, and nearly \$20,000,000 to the real taxation of the people, though not, as I have said, to the amount which goes into the Treasury, and it is no wonder if, under these circumstances, men are beginning to look upon representative institutions as a mere costly farce, and this Parliament as little better than a place of meeting for the purpose of dividing the spoils. I speak in this matter more in sorrow than in anger; I know that many things I say are not pleasant for me to say, and cannot be pleasant for many hon. gentlemen to hear, but I say things cannot go on in this state, there must be a reformation or there is a risk of the total dissolution of our system.

I hold, and I have always held, that there are ample materials, in spite of all that has been wasted and squandered, wherewith to build up a powerful, independent nation in good time; but although I know that there is abundance of energy, enough of wealth and population, and a superabundance of territory, for all these purposes, I know also, if there be any truth in history, that none of these things will enable us to build up a nation, unless there is, behind and inspiring all these, a true, honest and intelligent public opinion. That is what we lack; that is what we require. Our laws may require amendment, and be amended; but laws without character and without conscience on the part of the people will do very little, if any, permanent, important good. What is needed is a tribunal of appeal, and that appeal can only be found when a resolute, awakened public conscience will make it thoroughly impossible either for members of the Government or members of the House so to prostitute their great trusts, as those trusts have been prostituted any time within the last seven years.

Mr. WHITE (Cardwell) moved the adjournment of the debate.

Mr. McLELAN. I think it is the practice to go at once into Committee.

Mr. BLAKE. I suppose the hon. gentleman wishes that in order that he may put the duties in force.

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

(In the Committee.)

Resolutions agreed to, and ordered to be reported.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to; and the House adjourned at 1:15 a.m., Wednesday.

HOUSE OF COMMONS.

WEDNESDAY, 31st March, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FIRST READINGS.

Bill (No. 73) to incorporate the North Canadian Pacific Railway Company.—(Mr. Haggart.)

Bill (No. 74) to incorporate the Ste. Ursule, Mattawan and Lake Temiscamingue Railway Company.—(Mr. Hurteau.)

Bill (No. 75) to incorporate the School Savings Bank.—(Mr. Massue.)

THE BURLINGTON CANAL.

Sir HECTOR LANGEVIN moved for leave to introduce Bill (No. 76) respecting the Burlington Canal. He said: It is for the purpose of abolishing the tolls.

Motion agreed to, and Bill read the first time.

COMPENSATION TO LAND OWNERS BY RAILWAY COMPANIES.

Mr. TROW (for Mr. LISTER) asked, Is it the intention of the Government, during the present Session, to amend the Dominion Railway Act, so as to prevent railway companies from retiring from arbitrations entered upon to fix the compensation to be paid to owners whose lands have been taken for railway purposes, and to allow compensation, not only for the land taken, but for damages done by the severance of the land?

Mr. POPE. No, it is not the intention of the Government to introduce a Bill, and it appears to me that this is provided for by the 15th, 16th and 17th sub-sections of section 11 of the Consolidated Railway Act.

RIVIERE AUX LIEVRES.

Mr. WRIGHT asked, Whether it is the intention of the Government to construct immediately a lock and dam at the Little Rapids on the Rivière aux Lièvres, with a view to the improvement of the navigation of that river, so as to develop the agricultural, lumbering and phosphate interests of that portion of the county of Ottawa?

Sir HECTOR LANGEVIN. This matter is engaging the attention of the Government now, with a view to submitting an item to the House during this Session for that purpose.

THE DISTURBANCE IN THE NORTH-WEST—TIME OF SETTLERS ON SERVICE.

Mr. CAMERON (Huron) asked, Will the time served by volunteers during the rebellion (and who were settlers on homesteads in Manitoba and the North-West Territories) be allowed them as part of the time fixed by law for occupation of homesteads? Will the services of such settlers as volunteers during the whole of the rebellion be treated as one year's occupation on such homesteads?

Mr. WHITE (Cardwell). If the hon. gentleman means residence, I can answer the question in the affirmative. Instructions to that effect were issued to the Commissioner and the Agents of Dominion lands on the 7th August last; that is to say, the service in the North-West counts for one year's residence; but, in regard to the occupation of the land, the patent does not issue until three years after entry.

RAILWAY FROM METAPEDIA TO CROSS POINT.

Mr. WELDON asked, Whether any survey has been made of the proposed line of railway from Metapedia to Cross Point, opposite Campbellton, and what is the estimated cost per mile?

Mr. POPE. Yes, there was a survey made, and the estimated by the engineer is \$15,000 a mile.

RAILWAY BRIDGE ACROSS THE RESTIGOUCHE

Mr. WELDON asked, Whether any estimate has been obtained by the Government of a railway bridge across the River Restigouche from Mission Point, in the Province of Quebec, to Duncan's Point (so-called), at Campbellton; and what is the amount of such estimate?

Mr. POPE. No estimate has been made by the Government.

LACHINE CANAL CROSSING IN MONTREAL.

Mr. CURRAN asked, Is it the intention of the Government to make provision for the safety of foot passengers at the Wellington Street crossing of the Lachine Canal, in the city of Montreal? If so, is it the intention to provide an additional bridge or construct a tunnel?

Mr. POPE. It is under the consideration of the Government, and they are anxiously enquiring into the matter with a view of seeing how this should be dealt with.

EXECUTION OF LOUIS RIEL—COMMUNICATIONS FROM THE QUEBEC GOVERNMENT.

Mr. CASGRAIN asked, Whether the Local Government of Quebec forwarded to the Dominion Government any

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despatches or communications, before the execution of Louis Riel, asking for a commutation of the death penalty? If such despatches or communications were received, from what member of the Local Government did they emanate, and what are the dates thereof?

Mr. CHAPLEAU. The Local Government of Quebec did not forward any such despatch or communication.

THE STIPENDIARY MAGISTRATE AT CALGARY

Mr. BURPEE asked, Is Jeremiah Travis, who was appointed Stipendiary Magistrate at Calgary, North-West Territory, still performing the duties as such magistrate? If not, has he been dismissed, suspended or removed to another district? Have formal complaints been made against the official conduct of Stipendiary Magistrate Travis? If so, what action has been taken by the Government as to the same?

Mr. THOMPSON (Antigonish). Mr. Travis is still performing the duties of Stipendiary Magistrate. Formal complaints have been made against the official conduct of Mr. Travis, and an investigation is now being proceeded with.

INSTRUCTIONS TO NON-COMBATANTS IN THE NORTH-WEST REBELLION.

Mr. TROW (for Mr. CASEY) moved for:

Copies of instructions to Major Bell, Major-General Laurie, S. L. Bedson, and other non-combatants employed during the North-West campaign, from the Minister of Militia, Major-General Middleton, or the Adjutant-General of Militia, and of correspondence between the last-named authorities and such non-combatants.

Sir ADOLPHE CARON. In this matter I beg to state that we will bring down what we have got. There were no written instructions, and the Department have nothing but telegrams addressed to Major-General Laurie referring to this matter.

Motion agreed to.

CONTRACTORS FOR TRANSPORT DURING THE REBELLION.

Mr. TROW (for Mr. CASEY) moved for:

Return showing names of all contractors from whom teams were engaged for transport, number of teams engaged from each, with rate of pay per day per team, and the total amount paid to each of such contractors.

Sir ADOLPHE CARON. There again I beg to state that the only parties employed by the Department as purchasers were the Hudson Bay Company. However, I will bring down all the returns.

Motion agreed to.

CORRESPONDENCE WITH JAMES ANDERSON.

Mr. TROW (for Mr. CASEY) moved for:

Copies of all correspondence between one James Anderson and the Minister of Militia, Major-General Middleton, and any member of the Government, with respect to the purchasing of supplies, cost of transport and other expenditure incurred during the North-West rebellion.

Sir ADOLPHE CARON. The commission have no correspondence whatever. No correspondence has been exchanged between the commission and James Anderson, or between the latter and the general commanding in the North-West. I cannot recollect any correspondence having been addressed by me to him, but if there is any I shall bring it down.

Motion agreed to.

FARM OR REAL ESTATE BANKS.

Mr. ORTON moved that the House resolve itself into Committee of the Whole to consider the following Resolutions:—

1. That it is desirable, in order to obviate the impoverishing drainage of money from Canada to pay interest upon borrowed capital, that the amount of foreign capital required for the development of our agricultural, as well as other resources, be limited to as small an amount as practical.

2. That it will materially lessen the necessity to borrow foreign capital if mortgages on improved farm property be made a negotiable security by an issue by the Government of Canada of Dominion notes equal to any such mortgages on improved farm lands to the extent of one-half the actual value thereof, such notes to be redeemable in Government bonds, based upon such real estate mortgages, and bearing interest at the rate of 4 per cent. per annum.

3. That it is expedient to grant charters to farm or real estate banks, the capital stock of which may consist, not only of specie and Dominion of Canada notes and bonds, but also of first liens upon improved farm lands equal to one-half the value thereof; and that as the main source of wealth in Canada is agricultural, it is expedient that the rate of interest charged by said farmers' banks shall be restricted to 6 per cent. per annum.

4. That in order to prevent any clashing of interests between such farmers' banks and ordinary chartered banks, as well as for the general convenience of the public, it is expedient that there be uniformity in the circulating medium, and that all banks be compelled to circulate only Dominion of Canada notes; and in order to compensate chartered banks for any profit they may derive from the issue of their own bills, there shall be an estimate made of such profit up to the expiration of the charter of all such banks by properly authorized actuaries, and the amounts so arrived at shall be paid by an increased issue to said banks of Dominion of Canada notes.

5. That in order to provide for the interest on any bonds issued by the Government of Canada to redeem notes issued to farmers' banks, there shall be a special stamp marked upon such Dominion notes characterizing the particular farmers' bank to which said notes have been issued, and such farmers' banks shall provide the interest to the Treasury Department of the Government to meet that of any bonds issued by the Government of Canada for the redemption of such notes.

He said: In order to explain thoroughly to the House the object of the resolutions I desire to move it is necessary to refer briefly to our present banking system. I first point out that our present banking system, under certain circumstances, is utterly insufficient to meet the business requirements of the people of this country, and the result is that at certain periods large failures occur, attended by disastrous consequences to our industrial prosperity. The lending capacity of our banks as at present constituted depends upon the amount of the deposits, as well as upon the financial basis of their circulation. It also depends upon the amount of exchange that is called for to meet our foreign exchanges, and it also further depends upon the amount of money that the banks have out on speculation in foreign countries. So it is very easy to see that just at the time when there is a failure of the crops, or a succession of failures of the crops of the Dominion and our exports decline, and when the people require financial accommodation, our banks fail to afford it. It becomes absolutely necessary for their own existence to withdraw the amount of accommodation, and the result is that we are obliged to borrow money to a larger extent from abroad. At this particular time the wholesale merchants are obliged to press the retail merchants, and they in turn press their customers, who are very largely of the agricultural class. Not only does that occur with respect to the merchants but also in regard to every other class of the industrial community. The banks are obliged to withdraw their accommodation not only from the merchants but from the manufacturers, and the result is that our manufacturing establishments are obliged to reduce the number of their employees and thus bring much suffering and hardship upon the working classes. What occurred in 1875 and 1876 may be stated in illustration. In 1875 the discounts of the banks in Canada were \$82,000,000, and in 1876, \$141,000,000. Up to January, 1876, the banks were obliged to withdraw to the enormous extent of \$29,000,000, the amount of credit they afforded to the people. What was the effect of the withdrawal of that credit by the banks? A succession of failures, which led to the hard times and depression which the people so well recollect. In 1875 there were failures in Canada to the amount of \$30,000,000; in 1876, \$25,500,000; in 1878, \$18,000,000; in 1879, \$26,000,000, making a total in those four years of \$125,000,000, which failures were caused to a very large extent by the withdrawal of credit by the banks.

Now, Sir, I think it is not necessary to dwell much longer upon that point. I think I have made it pretty clear to this House that under our present banking system insufficient accommodation is given at times when there is a failure of crops, or, in other words, at the very time when the people of Canada require to borrow money. And, Sir, this very time is the harvest of the money usurer. At this time, when the banks are not able to afford the accommodation which is necessary, the money usurers of the country extort from the agricultural classes enormous rates of interest. That is not the case when the banks are able to afford the necessary accommodation; then we find that the rates of interest are moderate and possibly not exorbitant, as at the present day, when we are not suffering from any very serious depression, the rates of interest are not very extortionate on first-class mortgage security. But, Sir, so soon as the time of depression comes, so soon does the rate of interest go up and mortgages are placed on the real estate of our country at very high rates of interest. I think it is not necessary to point out at any great length how important it is to give to our agricultural classes money at as low a rate as possible. It is acknowledged by all that the main source of the wealth of the people of this country, is that derived from agricultural pursuits, and that every other class lives, thrives, and as it were, has its whole being in the success of agriculture. But, Sir, when I point out the fact that we have to compete in agricultural products with other countries at a very great disadvantage; when we find that other countries are able to offer to the agriculturists money at a very low rate of interest, compared with our own; when we consider that our farmers have to compete with the farmers of the world, including those of India and Egypt, who are now becoming formidable competitors with the farmers of Canada in providing the breadstuffs of the world, I think this should be sufficient to impress the House with the very great importance of giving serious attention to this matter. We know, Sir, that under the present system, private banks as well as private individuals extort an enormous rate of interest, and by their operations they actually cause an inability to a certain extent on the part of the banks to accommodate the business public, because the mode in which they are carried on is to borrow money from the banks and then lend it out again to the farmers and others at extortionate rates of interest. Now, Sir, it is proposed on these resolutions to found a Bill for the incorporation of farmers' banks that will do away with many of these evils. This matter is not only important to the agriculturists, but it is important to every industrial class in Canada. There is not a man in Canada who lives by his own exertions who is not living by an income derived either from the interest on money or from some other settled income, and all the industrial classes of Canada dependent for their livelihood upon their own exertions will be benefitted by anything which will lessen the rate of interest. I shall draw the attention of this House to what are the rates of interest in other countries, and what has been done in this direction in other countries. Before doing so, however, I wish to allude to the serious effect of this constant draining of money from Canada to other countries to pay the interest on the money we borrow. It is a well-known fact that money borrowed at 5 per cent. interest will, in fifteen or eighteen years at the outside, pay the whole of the principal borrowed, and yet the principal remains owing, so it is very easy to see that it is not only what we borrow that causes this depletion, but it is the drainage of specie from our country to pay the interest upon our own indebtedness. Now, Sir, I shall just point out how I propose to formulate a measure to remedy these evils, and I shall trouble the House to listen while I read a few of the clauses of the Bill I have based on the resolutions now before the House. Clause 6 is as follows:—

Mr. ORTON.

The paid-up stock in such banks, in addition to gold and Dominion of Canada notes and bonds, may consist of first mortgages or liens upon improved farm lands to one-half the value thereof, verified by the certificate of the proper municipal officers of the municipality in which the said lands are situated, and also accompanied by an abstract or other certificate of title satisfactory to any law officer the Governor in Council may appoint for the purposes of this Act.

Then you will see that by this mode mortgages are made convertible into a circulating medium, and to that extent we shall, by the adoption of this principle, have money created in our own country to a very great extent, and based upon the very best of securities—just as good a security as the specie which now forms the basis of the circulation in our ordinary banks. When we look at what the amount of specie the banks of Canada hold to-day, we find that there is only some \$6,772,957 of specie held by the whole of the banks of this Dominion, while they have a circulation to the amount of \$29,845,735. So, Sir, it must be apparent to all that the basis of the circulation which I propose under this Bill is far more secure than the basis of the circulation of our banks as now chartered. Sir, I think I have another mode of proving that it is a sound basis, for to-day our loan societies borrow money in this very way. They issue their own bonds and sell the bonds on the basis of the mortgages they hold in the old country, and in that roundabout way obtain the money to lend to the farmers of this country, charging them therefor very large rates of interest. The object of this Bill is to create funds in our own country, and to the extent of what can be absorbed in circulation throughout the country, less the amount of interest that we pay outside capitalists. The 7th clause provides:

The Treasury Board, upon having satisfactory evidence that the required capital of any bank is subscribed for and paid up in manner aforesaid, shall issue and pay over to such bank Dominion of Canada legal tender notes to the amount of such mortgage liens, gold or Dominion bonds, which the bank may deposit in the hands of the Receiver-General, such legal tenders to be marked so as to designate the particular farmers' bank to which they have been issued.

The 8th clause provides:

Such legal tender notes shall be redeemable in bonds or debentures issued by the Government of Canada, and hereinafter called 'Dominion of Canada land bonds,' bearing interest at the rate of not more than 4 per cent. per annum, for sums of from \$10 up to \$500 each, and such issue of land bonds shall only be made when and as the Treasury Department is called upon to redeem notes issued to farmers' banks, and each farmers' bank shall be liable for the interest on such bonds equal to the amount of the notes circulated by said bank, which are presented to the Treasury Department for payment.

The 11th clause provides:

The banks incorporated under this Act shall not be empowered to issue or circulate their own notes, but only Dominion legal tender notes, coin, and notes of chartered banks."

The 12th clause provides:

Farmers' banks may loan money on improved farm lands only on first mortgage security thereof, up to one-half of the value, and charging therefor at a rate of interest not exceeding 5 per cent. per annum, payable half-yearly; and also may discount or grant loans upon endorsed farmers' notes at short dates, up to six months, and charging interest thereon at the rate of not more than 7 per cent. per annum, and in no case exceeding the sum of \$600 to the same party or parties.

The 13th clause provides:

That a sinking fund consisting of 1 per cent. of the accrued interest on mortgage loans shall be set aside every year for the purpose of redeeming bonds chargeable against any such bank incorporated under this Act; and that a certain number of the said bonds shall be redeemed by drawing at the end of each five years, by the accumulations of such sinking fund, and the benefit thereof divided amongst a certain number of the borrowers by drawing or otherwise.

That is, the profits are distributed amongst the borrowers on the mutual plan. There is another clause to which I wish to draw the attention of the House, in reference to the settling up of our wild lands in the North-West:

In order to facilitate the settlement of Government lands, any such farmers' bank may, as a branch of its business, provide settlers on such lands with loans of money as required up to \$600, such money to be spent on the improvement of such lands, or providing the support of settlers

while they are making improvements, to the satisfaction of the Government Inspector of Homesteads; and any such loan shall be a first charge or claim against such lands and take precedence of any Government claim thereon, providing always that in case of such settler abandoning such lands it shall be incumbent upon the farmers' bank so aiding such settler to have such lands again occupied, or otherwise secure that the improvements made thereon are not allowed to become valueless by non-usage; and in order to provide the cost of such extra responsibility assumed by such banks, it shall be lawful to charge for any such loans, interest at the rate of 8 per cent. per annum.

I think this clause is a very important one. It is well known that the number of people who have sufficient capital to take them to that country, and to enable them to take up lands and to commence farming operations, is very small; and it will be a very long time before that country is settled unless some other means than at present exist are employed to bring into that country strong, able-bodied farm laborers, both from old Canada and from other countries. There are any number of people in the world of the right class to build up that country and to make it wealthy and prosperous; and I think if some such mode as that which I have suggested in my Bill were adopted, it would not be long before we had that country occupied by millions of thriving settlers. I wish to point out how important it is, too, that the settlers should be settled together as thickly as possible. I think there can be no doubt, from the experience we have had in old Canada, that the frosts which occasionally affect the crops of the North-West, as they formerly affected the crops of Ontario, would be avoided almost entirely by the settlers being closer together and a larger area of land being brought under cultivation in any particular district. The districts where frosts were formerly prevalent in Ontario were large swampy tracts, which were covered with trees, which prevented the heat of the sun being absorbed by the soil. As soon as the timber in those swamps was burned out and the swamps were cleared and dried, the frosts in those particular localities became a trouble of the past. I maintain that the same thing will occur in the North-West as soon as the settlers are closer together and a larger area of land is ploughed up, so that the the heat of the sun can be absorbed by the earth and given out again at night, so as to prevent the frost injuring the grain. Any one travelling in the North-West can verify that for himself. In any summer night, when he drives from the prairie grass on to ploughed land, he gets into a new climate, owing to the warmth. Therefore it is important that we should encourage settlers to settle more closely together in that country. Now, Sir, the principle of the Bill that I have drafted upon these resolutions is not a new principle. It is simply proposed to convert securities on land into negotiable securities. Baring conceived the idea, from the success of Government funds, of creating a similar species of land stock, or turning mortgages on land into stock transferable in every way like public funds. Associations were organised on this plan in various modes in Silesia, in 1770; in Brandenburg, in 1777; in Pomerania, in 1781; in Hamburg, in 1782; in West Prussia, in 1787; in East Prussia, in 1788; in Lunenburg, in 1791; Schleswig-Holstein, in 1811; Mecklenburg, 1812; Posen, 1822; Poland, 1825; Wurtemberg, 1827, Kalmburg, Grubenhazen and Hilchesheim, 1826; Hesse Cassel, Westphalia, Galicia, Hanover and Saxony, about 1840. Some are private associations and some are State or Provincial associations. Société de Pomerania founded in 1781 with an advance from Frederick II of 200,000 thalers. The company created negotiable bonds at 3½ per cent. and 3¼ per cent., payable half-yearly. These bonds are from 5 thalers upwards. Money is loaned at 4½; and there was in circulation no less than \$55,602,844 in 1837 of these bonds which were above par. Russia: Banque de Crédit system founded in 1818 by Alexander, who also advanced some funds for its organisation. The borrower pays 4 per cent. and something for expenses and for a

sinking fund, in all about 5 per cent. Bonds are received by the Government at their nominal value. Wurtemberg, founded in 1827. Loans money, as well as negotiable bonds, at 3 per cent. interest, ½ per cent. for cost of management and 1 per cent. for sinking fund, by which the loan is redeemed in forty-eight years. They lend only on first mortgages up to half the value. The borrower pays half-yearly and six weeks, before the half-year. He can pay any part of his debt at any time by paying 10 per cent. additional on what he desires to pay. In 1846 the company had bonds in circulation to the amount of 11,936,930 francs, which stood at a premium of 12 per cent. France: the marvellous effects of Crédit Foncier were long unknown in France. In 1820 the mortgage debt in France was 8,863,894,965 francs; 1840, 12,544,096,600 francs, and continued to increase up to the Revolution of 1848. Heavy rates of interest prevailed. Many estimated the usual interest on mortgages at 12 per cent. Crédit Foncier was brought before the notice of France in 1835 first, and in 1845 M. Royer received a commission to go to Germany and study their mechanism; but little was done, and the sufferings of the agriculturists were very severe. Louis Napoleon studied the Crédit Foncier, and desired to introduce it into France. He appointed a commission, and himself presided at the meetings. In 1852, a decree authorising the formation of such institutions, was published. M. Wolowski, who had long labored in the cause, formed a company, which afterwards resulted in the bank called the "Crédit Foncier de France," which received a subvention of 10,000,000 francs from the State. In 1853 the land bonds in circulation amounted to 22,099,600 francs. At the end of 1861 they were 259,148,200 francs. The dividends per share were 15 per cent. The Crédit Mobilier, a species of bank designed to promote industrial enterprises of all sorts—railways, canals, docks, mines, gas, &c.—was established in France in 1852, and subscribed largely to the Crédit Foncier. This bank assumed a bold speculative policy, and subscribed to railways not only in France but in Austria and other countries, subscribed to the loan to carry on Russian war, and to various other loans of the French Government. The extraordinary success of this bank determined the directors to issue a paper currency. This was represented by the investments they had made in stocks, shares, &c.; and I may say, in passing, that this is exactly the speculative and dangerous character of our bank paper money. It is represented not by gold in their vaults, but by the accommodation paper of their customers, and a very small comparative amount of gold, which is decreasing every day instead of increasing. This was virtually the case with the Credit Mobilier in France, and led to the wildest speculation, to immense dividends for a time, and finally to disaster. The Government finally prohibited the creation of its paper obligations. I have read this in order to show what led to disaster in France. There is no possibility of such disasters occurring under the proposal I have laid before the House, as they were in France brought about by the banks engaging in all sorts of speculative enterprises, disastrous in their nature. There may be many arguments used against this Bill, especially by loan societies. In talking about this matter outside this House, I have been told it is utterly useless to pretend to introduce such a Bill and succeed in passing it, on account of the great influence of the banks and loan societies over the members of the House. I did not believe, nor was I ever intimidated by any such statement. I believe the members are independent enough, at any rate, to do what they feel is in the interest of the people, and I trust that this House will seriously consider this important question, and, at least, provide some means by which the industrial classes shall obtain money at cheaper rates. It may be argued that it would be very unfair to the loan societies, because

they have entered into obligations with foreign money lenders; but that objection is utterly without foundation, as these societies can, if they like, convert themselves into farmers' banks, and go into operation under this Act, and can gradually pay back to the foreign capitalists the money due. They will not, therefore, be put to any disadvantage, except that they may not be able to create such an enormous amount of wealth for their shareholders as they have in the past, which accumulations have been taken out of the hard earnings of the agricultural and other industrial classes. It is in order to obviate this evil that I introduce this Bill. As far as the banks are concerned, this proposal does not interfere with their business at all; they are still at liberty to carry on their own operations, except in this one particular, that I propose, under this system, to change the character of their circulation, or, at least, that there shall be power given to change its character, if difficulties arise, by the following clause:—

In order to obviate any difficulty arising from the chartered banks calling on the Government to redeem in gold or its equivalent any notes issued by the Government to farmers' banks, it shall be in the power of the Government to call for an estimate of the value to said chartered banks of the privilege of issuing their own circulation to the termination of their charters, and arrange with such banks for the surrender of the aforesaid privilege, which valuation, together with the amount of circulation they are entitled to issue, and which they thus surrender, shall be paid them in Dominion Government legal tenders.

The object of that clause is to prevent the ordinary banks from cornering, as it were, the issue of farmers' banks, and creating difficulty with the Government of the country; and it has another object, which is that we shall have one medium of circulation. It is a very inconvenient and expensive system at present. If any gentleman in Ontario happens to have in his possession the note of a bank in British Columbia, he is obliged to pay 5 per cent., no matter how good the bank is, in order to get the note cashed, and so with regard to banks in the other Provinces. That is a great inconvenience and ought to be done away with. With regard to an argument which may be used that the effect of this banking system will be to cause inflation, I think that fear is also groundless, because the very mode by which this money is circulated is actually a perfect weather-glass of the requirements of the people of this country. Farmers will not borrow money on their land unless they require it, and it is only when they have failed in their crop or desire money to carry over their crop and pay their debts that they will borrow money; and therefore, instead of causing inflation, it will only regulate the money which is in circulation for the various industrial classes of this country. I do not know that it is necessary for me to dwell at any greater length upon these resolutions, but I trust that the House will resolve itself into committee and pass these resolutions, so that the Bill can be introduced into the House and brought in the ordinary manner before the Banking and Commerce Committee.

Mr. HESSON. On a former occasion I had the pleasure of seconding a similar motion to that now before the House, and I again express my entire sympathy with the object in view. The resolutions speak, I think, very strongly to the common sense of those who profess, not only in this House but outside of this House, to sympathise with and speak for the farmers. We are very free, indeed, when we are mixing and mingling with that class of the people of Canada, to express our sympathy with them; and we are here to-day, I presume, not to allow a matter like this to pass the House without any consideration, as on a former occasion it was treated in that way. I sympathise with my friend in the herculean task he has taken upon himself, knowing how impossible it is for him or any other private member of the House to succeed unless he has not only the ear but the heart of the Ministers with him. There is very much to commend

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these resolutions to the good sense of the members of this House. In reference to the clause which expresses the desirability of the Government assuming the issue of all paper money in Canada, I venture to say that, if a vote was taken of the people of Canada, outside of the bank directors and stockholders, nine-tenths of the people would favor such a proposition. It bears upon its face the evidence of common sense, and I venture to say there is not an intelligent person in Canada who can hesitate to accept such a circulation. In order to pursue such a course, I presume it would be necessary to withdraw the circulation of the chartered banks, and I suppose that time would have to be given for that to be done. That, no doubt, would in itself involve a very great battle, because there are great interests involved, and they would stand up for the rights granted to them by Acts of Parliament; but this House, as I understand, has reserved to itself the right of reviewing their course from time to time, and it would be unfair, if the requirements of the public should demand that the course should be changed in the future and that the privilege should be withdrawn which has been given to the banks in the past, to refuse to take that course. I have before me an instance of this. I have here a bill issued by a bank which, I believe, has ceased to act under its charter, and which, I believe, is redeeming its paper at about 40 cents on the dollar. I speak of a Prince Edward Island bank bill, which I came into possession of innocently, and which I find is worthless to me for purposes of trade. The mover of these resolutions pointed out that the security that is proposed to be offered for such a circulation is of the very best kind. We all know that it is even superior to specie when held by private or chartered banks. No possible objection could be taken to the character of such security—first mortgages upon the best property in Canada, the real estate, the farmer's improved farm, and only to the extent of 50 per cent. of its actual or assessed value. No better security could be offered upon which a circulation could be given to the people to do the business of the country with. It is most unfortunate that we have to point to the position of the chartered banks in order to draw a contrast as to the stability of the two positions, but it is only fair, and, as they are public property in that sense, I think they ought to be able to stand the investigation which is called for in dealing with this matter. Something less than \$7,000,000 are held by the chartered banks of Canada in the shape of specie, and their circulation is in the neighborhood of \$30,000,000, to say nothing about the \$60,000,000 held by the stockholders. Every man, I presume, having an interest in bank stocks feels that he is perfectly safe and secure. Well, I do not wish to disturb that feeling at all, but it is to be remembered that these institutions are conducted by directors who are themselves not always free from criticism as to their moral and business character and as to their integrity, and all these things have to be considered by the Government and the public. How much more secure would an issue of paper money be to the holders of that paper money. Looking at the advantage arising to the whole country, from the circulation of one single issue, it is easy to see how important it would be to all the taxpayers of Canada. The wear and tear, when distributed over thirty or forty banks, each of which has to provide its own steel plates and engravings in getting out its small circulation, gives them probably but very little advantage, but as one great circulation in the hands of the Government the advantage might be a very important consideration to the country. I believe this matter is of such importance that it is the duty of every member of this House who represents an agricultural constituency to say a word on behalf of this measure, and if it is not perfect, to assist in perfecting it. I have reason to believe that there is sufficient common sense in this House to take those resolutions, and the Bill of my hon. friend, and shape it in such a way as to meet not only all the requirements of

the farmers, but of all the business and commercial interests of this country. The latter are a very large class, indeed, and I presume the Minister of Finance will look upon this matter as a very radical one on the part of an ordinary member of this House, who makes such demands upon the Government as we make in the interests of the farmers of Canada. But those who have lived amongst the farmers and who know the difficulties they have occasionally to encounter, who know how often they are compelled to go to those who have money to lend, know that they are not in a position to borrow on so advantageous terms as the commercial men, and, therefore, we ought to feel a great sympathy with the object in view in those resolutions. I will not detain the House, as I am not feeling as well as I would like to, but I must say that I trust there are gentlemen in this House who not only sympathise with farmers in this matter but will assist in preparing a measure in their interest. I know this Bill can be perfected, I know the security is good, and I am satisfied the Government are the only parties who ought to issue a circulation for the people of this country. I am satisfied, also, that the public in Canada and out of it would accept such a circulation without a single doubt as to its worth and safety. I have very much pleasure in seconding the motion of my hon. friend.

Mr. SPROULE. I think the hon. member for Centre Wellington (Mr. Orton) deserves the commendation of the people of this country for his untiring efforts to devise some scheme whereby the large class known as the agriculturists of this country may get their money on better terms than they are doing to-day. It is a well-known fact that the peculiarity of their calling is such that the returns come in only once a year, and consequently they are not able to pay as high a rate of interest as those who are engaged in other lines, and who reap returns three, or four, or more times a year. It is also well known to those who have carried on farming operations, or who are at all acquainted with them, that the agriculturist who has to pay a higher rate of interest than 4 or 5 per cent. out of the proceeds of his farm must ultimately find it a failure, because the profits in that line will not warrant him in paying more. Now, this scheme seems to be surrounded by many difficulties, and a cursory examination of it would seem to indicate that it was impracticable. Still, I believe that it may be possible to devise some scheme whereby that large class would receive the benefit of getting money at a lower rate of interest, and getting it on easier terms, and thereby be enabled to carry on their farming operations better than they do to-day. Again, it is a well-known fact that monetary institutions of a somewhat similar character have been established in other countries. The hon. member for Centre Wellington has cited several cases where institutions of this nature have been established and successfully carried on. Now, what has been done in other countries can be done here, and if the system has proven a success elsewhere, why may it not be a success here? Therefore I think it is deserving of our attention, and if this scheme is a crude one, perhaps it might be well to appoint a committee of a number of members of this House to look into the question with a view of devising some means to overcome the difficulty under which the agriculturists of this country are to-day. The merchant may apply to a bank and by endorsed notes raise what money he requires, but it is not so with the farmers. Farmers, as a rule, are not like business men, and their business does not enable them always to make money, or to have at hand at all times the security they need to raise it without a great deal of trouble and annoyance, and many times when it would be advantageous to them to have a little money, they are unable to get it on account of the restrictions that are imposed by those monetary institutions to which they are now obliged to apply. As to whether farmers' banks could be estab-

lished, I am not prepared to say; as to whether it would be advisable for the Dominion Government to issue all the circulation of the country, I am not prepared to say; but I do believe that some scheme may be devised whereby the agriculturists of this country should get their money at a lower rate of interest, and on terms that would be much more favorable to them and much more likely to enable them to carry on their operations with success to themselves and with profit to the country.

Mr. McMULLEN. The question that has been brought before the House by the hon. gentleman for Centre Wellington (Mr. Orton), is one of great importance, and I shall be glad, indeed, to give him any assistance in my power, as a humble member of this House, to secure from this Dominion money at a less rate of interest on behalf of the farmers than they are paying for it at present. I believe the farming industry of this country deserves the serious consideration of every member of this House. It is, after all, the most important industry, and if we can by any means, such as suggested by the hon. member for Centre Wellington, secure to them the means of getting money at a cheaper rate than they are now paying, I am sure it would be the duty of every member of this House to second the effort of the hon. gentleman. At the time the hon. gentleman introduced this measure last year, I was in doubt, and I was somewhat afraid, it could not be successfully carried out. I was rather inclined to think that, perhaps, the system he proposed could not be very well carried out. However, I am glad to second his efforts in any way I can, in order to bring it into operation, and if it will be the means of securing to the agriculturists of this country money at a less rate of interest than they are now paying, it will undoubtedly be a blessing to them. My belief is that the farmers should be placed in a position where they can borrow money at a much less rate than they have been paying the last number of years. I have to express the regret myself that the institutions from which the farmers have been borrowing money for years, have been placed in a position to take advantage of the farmers, who, in many cases, have been misled and deceived, and have been called upon to pay rates of interest far in excess they should have been able to borrow for. I am one of those prepared to say that we should have a usury law. I believe somewhat in a usury law. I should think that when a man gets into such a financial position that he is able to manage his own affairs and lend the balance of his means to his neighbor, it is only right that his neighbor should be protected from exorbitant rates. However, that is not altogether in accord with the line that has been struck out by the hon. member for Centre Wellington. If the banking system suggested would, when put into operation, prove advantageous to the farmers, which I hope would be the case, it would receive my cordial and hearty support. I am prepared to do everything in my power to perfect the Bill which the hon. member intends to introduce, and when it comes up I will do anything to assist to bring it to a successful issue.

Mr. McLELAN. The proposition which has been made by the hon. member (Mr. Orton) is very wide in its operation and is of very considerable importance, as affecting the whole of the circulation of the country. I regret the circumstances which caused my absence from the House during the remarks of the mover of the resolutions. The question of the change proposed requires very careful consideration. I have had conversation with a number of the principal bankers upon the matter of a Dominion issue of notes, making the circulation of notes entirely a Dominion one, and I have gathered the opinions of a number of them. The Government is not yet prepared to come to a decision upon the matter, but it is anxious to gather the opinions of the country, of the House and of the banking institutions.

I think no harm, but perhaps some good, might arise from a free discussion of the question before the Banking Committee and in the House. If the House or the Government were to be considered in any way committed to the principle of the resolution, if that course were followed, I would desire that the debate be adjourned in order that I might have before me the arguments that the mover used before considering them and replying to them. But it remains for the House to say whether the matter might not be allowed to go before the Banking Committee where it could be fully discussed, without it being considered that the House is committed to the principle of the resolution. If such were the understanding I would have no objection to the matter going before the Banking Committee where it might be fully discussed, otherwise I would move the adjournment of the debate.

Mr. BLAKE. I think the first suggestion of the Finance Minister is the more accurate one. As the hon. gentleman was unable to be present to hear the remarks of the mover I think the debate should be adjourned, and a question so vital, comprehensive and important should not be referred to the Banking and Commerce Committee before there has been a full and exhaustive debate in this House.

Mr. ORTON. This subject has been brought before the House on the present occasion for the second time, and there never seems to be any intention on the part of the House to discuss it. I cannot willingly consent to the proposition to adjourn the debate. The order would, under such circumstances, not be reached before the end of the Session, and the Banking Committee would not have an opportunity to carefully consider the character of the Bill. I hope the House will allow this Bill to go before the Committee, which is the proper place for it, to be carefully considered and discussed. There can be no doubt that this is an abstract question and one that can be more properly discussed there than before the House. After it has been considered by the Committee it would come before the House and then discussed by it. I hope the Government will see the propriety of allowing the Bill to go before the Banking and Commerce Committee.

Sir HECTOR LANGEVIN. I really believe it would be better that this matter should not be deferred by moving the adjournment of the debate, but that the motion should be adopted, of course without prejudice. It will be understood that the principle of the Bill will be voted on only when the report of the Banking Committee comes back to this House. When we shall have the labors of that committee before us, their report and the evidence taken, the House will then be in a position to consider the whole matter. This is the second time the hon. gentleman has brought the matter before the House. Last year the House could not take it up as it was too late in the Session; but, as the hon. gentleman has come early in the present Session, I think it would be fair to the hon. member that the resolution should pass through the committee, that he should introduce his Bill, and on the motion for the second reading the Bill should be sent *pro forma* to the Committee on Banking and Commerce, and then the committee would consider the matter and evidence taken upon it, and report. Afterwards we would be able to take up the matter and decide whether the Bill so reported should go through the House or be deferred another year.

Mr. VAIL. It seems to me this is a very important matter, and as the Government has had at least one year to consider it, they should be now in a position to announce what they intend to do in regard to it. They have a majority in this House and on the Banking Committee, and if they choose to take the responsibility of endorsing the Bill so far as to send it to the committee, they must take the responsibility. For my own part I quite agree

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with the position taken by the leader of the Opposition. The debate should be adjourned, and if the Government require further information, they should obtain it; but at all events the resolution should be fully discussed in the House before it is sent to the committee.

Sir RICHARD CARTWRIGHT. I trust the Government will tell the House and the country what they propose to do on a question of this great importance. Questions of this magnitude, involving a total change in the whole banking and financial system of the country, ought not to be decided upon or appear to be decided by this House in any particular way without prejudice. The Government of this country are called upon to instruct and lead the House in such a matter. If they approve of the principle without committing themselves to the details of the hon. gentleman's Bill, then it is perfectly right to send it to the Banking and Commerce Committee. But according to the practice and all precedent it ought not to be sent there unless the House is convinced that the principle of the hon. gentleman's resolution is a desirable one, and should be shaped into a Bill. Are we to waste the time of the Banking Committee—because there will be a very long discussion—for days and days in trying to settle the details of the measure, and then find the Government are opposed to the principle of it? I do not think it is a question that can, with any propriety, be referred to a committee comprising forty or fifty members only out of 211. It is a question of first rate magnitude, and I cannot understand how hon. gentlemen opposite can possibly absolve themselves from the grave responsibility which they will incur if they appear to sanction the principle of this measure without having given due consideration to all the important consequences involved in it.

Motion agreed to; and House resolved itself into Committee on resolutions.

(In the Committee.)

On resolution 3,

Mr. MILLS. I should like if the promoter would explain how he expects parties to invest capital in these banks at 5 per cent. interest, when under the National Policy, which the hon. gentleman supports, they can get so much higher a rate for their money when otherwise invested.

Mr. ORTON. All I can say is, that after having given the matter very careful consideration, I have come to the conclusion that there is a fair prospect for any farmers' bank established under the principles of the Bill, and that farmers who are not obliged to borrow, but have their farms clear of encumbrances, will be easily induced to become stockholders in these banks, because by putting mortgages in them they can become the possessors of legal tender notes, based on the credit of the Dominion of Canada. There would be only that amount of interest payable that results from the number of notes of that character that are presented at the Treasury Department for redemption, and only upon the amount sufficient for the redemption of those notes. For that reason I think there is every inducement not only to farmers, but to capitalists and men of means to commence operations and lend their money on proper security. I think it will have the effect of increasing the benefits which Canada has already derived from the National Policy, and that it is a fitting addition to that policy which the people of Canada have adopted.

Mr. MILLS. The hon. gentleman has not yet made clear what inducement there is to a farmer to take stock in a bank in which the rate of interest is limited to 5 per cent. rather than to invest in other institutions where a higher rate is paid. Then it is provided that the period of accommodation will be much longer than in the ordinary banks,

and therefore the rate of profit will necessarily be less, and that being the case, the hon. gentleman should explain how he expects farmers to take stock in these banks rather than in other banking institutions where the rate of interest is higher and less restrictions placed upon them. Then the hon. gentleman knows that, under the arrangement he has suggested, the dividends will be very much less than in the ordinary banking institutions, even at the same rate of interest.

Mr. LANDERKIN. It appears to me that the hon. gentleman is not quite serious with regard to this Bill. He pretends to be acting in the interest of the farmers by compelling them to mortgage their farms and raise capital with which to carry on a banking business, and then he will allow them only 5 per cent. interest. He gives them the privilege of mortgaging their farms to get capital to stock these banks and then he strikes a blow at the farming interests of this country by legislating against them and providing that they shall not charge more than 5 per cent. interest. If this is legislation in the interest of the farmers, I think the farmers should know it, and wake up to their interests. Some time ago the hon. gentleman pretended to legislate in the interests of the farmers. At that time wheat was \$1.50 per bushel, and under his beneficent legislation, it is now 75 cents a bushel. To-day the farmers can get 6, 7 or 8 per cent. for their money, but he wants to legislate so that they will only get 5. Why, Sir, it is a direct slap in the face to the farming community. As I represent a large farming community, everything intended to benefit them shall have my hearty and cordial support. I believe farming is the foundation of the success of the country, and every restriction should be taken away from that industry; but why the hon. member should propose to limit the farmer to charging 5 per cent. while he allows the loan companies and the banks to charge 8 or 9 per cent. and then claim to be the friend of the farmer, I cannot understand. If the farmers are going to mortgage their farms, they should be allowed to mortgage them for whatever money they can raise. I should like the hon. gentleman to be serious in this matter; it is too important to trifle with the agricultural constituencies. I stand here as the representative of a farming constituency and as the son of a farmer, and I do not like to see the farming interests treated as they are now proposed to be treated. I should like the Government to pronounce on this measure. It is said that it is going to change the whole banking system of the country. I think it is an insult to the farmers that they should be bound down to charge only 5 per cent. when you allow others to charge as high a rate of interest as the money will fetch.

Mr. ORTON. In reply to the hon. member for Bothwell (Mr. Mills) I would say that by this measure a farmer with an improved farm can mortgage it without paying interest by placing it in the hands of the Treasury Department, while loaning his money at 5 per cent. With regard to the remarks of the hon. member for South Grey (Mr. Landerkin) who has attempted to cast ridicule on this attempt to benefit the farming interest of the country, I would inform him that this Bill is more in the interest of the farmers who borrow money than the usurers, and when he goes back to his constituents, I think he will find that they will not allow him to come back and cast ridicule on anything that is introduced for their benefit. If he says it is of no benefit to the farming interest to get money at 5 per cent. his head must be very thick. It must be patent to every man in this House, as well as outside of this House, that it would be an immense boon to this country to get the rate of interest reduced, it would enable all our industries to compete with the industries of the world at a greater advantage. The farmers will still have an opportunity of loaning money

at higher rates if they can find customers to borrow from them at higher rates.

Mr. LANDERKIN. The hon. gentleman cannot construe anything I said as casting ridicule on the farmer; but the manner in which he introduces this measure is, I say, a direct insult to the farmers of this country. He does not treat the matter as if he were serious. Do you suppose the farmers I represent do not understand this question better than that, or that they will misunderstand my position? If the hon. gentleman wants to do what is right, let him assail the big banking institutions, but not compel farmers to loan money at the low rate of 5 per cent. This is to ridicule the farmers. This is class legislation made in the interests of the chartered banks against the farmers. I hope the hon. gentleman will not settle this question as he did the price of wheat by bringing it down from \$1.50 to 75 cents.

Mr. HESSON. I think the hon. member for South Grey does want to introduce something in the way of ridicule, because we supposed we had a question here at any rate that was not to be treated on party grounds. The hon. gentleman starts out by pointing to the efforts of the Government, on a previous occasion, to benefit the people of Canada—efforts which brought down wheat from \$1 to 75 cents a bushel, which, I suppose, was the result of the National Policy. There was no necessity of dragging in such a far-fetched matter as that. The hon. gentleman lives in an agricultural community, and, I suppose, the greatest mistake they made was in sending him here. If he was as sincere as he professes to be, in his desire to help the farmers, he would be able to see the benefit of this scheme to the farmers, not only to the borrowers, but the lenders. If a farmer has his property in real estate, which lies inactive, and which represents to him say a value of \$10,000, and he mortgages it to the extent of one half its value, he becomes the possessor of bank stock to the extent of \$5,000, and he gets 5 per cent. interest on his asset which costs nothing. The hon. member for Bothwell asks, why not invest in the other banks that pay larger interests? I would like to ask him in what way they could get more than they have invested, whether in specie or bank notes, except by adopting the proposition of my non. friend. The farm, which is, after all, the best security—better than a bank bill or specie, because it remains after the specie is gone—is perfectly safe and is earning 3 or 4 per cent., while the farmer has a mortgage on his farm for which he does not pay one cent except the cost of the writing, and I think the Bill should reduce the cost of even that. Now, let us see what the advantage is to the unfortunate borrower. I say it is sufficient inducement for any man who owns good real estate in Canada, to invest in such a bank, because he gets interest at 4 per cent., which, on a mortgage of \$5,000, represents \$200 a year, over and above all he earns out of his farm, while he runs no risk. His unfortunate neighbor who has not the advantage of being free from debt, or has a mortgage on his farm at 7 or 8 per cent., can go to that institution and get relief by obtaining a loan at 5 per cent. I think the limit is properly fixed at 5 per cent.; and I do not think the hon. gentleman who gets up in this House and urges that we should raise the rate of interest, will find that to go very far with those who want to borrow. I think there is a great deal in this measure to justify this House in considering it fairly and honestly, not only in the interest of the owner of real estate who seeks to invest, but in the interest of the unfortunate man who has to borrow. I think it is worthy of more serious consideration than is given to it by the hon. gentleman who gets up here and says we are casting ridicule on the farmers of this country. But the hon. gentleman wants to drag in his paltry politics again.

Mr. LANDERKIN. No, it is your paltry politics.

Hr. HESSON. It is not worthy of any gentleman representing an agricultural constituency, to take such a position. I can hardly imagine the hon. gentleman is sincere, because he is usually very jokey; he is usually full of good amusing incidents, and I fancy he was not sincere. If he wants more information my hon. friend will give him all he wants, for his sole object is to have the intelligence of the House drawn on this question.

Mr. LANDERKIN. This is a generous move in the interests of the farmer. The Bill proposes that the farmer may mortgage his farm; this mortgage may be deposited with the Government, and he take the chances of a commercial speculation. The farmer may lose his farm and be thrown out in the streets as the result of a bad speculation. A society called the Grangers has been formed by the farmers. In forming it, did they propose to increase their facilities for credit? No. Their object was, on the contrary, to bring things to a cash basis. The hon. member for Perth (Mr. Hesson) pretends to speak for the farmers, I know not by what right. He cannot have studied this question or he would know that the object of the Grangers is not to extend credit, but to limit it, and to reduce the farmers operations as much as possible to a cash basis. That is what the farmers want. It is not in their interest to get up a bank which will have the effect of ruining perhaps all those who engage in it, and then compel those men to lend at 5 per cent. only, when all the other banks are allowed to charge what they can get. The thing is perfectly absurd. I can tell the hon. gentleman, that the farmers understand their own business; they have discussed this question in their Granges, and they have come to the conclusion to do away with the credit system as much as they possibly can. The amount paid by this country to keep up the credit system, is a very heavy burden on the community; through it we are obliged to keep up a whole army of officials, and to it many a farmer owes his ruin.

Mr. SPROULE. The hon. member for South Grey (Mr. Landerkin) has the happy faculty of turning everything to political account. The farming community, on learning the line of argument he adopts in this case, may well exclaim: "Save me from my friend!" They have, when compelled to borrow money from the banks, to pay for it from 8 to 12 per cent. The banks usually charge 8 per cent., but as no money will be advanced for a longer time than three months by the banks, the customers have to pay compound interest on the capital four times a year, and this Bill is intended to furnish the means whereby this difficulty will be met by enabling the farmers to get money at 5 per cent. The hon. member for South Grey (Mr. Landerkin) says why not compel the banks to lend at 5 per cent.? That we have tried unsuccessfully to do, and our want of success has shown the necessity of devising some other means to meet the difficulty, such as the one now proposed. The hon. gentleman says the Grangers recognise the necessity of curtailing the credit system and are endeavoring to establish a cash basis. Does he believe that the Grangers could not carry on business more successfully if they had the means of borrowing money at cheaper rates than they can at present? But the hon. gentleman says it is an injustice to the farmer to compel him to lend at 5 per cent., when the banks can lend at what they like. There is no compulsion in the matter. This Bill simply furnishes the means by which the farmer can get money at 5 per cent., and then invest it in any way he likes. The greatest benefit must resort to the farming community in the event of this scheme being worked out successfully. The hon. member for Bothwell (Mr. Mills) says: If the farmers can raise money, why not allow them to invest it in ordinary bank stock which

Mr. HESSON.

realises a larger rate of interest? But the farmers cannot raise money without means being devised for raising it, and this Bill will put it in their power to raise money on latent capital, on which to-day they get no profit at all. If a farm is worth \$1,000 and the farmer can raise \$500 on it, for which he will get 5 per cent., that is \$25 a year, he will receive that on latent capital on which to-day he realises nothing, and he may invest the money in any bank or in any other manner he chooses. This proposal simply puts in the power of the farmer the means to borrow, and I can tell the hon. member for South Grey (Mr. Landerkin) that in his part of the country the farmers have been obliged to borrow in days past at from 15 to 18 per cent. Would it not be much better for them if they could borrow at 5 per cent.? I can only say that, year after year, the hon. the mover of his Bill (Mr. Orton) has been struggling to obtain this boon for the farming community, and I think his efforts deserve commendation and not ridicule.

Mr. LANDERKIN. These resolutions have been before the House from year to year, for I do not know how many years. If the hon. gentleman was serious, why did he not press them before? He has generally allowed them to go to the second stage, he has allowed the hon. member for East Grey and others to say their few words, and then the Bill disappeared; it was slaughtered at the end of each Session. Its only object seemed to be to gain a little popularity for its supporters and there it ended. This farce has been carried on for years, and now the Government take the unusual course of allowing the Bill to go to the Banking and Commerce Committee without affirming the principle of the measure. If there is anything to relieve the farmer, I do not think it comes well out of the mouth of any hon. gentleman to say I will not be as active and as alive to their interests as those persons who boast they are the friends of the farmer. They have a good way of showing it. They want the farmer to mortgage his farm in order to carry on a banking business and to get 5 per cent. interest, while they allow chartered banks to manage the banking business and charge what interest they like. If these are the friends of the farmers, I think the farmers will say: "From our friends, good Lord, deliver us."

Mr. ORTON. The hon. gentleman, I see, has changed ground somewhat.

Mr. LANDERKIN. I hope you will do the same.

Mr. ORTON. His attempt to ridicule has failed, and the ridicule has been brought on his own head; and, when he returns to the county of Grey, I have no doubt the farmers there will teach him his duty to his constituents, and that, when such an important question as this comes up, he will not have again an opportunity to cast ridicule upon an honest effort for their good.

Mr. LANDERKIN. An honest effort, did you say?

Mr. ORTON. When the hon. gentleman says I was absolutely compelling the farmers to ask only 5 per cent., he is stating what is absolutely untrue.

Some hon. MEMBERS. Order.

Mr. ORTON. I think I am perfectly in order.

Mr. LANDERKIN. I rise to a point of order. Will you have the kindness, Mr. Chairman, to read the clause of the Bill where 5 per cent. is to be taken?

Some hon. MEMBERS. Order.

Mr. LANDERKIN. I wish, Mr. Chairman—

Mr. ORTON. I simply stated, Mr. Chairman—

Some hon. MEMBERS. Order.

Mr. CHAIRMAN. The hon. member for Wellington (Mr. Orton) has a right to explain what he said.

Mr. LANDERKIN. Mr. Chairman—

Some hon. MEMBERS. Order.

Mr. CHAIRMAN. Order.

Mr. LANDERKIN. It is a point of order.

Some hon. MEMBERS. Order.

Mr. ORTON. What I stated was that, if he said so, it was not a statement of fact.

Mr. LANDERKIN. That is just the point.

Some hon. MEMBERS. Order.

Mr. CHAIRMAN. Order.

Mr. ORTON. It was not a statement of fact, because it must have been made from an entire misconception of this Bill. It is not what the Bill or the resolutions propose to do, and the hon. gentleman evidently spoke as if he were not familiar with the question under consideration, and therefore I think, perhaps, it would have been better if he had not made any remarks at all. However, he changed his ground, and attempted to show that on former occasions I had not pressed these resolutions as far as I possibly could. I maintain that I have, on every occasion on which I have brought them forward, pushed them as far as I possibly could, as far as the House would permit me to push them; and it is the leader of the hon. gentleman's own party who is now trying to hamper the progress of these resolutions.

Mr. BLAKE. No.

Mr. ORTON. He has attempted to place me in the position in which I was placed before, and it is not the first time that the leader of the Opposition has endeavored to place impediments in the way of reducing the rates of interest to the agriculturists of this country; but I am glad to find that this Session the resolutions are likely to advance a step further, and I hope they will go so far as to lead to the adoption of the Bill in some form, in order to carry out what I have in view, which is to give facilities to our farmers to carry on their business on a cash basis. Reference has been made to the Grangers. This Bill will be the means to enable the farmers to carry on their business on a cash basis instead of asking credit from their storekeepers, and being charged 8 per cent., compounded every three months, which is the course usually adopted by country merchants. This will enable them, if they have not enough money from their crop to pay their store and other bills, to borrow at a low rate money to pay cash, and the result is that they will be able to buy their goods at a cheaper rate, and will not have to pay the high rate of interest which they have had to pay in consequence of a false and injurious credit system.

Mr. MILLS. I think the hon. gentleman has not explained some very serious features which are presented by the resolutions before you. The hon. gentleman proposes, by these resolutions, that the agricultural class of the population shall have the right to mortgage their real estate to the extent of half its value, that the Government shall issue notes to the half value of the property, and that the property shall be liable to that amount. The hon. gentleman assumes, all through the observations that he has made, that in no case can the land become liable, that every borrower is perfectly good for the amount he receives. We know that frequently land changes its value. There may be a destruction of buildings, or changes in trade, or an alteration in the circumstances of the people in a particular district, which may diminish the value of the land by more than half, so that the amount for which the lands may be mortgaged may be greater than the cash value of the land at the particular time. Now, the parties who obtain money in this way may after all find that their land is not worth

the amount of money they have received. What is to be the effect? Is not the land of the rest of the community, which is mortgaged for half its value, liable for any loss sustained? Is this the only banking institution in the world which is to run no risks and is never to be liable to failure under any circumstances? The hon. gentleman has proposed a scheme which resembles in some respects the national banking institutions of the United States, and yet we know that many of those institutions have failed, and that those interested in them have lost all the capital they had invested. It seems to me that, in a proposition so important and serious as this, one which the hon. gentleman says is of such vast consequence to the agricultural portion of the community—I must say I do not quite agree with him in that view, but assuming that his view is correct—is it not perfectly plain that the hon. gentlemen who sit on the Treasury benches are those who ought to take charge of this measure, who ought to take it into consideration, form an opinion upon it, and guide the House in reference to it? The Minister of Finance and the Minister of Public Works have abdicated their functions in this matter, and placed the guidance of the House in reference to it in the hands of the hon. gentleman who has taken charge of this measure. I think we are entitled to know what are the opinions of the Government upon this question. The hon. gentleman has threatened my hon. friend from Grey (Mr. Landerkin) on this matter. He has undertaken to speak for his constituents, and has stated that they will desert him, and will disapprove of his action on this subject, and that he will not again be returned to this House. The hon. gentleman, perhaps, cannot say as much with regard to his own constituents. He may not be able to speak with as much confidence as to their views, as he has spoken with regard to the constituents of my hon. friend from Grey; but, if it is a matter of such importance to the people of Grey—and I suppose to those in every other portion of the country—how is it that the hon. gentleman has not succeeded in the past four or five years in impressing his leaders with the importance of the measure he has in hand? The hon. gentleman who sits behind him ardently supported this measure, but not more ardently than he supports the gentlemen on the Treasury benches. He seems to think it is a matter of immense consequence to the agricultural population of this country. How is it that he has not told those gentlemen that this is a matter of such vital consequence to the agriculturists of this country, who have been fleeced on the right hand and on the left by capitalists who have wronged them by giving them the money that they want? How is it that he has not pointed out to his leaders the importance of this measure, and impressed them with their duty in this matter? Those hon. gentlemen ought to have made themselves conversant with the merits of this measure; they ought to have been able to explain their views to this House and to guide the House on this particular question; but what do we find? Why, that the Minister of Finance has yet everything to learn with regard to it. He says he does not know anything about the matter, and he could not be expected to know, because he had not read the lucid and luminous speech made by the hon. gentleman who proposes this measure. Well, had the hon. gentleman ever spoken to the Minister of Finance? Has he impressed him with the very great importance of this measure, and its utility to the agricultural population? Has he ever spoken to him upon the subject before introducing it into Parliament? Has he taken these steps to induce the Government to take up this important question, which is of such vital consequence to nine-tenths of the population of this country? Why is it that the hon. gentleman, while he has been lecturing my hon. friend with regard to the importance of this measure, has not succeeded in impressing

those who guide him in this House in reference to this subject? Now, Sir, I think that before this House takes any action, before this House engages in any enterprise of this sort and supports a hare-brained scheme, such as it seems to me this one is, we ought to know the views of the Government upon this subject. The Finance Minister ought to have given his opinion upon a question of this kind, and ought to be prepared to lead the House and to direct them in the course which he thinks the public interest demands on a question of such moment, as the promoter of this measure says it is. I trust, Sir, that we will receive some light from the Government, that we may learn from them what their views are, and that the House, before it commits itself to a position of this sort, will know what are the views upon this question of those upon whom the responsibility of directing the affairs of the country rests at this moment.

Mr. ORTON. In reply to the hon. gentleman who refers to the fact that the land basis of this proposal is one that varies in value, I may say that I have confined it strictly to improved farm land as the basis of this money circulation, and I maintain that improved farm lands to-day are the only property that is not liable to any serious change in value, and the change in value usually is in the direction of an increase and not a decrease. Had I included city, or town and village property, it would have been much more of a speculative character, and much less safe than it is under the present mode that I propose. I maintain that it is a far safer basis than the banking system in operation to-day. Sir, I can quite appreciate the position of some hon. gentlemen opposite. We all know very well that several of our hon. friends have taken a great interest in loan societies; probably they desire to assist the farmers in that way by lending them money from the loan societies. I believe the leader of the Opposition is the largest stockholder, perhaps, in one of the largest loan societies in Ontario, and he may perhaps think he is doing the best he can for the farmers by loaning them money through a loan society of that character. But I think I should be allowed the privilege of differing from him in opinion, and of believing that it would be to the advantage of the farmers to have money at a much lower rate of interest. In reference to the hon. gentleman's remarks about the Government, I may say that I feel they have conceded a great deal in allowing this Bill to go a stage further in this House, with the object of getting further information. I have not the slightest doubt that when this Bill is submitted to the Banking and Commerce Committee, a sub-committee will be appointed and they will probably have power to send for skilled and scientific men who understand questions of finance, by whom a large amount of information could be gathered, and the Bill put in such a shape as to attain the object sought for. As I stated before, it is not a new principle at all. It is a principle that has succeeded in other countries, and there is no reason why it should not succeed here; there is no reason why the people of Canada should not have money at as low a rate of interest as the people of other countries.

Mr. BLAKE. I do not know whether the place in which my little savings may be invested, is very material to this discussion, though I am quite willing to admit that I have a small sum of money in a loan society. But if that has anything to do with the public, it does not affect my public action. My public action is based upon the idea that the proper conduct of this business in Parliament would be attended to by the Government pursuing the course of announcing a policy on a question of such great importance. That has been the recognised view in times past; it was the view which the Finance Minister himself recognised in the course of the few observations he made. He stated that he had not been able to hear the hon. gen-

Mr. MILLS.

tleman's speech; he was unfortunately out of the House, and consequently had not been able to hear those arguments by which the mover sought to support his Bill; and having, as the hon. member has, no doubt, a great and deserved confidence in the powers of the hon. gentleman, he felt that he would derive much light from hearing that speech, and perhaps be led to conclusions different from those which, very obviously, he had formed, guided by that gentleman's luminous speech. It was under these circumstances that the hon. Minister of Finance himself stated his inability to do that which he conceded it was his duty to do, namely, to give to the House some light, and leading himself upon this subject, and suggested the propriety of the adjournment of the debate. I happened to agree with the Minister of Finance, and for that the hon. gentleman has been, to use perhaps a somewhat unparliamentary term—though I hope not an offensive one—has been slanging me two or three times because I agreed with one of his leaders in the view that that gentleman ought to have an opportunity, before expressing an opinion, of listening to, or of reading—since he could not have the extreme felicity of hearing his eloquence—to have an opportunity of reading, at any rate, his views before coming to a conclusion. I had thought, that upon an occasion so important as this, when a financial measure of such vast magnitude was under the consideration of the House, that the Finance Minister would have made it his business, unless some extraordinary public emergency should prevent his attending in his place, to hear the discussion, and, enlightened by that discussion, and particularly by the speech of the mover, to state those sage conclusions which might animate us and direct us in the course of our public duties. But some overwhelming circumstance, I suppose, prevented his attendance. It could not be that he was afraid of being converted by the hon. gentleman if he listened to his speech; it could not be that he could have preferred to read the speech in the *Hansard* instead of hearing the hon. gentleman deliver it; so there must have been some overwhelming emergency which deprived us of the benefit of the Finance Minister's presence during that portion of the discussion which was so important. Now, the hon. gentleman says that I have thrown an impediment in the way, because I, the leader of a very small minority in this House, concurred with the Finance Minister and supported the organ of the Government in the view that he should have an opportunity of knowing what the mover had said before reaching a conclusion. Now, I will tell the hon. gentleman my opinion about this mode of conducting this business. My opinion is that the Government is desirous of strangling this measure privately in the Banking Committee, instead of publicly announcing an opinion adverse to the hon. gentleman. My opinion is that they wish to give him an opportunity of making capital in the Centre Riding of Wellington and parts adjacent, by adopting the course of abrogating their own functions and of pursuing the unparliamentary and unreasonable course with respect to the conduct of public business, of agreeing to such a measure of such great importance without announcing a policy upon it. The hon. gentleman now, not for the first time, enlightened the House with his views upon this subject. He had spoken them before. The Minister of Finance had heard them upon former occasions; he had had an opportunity of reading them. As an hon. friend of mine had said, the hon. gentleman, an ardent supporter of the Government, in close communication with them, had frequent opportunities, no doubt, of private discourse with the Minister of Finance and other members of the Government, and of bringing them to his views. He has not yet succeeded in bringing them to his views, but he has succeeded in arranging with them that he shall not be publicly executed upon the floor of the House; he has succeeded in providing for a private strangulation under which this measure will

disappear after a little while, not to appear again in form or substance. That is the whole of it.

Mr. ORTON. This is not the first time we have listened to the hon. gentleman's fine spun sarcasm directed against hon. members of this House. As far as his efforts in that direction concern me, I can tell him that they pass over me perfectly harmless. Even when he introduced that very elegant phrase that I had been casting "slang" upon him, I maintain that his statement is not correct. I have not been casting slang upon the hon. gentleman. I have simply made remarks about the course he has taken, and I think there is not an hon. member in this House who does not know that had I taken the course which he advocated, this Bill would be shut off for this Session. When I explained to the Finance Minister that there would be an opportunity before the Bill came before the Banking and Commerce Committee for him to read any statements I have made and also to discuss the matter, he at once acceded in my suggestion, and the Government have shown their honest inclination to do what is right in connection with this Bill, while the hon. gentleman opposite, in a manner completely out of order, imputed other motives to the occupants of the Treasury benches. I do not know whether he measures them according to his own bushel when he was on this side of the House, whether he thought that would be the way in which he would have treated this Bill and strangled it. It may be so. But, at all events, so far as my honesty of purpose is concerned, I wish to tell the hon. gentleman that I have the greatest faith in this Bill attaining the object I desire, that is giving to the people of this country money at a cheap rate of interest so as to stimulate every enterprise and industry in the Dominion. Whether I shall succeed or not in carrying a majority of the House or of the Banking and Commerce Committee in favor of the Bill this year, I have good hope that in the end it will succeed in some way or other, through the principles incorporated into this measure, in securing the object I have in view.

Mr. HESSON. I was struck with the remarks which fell from the leader of the Opposition with respect to the hon. member introducing this Bill with the simple object of gaining popularity in Centre Wellington. If the hon. gentleman will reflect for a moment he will discover what that implies. It implies that this Bill will be popular with the farming community; and that fact should act as a stimulus to the hon. member to go on with the Bill and perfect it.

Mr. LANDERKIN. If such is the case, why did not the Government take it up?

Mr. HESSON. I desire further to say that instead of it being the desire of the Government or of the House to strangle this question in a quiet way, the proposition now made was the proper one, namely, to refer it to one of the largest and most intelligent committees in connection with the House. I have yet to learn that that is strangling the Bill.

[It being six o'clock, the Speaker left the Chair.

After Recess.

FIRST READING.

Bill (No. 77) to amend the Post Office Act, 1875 (from the Senate).—(Sir Hector Langevin.)

SECOND READING.

Bill (No. 5) to extend the jurisdiction of the Maritime Court of Ontario.—(Mr. Allen.)

INSOLVENT BANKS, LOAN COMPANIES, &c., AND TRADING CORPORATIONS.

Mr. EDGAR moved the second reading of Bill (No. 15), further to amend the Act respecting insolvent banks, insurance companies, loan companies, building societies and trading corporations.

Mr. THOMPSON (Antigonish). There are some provisions in this Bill to which I desire to call the attention of the House, because they somewhat seriously affect the winding up provisions of the companies that are mentioned in the preamble. The purpose of the Bill is to give to clerks and other persons in the employ of the company, in or about its business or trade, a preference in regard to their claims for arrears of salary or wages due and unpaid them at the time of the making of the winding-up order, not exceeding three months of such arrears. Assuming the principle to be sound, and I do not for my part contest that point, it is worthy of consideration by the House whether the time for which preference is to be given should be as long a period as three months, as it would, of course, in the case of companies employing large numbers of hands constitute a very large preference, indeed, and one in regard to which creditors could have no information before the making of the winding up order. Then there is the provision that they shall have preference:

"And also for such salary or wages, for a period not exceeding two months of the unexpired portion of the then current year of service, during which period they shall be bound to perform, under the direction of the liquidator, any work or duty connected with the affairs of the company, which the company might have directed them to perform, under their respective engagements."

So there would be substantially, under the provisions of this Bill, not only a preference for three months' wages, but also in effect a preference for damages for the cessation of employment to the extent of two months' wages, although it is true the Bill provides that in regard to those two months' wages the employee shall be at the service of the liquidators. The second clause, however, I think is one which the hon. gentleman should withdraw from his Bill, because it involves retrospective legislation and makes a preference where none exists at present in regard to companies now being wound up. It is quite possible the observations I have made do not strictly apply to the principle of the Bill, but inasmuch as it is one of great importance, and those three features are the features which the House should observe with caution, I think it is only right to mention the matter, and especially the last clause to which I referred. I think it would be desirable that the Bill should be referred to the Committee on Banking and Commerce.

Mr. EDGAR. In regard to the reference to the Banking and Commerce Committee I was going, myself, to suggest that course.

Motion agreed to, and Bill read the second time.

RETURNS ORDERED.

Return stating name, rank and corps of all officers composing the staff of Major-General Middleton, and the capacity in which each served.—(Mr. Casey.)

Return showing names of all Militia officers and non-combatants appointed as transport and supply officers, giving rank and corps of Militia officers, with dates of appointment, rates of pay, by whom appointed, and on whose recommendation, and total payments to each to date.—(Mr. Casey.)

Return to date of all moneys paid to Bell & Lewis, Howard Wright, J. Stewart and Mr. Sinclair for transport service during the rebellion, with copies of all contracts, transfers, and correspondence, telegrams, &c., connected therewith, stating in each case the rate per ton, points between which service was performed, and distance between such points.—(Mr. Casey.)

Return of names of all persons employed, as purchasing agents, showing when, by whom, and on whose application appointed, rate of pay and length of employment.—(Mr. Casey.)

Return of names and appointments of the medical and hospital staff (other than regimental), showing whether they were in the Active Militia, and, if so, their rank and corps, with rates of pay and length of service in all cases.—(Mr. Casey.)

Return of names of the staff paymasters appointed, showing whether non-combatants or not, with rank and corps of such as were in the Active Militia; with rate of pay and length of services in all cases.—(Mr. Casey.)

Return of names of all officers, surgeons and assistant surgeons in the Active Militia, who volunteered for service in the North-West, with rank and corps.—(Mr. Casey.)

Return of names, rank and corps of the officers composing the Military Claims Commission, while at Winnipeg; stating also any subsequent changes in the *personnel* of the commission, with reasons for the same.—(Mr. Casey.)

Return of all horses purchased for use during the expedition, showing name and rank (if any) of persons by whom purchases were made, and number purchased by each; authority for purchase, price paid, and final disposition of the horses by sale or otherwise, when the service was over, with price received for such as were sold.—(Mr. Casey.)

Return of all horses, ponies, cattle, furs, waggons, carts and other property seized by the Mounted Police or expeditionary force, while on service in the North-West between 27th March and 1st August, with the disposition made of the same; the names of persons from whom such seizures were made, and the amounts (if any) paid, received, or now payable or receivable, on account of such property.—(Mr. Casey.)

Return showing all purchases of food, material, medical supplies and comforts, forage and equipment, by tender and otherwise, showing quantities, price and names of persons from whom purchased, for the use of the North-West expeditionary force, with schedule of quantities of each description remaining unused at the end of the campaign, and the final disposition of the same by sale or otherwise, with amounts received for such as were sold.—(Mr. Casey.)

Return showing the total amount paid to date, or now payable on any claim recognised by the Government in connection with the suppression of the North-West rebellion, under the following heads, namely:—Transport service. Pay of officers and men. Subsistence. Equipment. Arms and ammunition. Medical and hospital supplies. Horses. Forage. Commissions, if any, for payment of money or purchase of supplies; distinguishing payments made under any of these heads to the Canadian Pacific or Hudson's Bay Companies.—(Mr. Casey.)

Copy of the Order in Council appointing certain persons as Inspectors or Commissioners of Indian Affairs in the North-West, in the year 1878, together with the report, if any, of said Inspectors or Commissioners.—(Mr. Landerkin.)

Statement, in detail, of all law or other costs or expenses incurred by the Dominion since 1870, in connection with the western and northern boundary of Ontario; when and to whom paid.—(Mr. Cameron, Huron.)

Return showing:—1. A copy of all contracts with I. G. Baker & Co. for supplies agreed to be furnished by them to the Mounted Police for the years 1884 and 1885. 2. A copy of all accounts of I. G. Baker & Co. for such supplies for said years.—(Mr. Cameron, Huron.)

Return showing:—1. A copy of all contracts with I. G. Baker & Co., for supplies agreed to be furnished by them to the Indians for the years 1884 and 1885. 2. A copy of all accounts for such supplies for said years by said I. G. Baker & Co.—(Mr. Cameron, Huron.)

1. An account, in detail, of all the law costs incurred by the Dominion in testing in the courts the Liquor License Acts of 1883 and 1884, and to whom paid. 2. A statement, in detail, of the costs of carrying into effect and attempting to enforce said Acts, and to whom paid. 3. A statement, in detail, of all salaries or payments or allowances made to any official or person under the said Acts; when paid, and to whom. 4. A statement, in detail, of all other expenses incurred under the said Acts.—(Mr. Cameron, Huron.)

Copies of all correspondence between the Government of the United Kingdom and the Canadian Government, or any members, officers or employees thereof, respecting the medals to be given to the volunteers who served in the recent insurrection in the North-West.—(Mr. Amyot.)

Copy of any complaints made to the Department of the Interior against E. Brokovski, an intelligence officer in the employment of the Government; also copies of all reports of the said Brokovski to his Departmental superior during the years 1884 and 1885, or such periods of said years as he was employed by the Department of the Interior; together with all letters or communications asking that the office held by said Brokovski be abolished.—(Mr. Cameron, Middlesex.)

Copy of the appointment of Angus McDonald, of Upper Washabuck, Victoria County, N. S., as census enumerator in 1881; also all copies of all correspondence between the Government, or any member thereof, and any other person relative to the cancellation thereof.—(Mr. Kirk.)

Copies of petitions and letters from Rev. H. Leduc and Daniel Maloney, in relation to complaints of the people of Edmonton, Fort Saskatchewan and St. Albert, and all correspondence arising out of such petitions.—(Mr. Rykert.)

Return showing the amount of notes of the several banks of the Dominion in circulation on the first of March last. The amount of Dominion notes in circulation and in the hands of the banks on the same date. And the amount of gold held by the Government and the banks for

Mr. THOMPSON (Antigonish).

the redemption of Dominion and bank notes at the same date.—(Mr. McMullen.)

Return showing the amount held by the Government through the several Savings Banks and Post Office Savings Banks throughout the Dominion, on the 30th June last, 1885, giving the location of each Savings Bank or Post Office Savings Bank and the sum held by the Government through each separately.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to; and the House adjourned at 8:50 p. m.

HOUSE OF COMMONS.

THURSDAY, 1st April, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

SCOTT ACT ENFORCEMENT.

Mr. McMULLEN asked, Whether it is the intention of the Government to introduce any legislation during the present Session that will tend to aid in enforcing the prohibitory provisions of the Scott Act?

Mr. THOMPSON (Antigonish). I do not understand from the question precisely the kind of legislation which the hon. member desires to enquire about. It will be found, however, that some of the difficulties which have arisen in the enforcement of the Act will be removed by legislation which is now before the House, and by some which it is intended to introduce in a few days.

PREVENTION OF CRUELTY TO ANIMALS.

Mr. CHARLTON moved the second reading of Bill (No. 11) for the more effectual prevention of cruelty to animals. He said: In taking charge of this Bill, I feel that I have assumed a responsibility of considerable magnitude. The character of Christ an civilisation is to promote kindness, forbearance and mercy, and the days of brutal instincts are fading into the past, and become less pronounced as Christian civilisation advances. We have fallen upon the better days of hospitals, of charities, of schools, and the spirit of religion reaches not only to men, but down below men to the animal creation. As Coleridge has very well said:

“He prayeth best who loveth best,
All things both great and small;
For the dear God who loveth us,
He made and loveth all.”

This spirit of philanthropy, Sir, has been very strongly manifested through the creation of societies in various countries for the prevention of cruelty to animals. We have in England the Royal Society, among the patrons of which are the Queen, the Prince and Princess of Wales, and a great number of the English nobility. We have in Canada the Metropolitan Society of this city for the prevention of cruelty to animals, and it is under the auspices of this society that I have introduced this Bill. Among the documents of societies I have with me, are the reports of the New Hampshire Society, the Humane Society of New York, Henry Bergh, President; the American Humane Society, of Washington, the Woman's Branch of this society; the District of Columbia Society, the Western Pennsylvania Humane Society, and the Woman's Branch of it. I also have letters here from Mr. Bergh, and from Mr. Anderson, who introduced a Bill of similar character into the British House of Commons. The Bill has been drafted by the legal advisers of the Metropolitan Society of Canada, Messrs. Bishop, Green and Wicksteed. The Bill proposes to con-

solidate the Canadian law with reference to cruelty to animals, and introduces many new provisions. The 2nd clause provides a penalty for unlawfully and maliciously killing cattle; the 3rd clause, for unlawfully and maliciously attempting to kill; 4th, unlawfully killing other animals; 5th, for acts of wanton cruelty; 6th, for injury done to animals while driving, &c.; 7th, keeping places for baiting animals; 8th, for using birds and animals for live targets; 9th, promoting cruelty; 10th, neglecting impounded animals; the 11th clause refers to the keeping of animals having infectious or contagious diseases; 12th, bringing in animals infected into public places; 13th, offering for sale in markets any infected animal; 14th, cattle transported by railway, provisions for the unloading and feeding of stock; 15th, feeding cattle at the expense of the owners in transportation by railway, if the owner makes no provision for it; 16th, floors of cars to be cleaned and littered; 17th, provides a penalty; 18th, proceedings upon complaint; 19th, proceedings in case of search warrant. The Bill is a consolidation of our own law; very few of the features of the Bill are new, and some of them are copied from the Imperial Statutes. A Bill of a somewhat similar character was placed in the charge of Mr. Richey, of Halifax, and was submitted to a select committee two Sessions ago, and was reported upon by that committee. Whether the Minister of Justice will require the reference of this Bill to a select committee, or will permit it to be taken into consideration by Committee of the Whole, I will now see. If the hon. gentleman requires to have the Bill referred to a select committee, it will be unnecessary to make further explanation of the provisions of the Bill.

Mr. THOMPSON (Antigonish). I think I must avail myself of the hon. gentleman's willingness to have the Bill referred to a select committee. In so far as it contains new features, I think it is well worthy of consideration, especially with reference to those clauses which provide, for instance, for the prevention of the use of birds or animals as targets, and the provision with respect to the neglect of impounded cattle. In so far as the Bill is a consolidation, I think it is objectionable, because it is proposed to consolidate into a Statute, to be called "an Act for the more effectual prevention of cruelty to animals," a number of provisions which do not properly belong to that head; it proposes to consolidate provisions belonging to enactments relating to the preservation of property, the spread of contagious diseases among animals, and proposes likewise to consolidate provisions with respect to procedure which are not applicable solely to offences against an Act like this, and are to be found in the criminal law applicable to all procedure of a like kind. For these reasons, while there may be much in the Bill that would be valuable, I think it is desirable to have those views considered, and I therefore concur with the hon. gentleman in having it referred to a select committee.

Motion agreed to, and Bill read the second time.

Mr. CHARLTON. I move that the Bill be referred to a select committee composed of Messrs. Patterson (Essex), Cameron (Huron), Wright, Weldon, Beaty, Shakespeare and the mover, seven members. We might also name two more members from the Province of Quebec.

Sir HECTOR LANGEVIN. I would suggest to the hon. gentleman to increase the number to eleven, by adding the Minister of Justice, the Minister of Militia, Mr. White (Hastings), and Mr. Mackintosh.

Mr. CHARLTON. I agree to that.

Motion agreed to, and Bill referred to Select Committee.

INTEREST ON MONEY SECURED BY MORTGAGE.

Mr. McMULLEN, moved the second reading of Bill (No. 12) to amend the Act relating to interest on mort-

gage secured by real estate. He said: In moving the second reading of this Bill I consider it my duty to offer some explanation why I consider such a measure necessary. The system of borrowing money followed by farmers often seriously affects their position. In many cases they have undertaken to borrow money for long periods, to be repaid by annual instalments. I am glad to say that the Bill which I am now seeking to amend terminated many of the abuses which grew up under that system; but, while I did so, there still remain some provisions that require amendment. It is desirable that the farmer, after borrowing money on his farm, and after contracting to pay it off by instalments, should have the right after a lapse of time to pay off the principal. The rate of interest has fallen considerably during the last few years. I know in my section of country there are farmers who borrowed money some years ago at 8 and 9 per cent., and at the present time companies and private individuals from whom they borrowed are exacting those very excessive rates of interest. Many of our farmers, unfortunately, have got themselves into very straightened financial circumstances by being placed in positions of this kind, and it becomes the duty of Parliament, when evils of this kind are found to exist, to apply the remedy. I believe it is right that the borrower under all circumstances should at least have the advantages possessed by the lender. The lender with his capital can help himself, but the borrower is absolutely in the hands of the lender, who may exact from him interest and exactions that in the end may prove very serious, and may possibly turn him out of house and home. It is our duty to protect the poor against the encroachments of the rich. In my own section of country I have known several cases where mortgage companies, having liens upon farms, have continued to charge the high rate at which the money was loaned many years ago. These companies have maintained the rates and refuse to accept payment of principal except with the addition of a bonus. The last two years have been very trying ones for many of our farmers, and I have known several cases where they have sought to get release from the financial bondage into which they have unfortunately fallen, but the companies have refused to release them. They say: You have entered into a contract to pay a certain rate of interest, and we intend to hold you strictly to that contract. Perhaps it is the duty of Parliament to respect the rights of private individuals in matters of contract; but if there is one thing in which they should interfere, it is in order to release the poorer classes from the bondage into which they have fallen in connection with payments of instalments and interest on mortgages. It will be in the interest of the poorer classes to amend the Act placed on the Statute book in 1880. In that year the hon. member for Centre Wellington (Mr. Orton) introduced the Act which I am now seeking to amend. It provided that a mortgagor, after a loan has been in existence for five years, after paying three months' interest in advance, should have the right to pay off the entire amount of the mortgage. I seek to amend that clause so that after a mortgage has been in existence for three years, the mortgagor, by giving three months notice, shall be entitled to pay off the mortgage. I do not think it is right that the mortgagor, in order to be able to pay off the mortgage, should be required to pay anything more than interest up to the time of payment; it is unfair to ask him to pay three months' interest in advance when the money is in the hands of the lender. By simply giving notice he should be allowed to pay off a mortgage. That is one of the provisions of my Bill. The other provision is, that where a mortgage is subject to a rate of interest in excess of 6 per cent., and has been in existence for more than a year, the mortgagor shall have the right to pay off the mortgage by giving six months' notice or six months' interest. In my

own section of country very serious difficulty has arisen in regard to the disposing of farms. Many of our farmers have been under the necessity, through falling into debt or failure of crops, of disposing of their farms. I have known several cases where the mortgagee has declined to accept the money to pay off the mortgage, and in consequence some sales have been lost. I know a case in which the mortgagor had died. I happened to be one of the executors of the estate, and when we commenced to realise it we found the difficulty staring us in the face of getting rid of the mortgage. The company declined to accept the principal unless they were paid a bonus, and the result was, we were compelled to lease the farm for some two years, and hold it until the mortgage expired, and then sell it and pay off the mortgage. During that time the value of the property had declined very much, and the estate lost considerably, owing to the fact that the executors were not able to pay off the incumbrance. In order to meet such cases there should be some provision that whenever it became necessary, owing to a man being hampered financially, to realise by selling or improve his condition by borrowing, there should be some means by which he could get relief. There are farmers in my section who are paying 10, 12 and 15 per cent. on chattel mortgages, and the reason is that they are unable to raise money, on account of the companies refusing to allow them to pay off the principal on a mortgage on their land. I do not contend that all these advantages are always taken by companies, because they are taken also by private individuals; and I want the law so amended as to apply to all parties borrowing money, both companies and individuals. I know farmers who have first-class real estate on which they could borrow money easily at 6 per cent., and who yet are paying to-day 10 per cent., and the mortgagee declines to accept the principal and afford relief. Some may say that the farmers who are in this position should have taken steps to have had clauses inserted in the mortgage that would protect them. But farmers are not, as a rule, well versed in financial transactions, and in many cases they are only too willing to enter into arrangements for a number of years when borrowing money, which arrangements they find themselves unable to carry out, and in a few years they fall into the grasp of the companies and money lenders, and probably, at the end, find themselves turned out of house and home. Cases of this kind I desire to remedy by this Bill; and I say that it is right, notwithstanding the right of contract between private individuals, that in cases of this kind some relief should be afforded by law, rather than to permit those who are unfortunately involved in difficulties of this kind to be ground out of everything they are possessed of. We should give the borrower all the advantage he possibly can get, because it is generally the case that the lender can look after himself. It is well known that in Canada the rate of interest has dropped within a few years, and we should give those who are subject to the exactions of exorbitant lenders the opportunity of paying off their encumbrances and obtaining money at a cheaper rate if possible; we should relieve those who are in bondage to financial agents and money lenders, and who are to-day paying excessive rates of interest under chattel mortgages, to get money to pay the interest on their real estate mortgages; I say we should give them a chance of liberating themselves from this bondage. I know of several cases within the last year in which farmers have been compelled to borrow money under chattel mortgage on their stock at 12 and 15 per cent. to pay of real estate mortgages at 7 or 8 per cent. They offer to pay off their mortgages in full, but this offer the lenders will not accept, but, on the contrary, they say: We will renew the mortgage; and they put principal and interest together and give a longer time at the old rate. This Bill is intended for the relief of such classes by, in the first place, permitting the mortgagor, in the case of a mortgage

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which has been in existence three years and bears interest at 6 or a less rate of interest, to pay it off on three months' notice, and in case of a mortgage which has been in existence over a year, he may do so by giving six months' notice, and that is, I think, long enough time to give the lender a chance of finding other investments for his money. These are the principal provisions of the Bill of which I move the second reading.

Mr. THOMPSON (Antigonish). The first section of the hon. gentleman's Bill contains a provision which is very unusual, and would, I think, be very unwise. It proposes to amend sections four and five of the Act of 1880, by enabling a person who has been charged and who has paid an excessive amount of interest, not only to recover that interest back again, but to recover double the amount. The second section of the Bill proposes that the Act of 1880 shall be amended in this respect: The Act of 1880 provides for the paying off of a mortgage at five years; and the hon. gentleman proposes to extend that right to mortgages drawn at three years. That clause, of course, is a matter entirely for the consideration of the House. The Act of 1880 was passed after long discussion by the very narrow majority of seven members, and it may be considered doubtful whether it is wise to go a step further in making that Act more stringent than it is. If it were not for the fact that the clause in principle already exists in the Act of 1880, I should doubt very much the power of this Parliament to enact it, because it seems to me that it is not a provision relating to interest properly, but relating to contracts for the securing of money. However, inasmuch as the Act of 1880 already contains that provision, it is merely a question of extending it further, and, therefore, I do not feel warranted in pressing on the House my own view that it is really a matter with which Parliament cannot deal at all.

Mr. McMULLEN. With regard to what has been said by the hon. Minister of Justice, I may say it is very often found that private individuals as well as societies, in calculating the arrears of interest, exact from the borrower more than is really due. Farmers, as a rule, are not capable of making exact calculations of the interest due on their mortgages, while the lenders are generally very acute and accurate calculators, and, as I say, I have known cases in which they have taken advantage of the ignorance or the inexperience of borrowers to exact more than was due. This provision is intended to deter them from such practices, and I think it is not too much to compel lenders in such cases not only to repay the interest, but to pay back double the amount, and thereby deter them from such exactions.

Mr. WHITE (Hastings). I do not think that the first provision of the hon. gentleman's Bill is quite fair, as it would result in people borrowing money and refusing to pay the interest. I think the law as it stands at present is sufficient to collect back the amount which is overpaid, and I think no more should be allowed. The hon. gentleman's Bill has, however, one good feature about it, and that is the provision changing the time from five years to three, for there is no doubt that there is a good deal of hardship in the five year arrangement. The present Bill was only passed after a determined effort on the part of many men in this House interested in loan societies. It is no harm for me to say that, and I do not intend anything offensive; they contended that contracts then existent should be allowed to run the full length of the contract, but the House by a narrow majority decided that the time should be reduced to five years. I contend that the money market is at present so changed that we can now afford to go a step further and make mortgages payable at the end of three years. I have no hesitation in saying that there has not been a Bill passed in Parliament for the last five years which has done so much good to the farming com-

munity as the one which this Bill proposes to amend. I know that many mortgages against farmers have been paid in full which would have been still in existence, and there are many farmers in Ontario who have to-day money deposited at 4 per cent., and who would be glad to use it to pay off their mortgages which are bearing interest at 7 per cent. If the law were changed so that they could pay off those mortgages at the end of three years, it would be a great advantage to the farmers of the country. Some people may say this is interfering with contracts. Well, the companies seem to have no trouble in lending their money. I will give an instance. A man dies, leaving a good farm, which his executors offer for sale. A gentleman with money is prepared to buy the farm and to pay cash for it in full. He goes to the company having the mortgage, and offers to pay it off, but the company refuses to take the money, and insists that the mortgage must remain for the time it has to run. The result is that the executors cannot sell the farm, because the purchaser will not buy it with a mortgage against it. Then the creditors cannot get their pay. The matter runs on, the creditors press for their money, and at last the farm has to be sacrificed to pay them, and the widow and orphans suffer. Now, it is our duty in this House to make a law that will meet cases like this. It may be said that this does not often happen. I do not know how it is in other Provinces, but in Ontario it is an every-day occurrence; and we, as honest men, should do what we can to help those who are left without the assistance of the head of the house. I know that there is a feeling in this House that this matter should not be dealt with at all; but that feeling is only in the minds of those who have money to lend, and not in the mind of the man who wants to borrow money or to sell his property and finds a mortgage staring him in the face. The Minister of Justice says this is a matter for the House, but if the hon. gentleman will agree to reduce the time for paying off the mortgage from five years to three, he will have an Act which will be to his credit and to the credit of this Dominion. Some hon. gentlemen say that the mover of this Bill lends money himself. If he does, it is all the more to his credit that he introduces a Bill into this House which is going to benefit the borrower.

Mr. ORTON. I am very glad indeed to find that the hon. member for North Wellington (Mr. McMullen) has become such an enthusiastic convert to the principle I have been advocating in this House for a number of years, and that he is now so far advanced as to introduce a Bill to improve the Act which I had the honor to bring into the House in 1880. At the time that Act was introduced it was proposed that a borrower of money should be allowed to repay his loan at any time he liked upon giving three months' notice, or upon paying three months' interest in advance. Notwithstanding all the efforts which I and those who believed in the principle I advocated could make in this House and before the Banking and Commerce Committee, it was utterly impossible to get the Bill carried through the Committee in its best form; and amongst those who strenuously opposed the three years amendment was the leader of the Opposition. There were other clauses in that Bill which I hoped would be carried through this House by this time. Under the special privileges enjoyed by the old loan societies, borrowers were subject to all sorts of fines and penalties, and if they desired to pay off their mortgage in advance of the time it was due, they were forced by the loan companies to pay often more than they originally borrowed, after paying interest and principal for perhaps ten or twelve years. The Bill I proposed had for one of its objects the relief of the farmers of Canada from the grinding tyranny of the old loan societies; but it was held by this House and strenuously urged by the leader of the Opposition, that it was an

interference with contracts, and that it would be impossible to carry out such a sweeping measure. I think if some relief were given to the farmers of Canada in this direction it would be only right and just. The retroactive actions of these loan societies should not be allowed to be perpetuated in this country; they are wrong and utterly dishonest in principle. I say it is unjust that such special privileges should be perpetuated in this country in order to enrich the money lenders. If they are enabled to get back their money without suffering any possible loss, that is all the justice that should be given to them. However, I am glad to welcome this Bill as a step in the direction of the efforts I made in 1880, and I shall be very glad to see it passed; at any rate, the clause permitting the borrower to pay back his loan at the end of three years. While welcoming this, I must say that I congratulate the hon. gentleman on his conversion to the principle of the Farmers' Banking and Loan Bill, which I brought up the other day, and which is of a similar character to this. I hope he will not only succeed in this Bill, but that his advocacy of it will help to create a sentiment in favor of doing justice to the agriculturists of this country by the means I have proposed.

Motion agreed to, and Bill read the second time.

PROTECTION OF WOMEN AND GIRLS.

Mr. CHARLTON moved the second reading of Bill (No. 20) to punish seduction and like offences, and to make further provisions for the protection of women and girls. He said: In again returning to the advocacy of this measure, I must confess that the task is somewhat disappointing. Five times this Bill has been presented to this House, twice it has received the approval of the House, and upon each occasion it has been rejected by the other Chamber. The only thing I have to console me in this apparently hopeless struggle is the belief that I am acting in a good cause, and that the adage:

"The fight for the right when once begun,
Though often lost is often won,"

will hold in this case, and that ultimately this Bill, or one similar, will be placed on the Statutes of Canada. I see already indications of public opinion being aroused on this subject. During this Session I have presented petitions to the House from thousands of ladies praying for the passing of the Bill, and I believe the Christian and moral sentiment of Canada is enlisted in its favor. I may be permitted to say a few words with reference to the public opinion which calls for a measure of this kind, because reflection had been cast upon me by many who desire a more radical measure, and who say this one does not go as far as many of the social and moral reformers wish it to go. But I have been actuated, not so much by what I believe the provisions ought to embody, as by a desire to secure what I believe the House would be willing to grant. The first Bill I introduced was much more sweeping in its character than this; many of its provisions were rejected, and, learning from experience, I have omitted such provisions, retaining only those I have reason to believe will meet with approval from the House. I expect, in urging the passage of this measure, to be very much aided by recent legislation in the House of Commons, England, which received the assent of the Crown on 14th August, 1885, and which is much more radical in its character than that I now propose. Later on, I will have occasion to refer more particularly to the provisions of the Imperial Statute. The Bill, the second reading of which I now move, does not differ materially from that which has been four times acted on already by this House. In pressing it upon these various occasions, I have been subjected to many gibes and to some abuse; I have been characterised as the apostle of cant, I have been accused of legislating for the purpose of creating brazen females; but I will leave

it to the House to judge what amount of importance should be attached to these charges, when we consider this fact, that there is scarcely a civilised State in Christendom that has not on its Statute book legislation more radical in its character than that which I propose.

No doubt, the usages of society and the opinions of men tend to man's impunity for a class of offences that lead to woman's outlawry and ruin. If we take the celebrated instance of Col. Baker, who was guilty of an outrageously indecent assault upon a female in a railway carriage, and whose conduct 35 members of one of the leading clubs of London declared did not detract from his character as a gentleman—if we look at that instance as indicative of the opinion and state of society in England, we have in glaring light the fact that society gives the man immunity in cases where the ruin of the woman would be the inevitable consequence. The charge has been often made that this Bill is dangerous, because it inflicts penalties upon men and not upon women. We have been told that women are guilty of enticing. It is the old excuse of several thousands years ago: "The woman that thou gavest to be with me she did take of the tree and gave me to eat." The excuse is unworthy of a man, that the woman is to blame for her fall from virtue. We ought not to exact from women a standard of morality that we are not as men prepared to conform to ourselves; we ought not to expect that the woman should be treated differently from the man; and so long as society inflicts upon woman penalties and consequences which it does not inflict upon the man, the woman is entitled to protection from the law. The degradation of woman is a crime against society. The pure Christian home is the only safe foundation for the free and enlightened State. Vice in the shape of social immorality is the greatest danger that can threaten the State; and the duty of the Legislature, the duty of the Government, is to take measures, so far as it can, to punish infractions of morality and to conserve the morality of the public. Last year, out of 18,700 summary convictions in Ireland of women, 11,463 were the convictions of prostitutes, or a proportion of 61 per cent. Surely the creation of a class so degraded and vicious ought to be guarded against by every means possible, and I think that the advocates of this Bill are justified in their demand that crimes of the nature it covers shall be placed in the same category as other crimes punishable as misdemeanors. There is in the breast of civilised man an instinctive sense of justice that would in any community, wherein our language is spoken, prevent the punishment of a woman for the murder of her seducer. There is not a jury in any English-speaking commonwealth that would find a woman who avenged her honor by the murder of her seducer guilty of a crime, and there is scarcely a jury in any English-speaking commonwealth that would punish a relative of the female who would avenge the honor of his sister or of any relative by inflicting the punishment of death on her seducer. This is an instinctive sense of justice, and a feeling of this kind warrants us in saying that a Bill of this character should be placed on our Statute book.

The Bill introduced contains a provision copied from the recent Act in England, which makes it a misdemeanor to seduce a girl under sixteen years of age. While the English Bill makes no provision as to previous character, this Bill requires that the girl should have been of previously chaste character. I appeal to any father or brother who may be present to say whether there is a man in this assembly who has a sister or a daughter who would not consider that the seduction of that sister or that daughter, when under sixteen years of age, was a misdemeanor; whether there is any man here whose instinctive sense of justice would not demand the punishment of her seducer. I do not believe there is a gentleman in this

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House who would not say that the seducer of a girl under sixteen years of age was a criminal, and should receive punishment such as this Bill provides. The next feature of the Bill provides for the punishment of seduction of females under twenty-one years of age under promise of marriage, as the former Bill did, and I do not believe there is a father or a brother in this House who would not consider it a crime to the sister or the daughter if she had been seduced by a designing villain under promise of marriage, who would not consider that that designing villain should be punished, and who would not take the law in his own hands, if there were none on the Statute book, and avenge the injury himself. The Bill provides that such a wretch shall be guilty of a misdemeanor, and shall be punishable according to the provisions of the Bill. The next provision is in regard to mock marriages, and is that anyone who betrays a woman by a mock marriage shall be guilty of a misdemeanor and shall be punished.

When this Bill was under discussion on former occasions, various objections were urged to it. In the other House, the then Minister of Justice, Sir Alexander Campbell, said that any woman who deserved sympathy would not enter the court. Admitting that, in the great majority of cases, that may be the case, is that a sufficient reason for denying redress to a woman deserving of sympathy who might choose to enter the court? If the sense of shame would prevent one woman from entering the court, is that any reason for not providing a remedy, is that any reason for leaving the crime unpunished? The leader of this Government, Sir John A. Macdonald, offered as a reason for refusing the passage of this Bill that in States where the law was on the Statute book it did not prevent seduction. If we were to argue that, in States where there was a law against murder, it did not prevent murder; or that where there was a law against theft it did not prevent theft; or that where there was a law against larceny, or against perjury, or against forgery, because, forsooth, those crimes were committed, the law was useless, and ought not to be on the Statute-book—would this House accept that as an argument? If not, it should not accept as an argument the statement that the passage of the law in those States where it is in force has not absolutely prevented the crime of seduction. Another argument has been used against the Bill, that it would place men at the mercy of women. If we had no experience of the matter, if the discussion was purely theoretical, this argument might be considered to have weight, but there are upon this continent at least thirty commonwealths that have had for many years Statutes of this character upon the Statute book, and the practical working of those Statutes proves that the assertion is unfounded, and that this evil which is dreaded of placing men at the mercy of designing women has not been well founded. Then it was asserted that abuses under this law would lead to its speedy repeal, that it was useless to put it on the Statute-book because the abuses would be so great that it would remain there but a short time and then would be repealed. Well, the laws which have been placed on the Statute-book, for instance, in the State of New York, where they have been for thirty-eight years, and in the Western States at the formation of their institutions, remain on the Statute-book. Not one of those laws has been repealed and there has not been one movement in favor of their removal from the Statute-book; there has not been a demand from any fraction of the population for their removal.

With reference to the criminal laws upon this subject, and, in fact, with reference to jurisprudence at large, we are without any compilation or manual which gives us the comparative jurisprudence of different countries. Such a work would be of enormous advantage. It would enable us to compare in parallel columns the condition of different countries. As it is, we have to wade through the revised

Statutes of different countries and compare them, at the cost of a great deal of labor. But, when the trouble is taken to examine the laws of various countries with reference to violations of the laws of chastity, we find that, with reference to adultery, England and her colonies are almost the only civilised countries in the world, with the exception of the State of New York, that have not such laws. The first Bill which I introduced into this House made adultery a crime. That provision was expunged from the Bill because it did not meet with the approval of the House, but I find that a provision against adultery exists in almost every State of the American Union; that it exists in France, where the wife and her accomplice may be imprisoned for a period of from three months to two years, and the male offender may be fined from 100 to 2,000 francs; that in Germany the two parties may be punished by imprisonment for six months. However, perhaps that is foreign to the subject now before the House, as adultery is not made an offence by the provisions of this Bill. I referred, a few moments ago, to the fact that the late English Statute made the seduction of a female between thirteen and sixteen years a misdemeanor, without reference to her character. The law in Germany makes it a misdemeanor to seduce a female under sixteen years of age, provided she is of previously chaste character; and it seemed to me that it was only just that that provision should be inserted in this Bill. Seduction under promise of marriage is made a misdemeanor in most of the American States and in most civilised countries. Livingston, in his introductory report to the code of crimes and punishments for Louisiana, makes use of the following language:—

"Seduction is not, I believe, punishable in England, unless preceded by a conspiracy. Yet, if we consider the base profligacy of the act, by which the most implicit confidence is destroyed and the most solemn promises are deliberately broken, not only to the utter ruin of the unsuspecting victim, but to the disgrace and misery of her connections, it is one in which the immorality of the act and the misery it inflicts both require exemplary punishment."

And believing that this is the case, a provision for the punishment of seduction under promise of marriage is inserted in this Bill. Now, we have in a very old code of laws a provision with regard to seduction—we have in the Mosaic law, in the 22nd chapter of Deuteronomy, at the 28th verse, the following provision:—

"If a man find a damsel that is a virgin, which is not betrothed, and lay hold on her, and lie with her, and they be found, then the man that lay with her shall give unto the damsel's father fifty shekels of silver, and she shall be his wife; because he hath humbled her, he may not put her away all his days."

So long ago as in the days of Moses, a provision was made requiring that the seducer of a virgin should marry her and pay the penalty of his crime as well. By the law of France the seducer must either marry the victim of his wiles, or settle a dowry upon her. In Germany seduction under sixteen years of age is punishable by six months imprisonment. Even in Canada seduction on shipboard is punished, and if seduction in this country is a crime on board a ship, I am unable to see why it should not be made a crime on land. By the Roman law seduction in the case of a member of the better class was punished by the confiscation of half his estate; in the case of a member of the lower class by corporal punishment and imprisonment. If we look at the provisions of some of the American States we shall find that in the State of New York seduction is punishable by a fine of \$5,000, or by five years imprisonment, or both five years imprisonment and \$5,000 fine, at the discretion of the court; in New Jersey, seduction under promise of marriage by a married man, is punishable by five years imprisonment and a fine of \$5,000, and by a single man the maximum degree of punishment is the same, the provision being that marriage may bar conviction; in Ohio, a male over 18 years of age seducing a female under

18, is guilty of felony; in Rhode Island, seduction under promise of marriage is punishable by five years imprisonment, or \$5,000 fine; in Arkansas, seduction is punished by imprisonment, or \$5,000 fine; in Nebraska, seduction, five years imprisonment, or \$3,000 fine; in Michigan, seduction, imprisonment for maximum term of ten years; in Illinois, seduction, \$1,000 fine, or five years imprisonment; subsequent marriage bars conviction; Minnesota, seduction, five years maximum punishment, subsequent marriage bars conviction; Kansas, seduction under promise of marriage, \$3,000 fine, or two years imprisonment, or both, at the discretion of the court; in South Carolina the female may take civil action in her own behalf; in Alabama, seduction under promise of marriage, or by temptation, deception, or flattery, is a felony punishable by from one to ten years imprisonment; in Wisconsin, seduction by promise of marriage is punishable by five years imprisonment as the maximum term; in Oregon, seduction under promise of marriage, three to six months in common jail, or one to five years in penitentiary, and a fine of from \$500 to \$1,000; Connecticut, seduction, first offence, one year and \$1,000 maximum punishment, for second offence, one year and \$2,000 maximum; Pennsylvania, seduction under promise of marriage of a female under twenty-one, \$5,000 fine, and three years imprisonment, or both; Virginia, Georgia and North Carolina, seduction under promise of marriage is a felony. Now, here are twenty States, the penalties of which I have enumerated, and in all the States of the American Union seduction is treated as a misdemeanor or a felony. With regard to recent English legislation, the 69th cap. of 48 and 49 Vic., assented to on the 14th of August last, provides for the protection of women and girls, and punishes for procurement; for procuring the defilement of a woman or virgin, by threats, or fraud or by administering drugs; for the defilement of a girl under the age of thirteen years, which is made a felony, punishable by transportation. It also provides punishment for the defilement of a girl between thirteen and sixteen years of age, without reference to previous character, which is declared to be a misdemeanor; a householder permitting defilement of a young girl on his premises to be guilty of a misdemeanor; it makes provision with regard to the seduction of a girl under eighteen with intent to have carnal knowledge, and makes this a misdemeanor; it makes provision with regard to unlawful detention with intent to have carnal knowledge; power, on indictment for rape, to convict of certain misdemeanors; power of search, and a provision with regard to outrages on decency, and with regard to the suppression of brothels. This is a measure much more stringent, much more sweeping, and much more radical than the measure I submit to the House to-day. The first section of this Bill provides that any person who—

"Seduces and has illicit connection with any girl of previously chaste character, or who attempts to seduce and have illicit connection with any girl of previously chaste character; being of or above the age of twelve years and under the age of sixteen years,"—

This limitation is adopted because our Statutes make the carnal knowledge of a child under 12 years of age a felony. The English Statute places the limit at 13 years. I thought it not best to change the limitation established by our own Statute, and made the period between 12 and 16, the period when the seduction of a girl of previously chaste character should be declared to be a misdemeanor. The second subsection of the first section provides for the punishment of any person who has unlawful carnal knowledge with a female idiot, or imbecile woman or girl. The second section provides that any person who, under promise of marriage, seduces and has illicit connection with any unmarried female of previously chaste character under 21 years, shall be guilty of a misdemeanor; and provides also that in case

of marriage this shall be a bar to conviction. The third section makes a mock marriage a misdemeanor. The fourth section makes provision with regard to inducing resort to a house for illicit carnal knowledge. In case the girl is under 12 years of age, and is enticed to a house for this purpose, it makes the crime a felony. The fifth section provides that taking a girl out of possession of her parents or lawful guardians shall be a misdemeanor. The sixth section makes provision with regard to the detention of a woman in houses of ill-fame, and is as follows:—

“ Any person who detains any woman or girl against her will,—
 “ (1) In or upon any premises with intent that she may be unlawfully or carnally known by any man, whether any particular man or generally, or,—
 “ (2) In any brothel,—
 “ Shall be guilty of a misdemeanor, and being convicted thereof shall be punished as hereafter provided.

“ Where a woman or girl is in or upon any premises for the purpose of having any unlawful carnal connection, or is in any brothel, a person shall be deemed to detain such woman or girl in or upon such premises, or in such brothel, if, with intent to compel or induce her to remain in or upon any such premises, or in such brothel, such person withholds from such woman or girl any wearing apparel or other property belonging to her, or where wearing apparel has been lent, or otherwise supplied to such woman or girl by or by the direction of such person, such person threatens such woman or girl with legal proceedings if she takes away with her the wearing apparel so lent or supplied,—
 “ No legal proceedings, whether civil or criminal, shall be taken against any such woman or girl for taking away, or being found in possession of any such wearing apparel as was necessary to enable her to leave such premises or brothel.”

That is copied from the English Act. The following provision is also copied from the English Act:

“ No person shall be convicted of any offence under this Act upon the evidence of one witness, unless such witness be corroborated in some material particular, by evidence implicating the accused.”

The provisions of the Bill broadly stated are: That the seduction of a girl of chaste character between 12 and 16 years of age is a misdemeanor; that the seduction of a woman under 21 years under promise of marriage is a misdemeanor; that mock marriage is a misdemeanor; that carnal knowledge of an idiot or imbecile woman or girl is a misdemeanor; that a woman detained in a brothel may be allowed in escaping to make use of any means or wearing apparel without being subjected to a criminal prosecution for the same; that the charges brought under this Bill shall be corroborated by material evidence other than the evidence of the woman; that any man charged with a misdemeanor under this Bill shall be a competent witness in his own behalf; that no prosecution shall be commenced under the provisions of this Bill after the expiration of one year from the time the act was alleged to have been committed. These are the provisions of this Bill; the provisions of the Bill introduced and passed by this House, with these provisions added from the English Act, which was assented to on the 14th August, 1885. I move the second reading of the Bill.

House divided on motion of Mr. Charlton for second reading of Bill.

YEAS:

Messieurs

- | | | |
|----------------------------------|---------------------|------------------------|
| Allen, | Ferguson (Welland), | O'Brien, |
| Armstrong, | Fisher, | Paint, |
| Auger, | Fleming, | Paterson (Brant), |
| Bain (Wentworth) | Forbes, | Platt, |
| Baker (Missisquoi), | Foster, | Pruyn, |
| Baker (Victoria), | Geoffrion, | Ray, |
| Barker, | Gillmor, | Reid, |
| Beaty, | Girouard. | Rinfret, |
| Béchar, | Glen, | Robertson (Shelburne), |
| Bernier, | Gordon, | Scrivier, |
| Blake, | Guay, | Shakespeare, |
| Bourassa, | Guillet, | Shanly, |
| Bowell, | Gunn, | Small, |
| Bryson, | Hackett, | Somerville (Brant), |
| Burpee, | Harley, | Somerville (Bruce), |
| Cameron (Huron), | Hay, | Springer, |
| Cameron (Inverness), | Henson, | Sproule, |
| Campbell (Renfrew), | Hickey, | Stairs, |
| Cartwright (Sir Richard) Holton, | Holton, | Sutherland (Oxford), |

Mr. CHARLTON.

- | | | |
|-------------------------|------------------------|-----------------------|
| Casey, | Homer, | Taylor, |
| Casgrain, | Innes, | Thompson (Antigonish) |
| Charlton, | Irvine, | Trow, |
| Cochrane, | Ives, | Tupper, |
| Cockburn, | King, | Vail, |
| Cook, | Kirk, | Vanasse, |
| Coughlin, | Kranz, | Wallace (Albert), |
| Coursol, | Landerkin, | Wallace (York), |
| Currau, | Langelier, | Ward, |
| Cuthbert, | Laurier, | Watson, |
| Daly, | Livingston, | Weldon, |
| Davies, | Macdonald (King's), | White (Hastings), |
| Dickinson, | Mackintosh, | White (Renfrew), |
| Dodd, | McCraney, | Wigle, |
| Dundas, | McDougall (C. Breton), | Wilson, |
| Edgar, | McIntyre, | Wood (Brockville), |
| Everett, | McLelan, | Wood (Westm'd), |
| Farrow, | McMullen, | Wright, |
| Ferguson (Leeds & Gren) | Mills, | Yeo.—114. |

NAYS

Messieurs

- | | | |
|----------------------|---------------------------|------------------------|
| Amyot, | Desaulniers (St. Maurice) | Macmillan (Middlesex), |
| Bain (Soulanges), | Desjardins, | McMillan (Vaudreuil), |
| Bell, | Dugas, | McCallum, |
| Benoit, | Fortin, | Massue, |
| Bergin, | Gagné, | Moffat, |
| Billy, | Gaudet, | Orton, |
| Biondeau, | Gigault, | Pinsonneault, |
| Bourbeau, | Grandbois, | Pope, |
| Burnham, | Guilbault, | Riopel, |
| Campbell (Victoria), | Haggart, | Royal, |
| Carling, | Jackson, | Taschereau, |
| Caron (Sir Adolphe), | Labrosse, | Tassé, |
| Chapleau, | Landry (Kent), | Tyrwhitt, |
| Costigan, | Landry (Montmagny), | Valin, |
| Daoust, | Langevin (Sir Hector), | Woodworth.—47. |
| Dawson, | Macmaster, | |

Bill read the second time.

THE SHORT LINE RAILWAY IN NOVA SCOTIA.

Mr. TUPPER moved for:

Copies of all correspondence between the Government of the Dominion of Canada and the Government of Nova Scotia, in reference to the Short Line Railway in Nova Scotia, and legislation affecting the same.

He said: As this House is aware, in 1882 the Great American and European Short Line Railway Company began, in the Province of Nova Scotia, the construction of a work of considerable importance, as was shown by the substantial grants made at that time and subsequently by this Parliament. The road which was undertaken to be constructed by the company begins at Oxford, in Cumberland County, running thence to the town of Glasgow, in the county which I have the honor to represent, and connecting by the Eastern Extension Railway, terminated at Louisburg in the Island of Cape Breton. The construction having proceeded up to a certain point the company become embarrassed, and after having done considerable work stopped its operations in 1883, with a debt of \$150,000 or thereabouts unpaid and owing the sub-contractors of the company and the different persons who had supplied materials to the road. Nothing was done by the company, or in connection with that great public work, so important to Nova Scotia and to the different Provinces of the Dominion, in connection with our railway system, and the company remained in a state of insolvency from that time down to the present day. In July, 1883, the manager of that company, who was also superintendent of the construction company operating, in a manner, with the original company, gave what purported to be a mortgage on the road-bed and all the company's property in the Province to trustees of the sub-contractors. This document, drawn up in the form of a mortgage with power to sell, was dated 31st July, 1883, and was recorded in the different counties in the Province. After that, in the year 1885, application was made by the trustees to the Provincial Parliament to ratify this document and remove all doubts as to its validity, and in fact to give it effect, since

the manager, as it appeared, had not affixed the seal of the company, and it was not really, in law, effectual. Legislation was sought, as I say, by the trustees, and was finally passed on the 24th of April, 1885. The Legislature of Nova Scotia deemed it necessary to provide in the Bill legalising that assignment, the following clause:—

"This Act shall have no force or effect until published in the *Royal Gazette* by order of the Governor in Council. Such orders shall not be passed until arrangements satisfactory to the Governor in Council shall have been made for securing to the creditors of the contractors mentioned in the indenture set forth in the schedule to this Act, out of the moneys realised from the sale of the property and assets herein referred to, the sums due to them for labor and materials used in the construction of the railway."

In the month of July, 1885, as this House is aware, \$125,000 was put in the Estimates to relieve the debtors and pay the claims in connection with the construction of this road, and steps were afterwards taken in the most satisfactory manner to carry out the wishes of Parliament as expressed in that vote, and these claims were nearly all settled and paid off. The parties interested in the different counties, however, were unable to understand—although that action was taken by this Parliament, and although the trustees mentioned in the Act approached the Local Government and the arrangement was not impugned by any one in the Government and was approved by them, I am informed, in the month of June—I say the parties interested in the different counties were unable to understand why the Local Government hesitated in the matter, and delayed the proclamation provided for by the 5th section of the Act which I have read. I understand that correspondence took place between this Government and the Government in Nova Scotia suggesting the proclamation of this Act, and it is to obtain the correspondence that I have made this motion. It is to ascertain what reasons the Local Government put forward for their delay in carrying out the wishes of the Legislature of Nova Scotia that I now move, because, as this House will see, it was not a matter of policy with the Government; it was virtually a trust reposed in the Government by the House in connection with a private Bill, that on the Council being satisfied that the interests of the parties concerned were to be guarded and protected, that Act should come into force and have effect. I am informed that though satisfactory security was offered, and though that vote was passed in June, yet that no proclamation was made until the 6th of January, 1886, to put the Act in force. The effect of that delay would be apparent to those who are interested in the undertaking. Its effect was to postpone, for some time at least, the accomplishment of the project, as capitalists would not be inclined to undertake any work of the kind with the title in the condition it was in, owing to the misfortune of this company, because the company had vested in it the necessary right of way over which the road was to be built in the different counties. I have been induced to move for this correspondence owing to the fact that one of the papers in the city of Halifax, which is supposed to reflect to some extent the views of the Local Government, gave this extraordinary reason for the virtual violation of their duty by the Local Government in neglecting to proclaim this Act as the Legislature had provided: That capitalists were endeavoring to make some arrangements for the completion of the work, and capitalists had approached the Local Government and requested them to delay proclaiming this Act so that their arrangements might be more satisfactorily carried out. Had the arrangements been satisfactorily carried out, of course no one would complain, but still the Government took upon its shoulders a very heavy responsibility when it interfered to that extent with a scheme not within the purview of the Local Legislature, a scheme in reference to which it had not accepted, and had no responsibility, and as I believe for the reasons I have given, in direct violation of

their duty. They had no right to use either for good or evil, legislation of a private nature—legislation of the nature I have explained, for political purposes or any other purposes. There was a duty imposed on them, as pointed out by the fifth clause of that Act, and they should have followed that strictly. Of course it would be entirely out of place to discuss the attitude of the Local Government with reference to this work, and I am not attempting to do it. I have simply endeavored, as briefly as I could, to show why I make this motion, and I hope the correspondence when it is brought down will throw some light upon the matter.

Mr. KIRK. I am glad to see that the hon. member for Pictou has not altogether lost interest in the short line railway. I believe that line was originated in order that it might have an influence in securing for that hon. gentleman the position he now occupies in this House. When I saw last year that the Government had placed in the Estimates the sum of \$250,000 to build a branch railway from Stellarton to Pictou, I thought that the short line from Oxford to New Glasgow was abandoned altogether. I am glad, however, to see that the hon. gentleman has some little interest in it still, and that he is not endeavoring to strangle his own child. A number of years have passed by since this road was projected. In 1882, when a subsidy was obtained from this Parliament for the purpose of constructing it, and a contract was awarded for its construction from Oxford to New Glasgow, the people of the county of Pictou and the other counties interested were led to believe that the road would certainly be built, and that at a very early day. I think 1884 was fixed as the latest time at which the road would be built. I remember the discussions which took place on the subject during the elections of 1882. The hon. Minister of Railways at that time, Sir Charles Tupper, was the father of the young gentleman who was running for the representation of the county of Pictou, and, no doubt, it was felt that the combined influence of the father and the son would secure the construction of the railway in a very short time; and I remember that the late Minister of Railways, in 1883, declared on the floor of this House that the existing company had all the means necessary to build the road. When he was asked about the position and financial standing of the company, he said:

"I have taken great pains to ascertain the financial standing and position of this company, and I think I am in a position to state that whatever work they will engage in they will carry through."

And he had no doubt at all as to their financial ability. He was asked whether he had any assurance that they would undertake the work in Cape Breton, and he said that he had every assurance that they would undertake the work in Cape Breton as well as from Oxford to New Glasgow, and that they would certainly carry it out. Well, Sir, the work has not been accomplished. The hon. member for Pictou (Mr. Tupper) has just told us that this company, who were stated to be able to carry out any work they undertook, failed in 1883 and are in a state of insolvency now. We know that the Dominion Government last year took a vote of \$125,000 from this House to pay engagements which this company entered into and were not able to pay. Now, I am curious to know whether it is the intention of the Government to complete the road from Oxford to New Glasgow. It is a line in which not only the counties through which it passes are interested, but all the eastern counties, especially the counties of the Island of Cape Breton. We are told that the company intended to extend the road to Sydney or Louisburg. I have been informed that a company of French capitalists made an offer to the Dominion Government to build the road, and that the Government refused to give them the contract for the whole road from Oxford to Louisburg, but were willing to give them the contract for that portion from the Strait of Canso to Louis

burg—that they would divide the contract into two parts, giving one company the road from Oxford to New Glasgow and another company the portion from Hawkesbury on the Strait of Canso to Louisburg. I cannot say whether there is any truth in this or not. If there is the Government are blameworthy for making a division of the line. If any company have offered to build the whole line, I think the offer should be accepted and the contract with the European Short Line Railway Company annulled. When the vote was taken last year to build a road from Stellarton to Pictou, I thought the Government had no intention to build the line from Oxford to New Glasgow, and I have been informed that that is the case. Well, Sir, I do not know what special claim Pictou has for so many roads, if it is the intention to build both lines. There are other counties that require railroads as much as Pictou. I cannot understand why the Government should undertake to spend so large an amount of money to build a railroad from Stellarton to Pictou, parallel to one from Truro to Pictou, which is already in operation. I suppose we must account for it by the fact that the late Minister of Railways engaged to do so before he left office, and probably by the fact that the county of Pictou has two members representing it in this House. But there are five members representing the Island of Cape Breton in this House, all of whom support the Government, and I want to know what influence those hon. gentlemen exercise over the Government they support. It seems that the whole five have not sufficient influence with the Government to obtain the construction of a single mile of railway in their island. I am inclined to think that these hon. gentlemen did not press their claims quite as strongly as they should; I am inclined to think that if these five gentlemen had pressed their claims as strongly as the members for Pictou have, and secured a seat for one of themselves in the Cabinet—the seat which went for eighteen months begging for a member—they would have succeeded, and possibly also have obtained the road from New Glasgow to Louisburg. I am sure it cannot be said that the Island of Cape Breton has not men representing her in this House who are capable of filling a position in the Cabinet; I am sure that is not the reason the seat went begging for eighteen months; but I am inclined to think that these gentlemen did not press their claim, or one of them would have got the position. Be that as it may, they neither have got the position nor a mile of railway. I hope the hon. member for Pictou (Mr. Tupper) does not wish to strangle the road from Oxford to New Glasgow. I am sure that it would be of very much greater importance to the counties they represent, to Cumberland, Colchester, and Pictou also, as well as the Island of Cape Breton and other eastern counties, to have the Oxford line built than the line from Stellarton to Pictou, which would be of advantage only to the town of Pictou itself. I notice that there are several charters passed for building a line of railway to Louisburg and the Strait of Canso. I do not know why it is the Government encouraged the issue of charters for more roads than one. The effect of issuing so many charters will be to keep Cape Breton from having the road they so long desired.

Mr. CAMERON (Inverness) I am glad to find that the hon. member for Guysboro' (Mr. Kirk) is taking so much interest in the extension of the railway system in the Island of Cape Breton. Having enquired into the advisability of building a railway through the island, I deem it my duty to say a few words in connection with this matter. It is well known by all interested in the building of the short line railway from Montreal to Sydney or Louisburg, that during the last past three years I, at least, have taken an active part—not only I, but all those who represent constituencies on the line between Montreal and

Mr. Kirk.

Sydney or Louisburg. During the early part of this term, several meetings were held by those interested with a view of securing a short line railway from Montreal to the eastern parts. At all those meetings, as is well known to those who attended the committees, I urged strongly that the line between Montreal and Sydney or Louisburg should be kept intact, that the line should not be divided at any intermediate point for two reasons: first, because dividing the line at any intermediate point between Montreal and Sydney or Louisburg would largely increase the cost of construction; and, secondly, because I believed that if the line were to be divided at any intermediate point it would necessarily culminate in the defeat of the eastern end. In the Session of 1884, we were informed that, for reasons which I could never ascertain, it was determined to divide the line at an intermediate point, New Glasgow. When that information was conveyed to the representatives of the Island of Cape Breton, we held a consultation and arrived at the conclusion which we placed on paper. The conclusion arrived at was written in a letter to the then Minister of Railways, remonstrating against dividing the line at New Glasgow or any other intermediate point. This letter is published in the Sessional Papers of 1885, No. 137. It was addressed by all the representatives from Cape Breton to the Minister of Railways:

"OTTAWA, 5th March, 1884.

"DEAR SIR,—As it was found necessary to give the Pictou Branch, which cost over \$2,400,000—\$600,000 in cash and 160,000 of acres of Crown lands—in order to induce a company to construct a railway from New Glasgow to the Strait of Canso; and as the said company and the Local Government of Nova Scotia successively sold their interests in the said Pictou Branch and Eastern Extension, from New Glasgow to the Strait of Canso, for \$1,200,000, which is only half the original cost of the Pictou Branch alone, we consider that a subvention, consisting of Eastern Extension alone and \$3,200 per mile, is totally inadequate for the construction of a railway from the Strait of Canso to Louisburg, in view of the facts:

"(1). That the Pictou Branch pays each year about \$80,000, as repeatedly estimated by both political parties in Nova Scotia, over running expenses;

"(2). That the Eastern Extension actually earned \$9,000 less than running expenses last year.

"A railway from New Glasgow to Louisburg would prove a valuable feeder to the Intercolonial Railway from New Glasgow to Halifax, through which the trade of that section of the Province of Nova Scotia would naturally flow. The railway east of New Glasgow must be treated simply as a feeder to railways west of New Glasgow. That section, from New Glasgow eastwards, will never carry as much traffic eastward as it will westward. It will therefore be a valuable subvention to railways west of New Glasgow, whether run by the Government or by a company. The Short Line from Montreal to New Glasgow would not have as much interest in extension eastward of New Glasgow as the Intercolonial Railway from New Glasgow to Halifax. As soon as the Short Line from Montreal will be finished eastward to New Glasgow it will cease to have much interest in a line east of New Glasgow that will contribute its traffic principally to the Intercolonial Railway between New Glasgow and Halifax. The company constructing the Short Line from Montreal to New Glasgow will therefore naturally decline to build east of the Strait of Canso without a much larger subsidy than should suffice to enable a company to build from New Glasgow to the Strait of Canso, and will require a larger subsidy than would now suffice to induce the same company to undertake the Cape Breton section concurrently with other sections of the Short Line from Montreal to Louisburg. Any railway scheme, therefore, such as agreed upon by the maritime members supporting the Government, having in view the shortest practicable route between Montreal and St. Andrews, St. John, Halifax and Louisburg, unless it provides that the Cape Breton section of that line shall be commenced, prosecuted and finished concurrently with the other sections of the Short Line, either by the same company or by the Dominion Government, will unfairly discriminate in favor of the unconstructed sections of the line west of New Glasgow, and render it more difficult to secure extension from the Strait of Canso to Louisburg, after the Short Line will be finished to New Glasgow, than at present.

"We have the honor to be, Sir,

"Your obedient servants,

"C. CAMPBELL,

"H. CAMERON,

"MURRAY DODD,

"WILLIAM MACDONALD,

"HENRY N. PAINT.

"Hon. Sir CHARLES TUPPER,
"Minister of Railways, Ottawa."

On account of this letter, I have a right to assume that the sub-division of the line at New Glasgow was not executed,

but nearly as unfortunately for the interests of a further extension eastward, the line was sub-divided at Moncton, and I felt that a sub-division at Moncton would have the double effect which I originally and always contended, first, of increasing the cost of the whole line, and, secondly, of preventing the construction of the road east of Moncton. My fears, I exceedingly regret to say, have been realised. As soon as I found that the line was divided at the intermediate point, Moncton, I deemed it my duty, as a representative of the Island of Cape Breton, to place my views on record, and I did so by addressing a letter to the Minister of Railways immediately after the sub-division at Moncton became known to us, and this is the letter which I addressed to him :

"OTTAWA, 16th April, 1884.

"DEAR SIR,—In reference to the letter dated 5th March last addressed to your Department by the representatives from Cape Breton Island in the House of Commons, I beg to say that the arguments used by us against the subsidizing of the 'Short Line' from Montreal to Sydney in two sections terminating at an intermediate point, New Glasgow, N.S., is applicable with still greater force against the sub-division of said railway at Moncton, New Brunswick. My own honest conviction is that unless the company undertaking to construct and consolidate the sections between Montreal and Moncton will also construct the section now unconstructed between Oxford and Sydney for the aggregate of the subventions offered by Parliament, no company can reasonably be expected to undertake the completion of the line between Oxford and Sydney for subsidies offered for that section of the so-called 'Short Line' from Montreal to Sydney.

"I may say further that if the Canada Pacific Railway Company, or any other company, will finish the unconstructed section through the State of Maine to Mattawamkeag, I cannot conceive of any interest that would induce the same company for the same proportionate subvention per mile, to prosecute the 'Short Line' from Fredericton to Moncton. The result of dividing the 'Short Line' from Montreal to Louisburg into sections, terminating at Moncton, may not only deprive Cape Breton of the advantages of the subsidies now granted, but Halifax as well, in whose interests it appears to me the line has been sub-divided.

"Disappointments in railway matters in Cape Breton for a long time may tend to influence me to look at the dark side of the picture. But common sense seems to point out the necessity of putting the whole line from Montreal to Sydney under the same management, and to suggest the danger of giving any company the contract of the sub-division between Montreal and Moncton, until the sub-division between Oxford and Sydney will be undertaken by some company. At least, concurrent operations on the unconstructed sections should be insisted on to ensure the success of the enterprise for the subsidies now granted.

"The subventions now granted by the Dominion Parliament may be sufficient to ensure the undertaking and completion of the 'Short Line' from Montreal to Sydney, if given to one company; but I have no hope of any such result if the line will be sub-divided at any intermediate point. Personally I have no preference to any company now alleged to be negotiating to build the whole line or any section of it; my only aim is to secure the success of the project. It is possible that companies can be found who will undertake the completion of the sub-divisions of the line at Moncton, but if they will not fail to complete the line in separate sections and to operate them satisfactorily, it will only prove to my mind conclusively that the whole line under one contract should be accomplished and operated for less money. In these circumstances I hope the Government will pursue that course which will ensure the undertaking and completion of the whole line from Montreal to Sydney, with ample security that it will be satisfactorily operated.

"I have the honor to be, Sir,

Your obedient servant,

"H. CAMERON (Inverness).

"HON. SIR CHARLES TUPPER, Minister of Railways."

Now, I regret to say, that my predictions of two years ago have been verified. I was most anxious that the line between Montreal and Louisburg should be kept intact; that it should not be subdivided at any intermediate point. I then felt, and I am now able to prove, that it was impossible to construct the line for the subsidy then given. Since that time, the subsidy from Montreal to Moncton has been largely increased, and I am sorry to say that, up to this time, the Minister of Railways has not seen his way clear to increase the subsidy east of Moncton in the same proportion. I hope, however, that in the near future he will see his way clear to do so, and that the people of eastern Nova Scotia and of the Island of Cape Breton will, at an early day, realise that, of which in the past they have only had the opportunity of dreaming—a railway through the Island of Cape Breton.

Mr. TUPPER. I have a word or two to say in reference to the remarks of the hon. member for Guysboro' (Mr. Kirk) who has very kindly undertaken to look after the interests of the county which I am supposed to represent in conjunction with my colleague from Pictou. I advise the hon. gentleman, in undertaking that task, in order that he may help me with more effect, to study the interests of the county and the legislation concerning railways in that county a little more accurately, and also the geography of the county. I think, if he gives his attention more to the geography of Pictou County, it will remove from his mind the idea that the Government contemplate building a parallel line in that county. I think, also, if he studies the legislation in connection with the short lines, he will find that that scheme was sanctioned in this House before I was even a candidate for political honors in the county of Pictou, and before any man in the county of Pictou had the slightest idea that I should be a candidate at the general election for this House; because, as the statutes will show him, the first subsidy was granted to this work in the year 1882, when I had not the honor of a seat in this House. In reference to his metaphors, also, I think he will do well to brush them up a bit. He said first that this railway and this legislation had given me political birth, and then he alluded to my attempting to strangle my own child. I think, if he had studied that part of his speech a little more, and had given more attention to the happy illustrations that he used, he would not have said I was attempting to strangle my own child, but the more correct figure of speech would have required him to say that I was attempting to strangle my political father. However, that is, I ask him to study the question a little more attentively before misrepresenting it on the floor of this House, because it is idle for anyone to say that when the Government took up this question and decided to build a portion of the whole scheme, it was doing anything to the detriment of the scheme as a whole. Surely when a very important portion of the scheme is almost under immediate construction, it cannot be said that the whole scheme has been endangered thereby. That portion of this railway system would have to be built some time or other, and because the Government have begun it first, is no reason why there is a danger of not going on with the rest. But my hon. friend could have ascertained that there was strong reasons which induced the Government to build this portion of the system from Stellarton to the town of Pictou, wholly irrespective of any political interest or any personal reasons. He would have discovered that the Government of this country is bound to maintain a ferry between the town of Pictou and Pictou Landing, and in order to do that, a charge is incurred of some \$12,000 to \$14,000 a year. He would have found that by this scheme, taking that \$14,000 a year, it will provide all the money required to build the branch from Stellarton to Pictou, and finding that, he would have understood that it was a wise policy, that it was not at all an exceptional policy, for the Government, while having that money, to obtain more in order to build this portion, that it was adding to the most lucrative portion of the whole Intercolonial Railway system, that it was adding to that part of the Pictou branch which my hon. friend from Inverness (Mr. Cameron), referred to as being the most valuable portion of the Intercolonial Railway system, and that there were interests wholly independent of political considerations why this portion of the work should have been taken up when it was. However, hon. gentlemen will not be surprised at the attempt which was made, as I feel, for the purpose of stirring up sectional feelings between the Island of Cape Breton and some of the counties on the mainland of Nova Scotia. I think the hon. gentleman will fail in his object. The people in the

county of Cape Breton know that, standing as this scheme does as a portion of the main line, and this portion in the Island of Cape Breton, when the Government has taken hold, as they have done, of the portion on the mainland, it gives them another assurance, if another assurance is needed, that in due time the whole will be accomplished. The members from that Island know that the members from the county of Pictou have never halted in their endeavors to press on to a satisfactory and speedy conclusion a work to which, we believe, both parties in this House have from time to time committed themselves. In reference to the allusions of the hon. member for Guysborough (Mr. Kirk) as to the seat in the Cabinet, and his insinuation that this seat went a begging, I may tell him that, whatever the custom is in the party to which he belongs in Nova Scotia, it is not the custom in the Liberal Conservative party there to go begging for seats in the Cabinet, or for seats to go begging for occupants. That is not the system in vogue in Nova Scotia, at any rate. He knows very well that the seat he alluded to has been filled, not only to the satisfaction of every Conservative member from Nova Scotia in this House, but to the holy horror of every member of the Grit party in Nova Scotia, and indeed I may say, as an hon. friend observes, in the Dominion. We know that position is filled in such a manner as to give strength to the Liberal-Conservative party, not only in that Province, but in the Dominion from one end of it to the other. They know, and we have had an experience of it during this Session, that the appointment has met with hearty approval in Nova Scotia. I have not, Mr. Speaker, in any way lost my interest, and never did lose my interest, in this Short Line scheme. I believe it is not only necessary, but that it will be beneficial to the counties concerned, and beneficial to the trade of the whole Province; and I shall not hesitate in doing all I possibly can to bring it to a speedy and satisfactory conclusion. One word with reference to the statement that representations had been made upon the floor of this House in regard to the financial standing of the company. These statements are perfectly accurate. No matter what their views are, as there is no power of controlling them, any one who will look at the names of the parties connected with the Short Line Company in New York, will know that the financial standing of those men, such as Norvin Green and Erastus Wiman, is enough to warrant the statements that were made. At the time those statements were made there was good evidence that those gentlemen intended to take this work up and push it to a conclusion. They attempted to do so, and they spent a vast amount of money in the attempt. But we do regret that for reasons of their own they abandoned the work, and left it in its present unfortunate position. But the members from Nova Scotia have reason to believe that this Parliament, having subsidised this work as a Dominion work, the Government will do all they legitimately can to complete the system from one end to the other.

Motion agreed to.

It being six o'clock, the Speaker left the Chair.

After Recess.

PRINTING OF THE VOTERS' LIST.

Mr. CASEY moved for :

Statements from all revising officers in regard to the arrangements made by them for the printing of the voters' lists in their respective electoral divisions, showing whether tenders were called for for such printing, or written contracts entered into for its performance, with copies of such contracts; names of parties with whom agreements, (written or verbal) were made for such printing, and number of times lists are to be printed; stating rates allowed per name or otherwise, number of names on first list, whether first list is printed by polling sub-divisions or not, manner of making alterations and additions after

Mr. TUPPER.

first printing, and all other details of such arrangements, agreements and contracts for printing said lists.

He said: My reasons for asking this information were hinted at pretty strongly in a previous debate on a motion asking for copies of instructions to revising officers. It will be remembered by us all that the Act appears to provide that the voters' lists shall be printed three times—first, the preliminary list; secondly, a reprinting after the preliminary revision; and thirdly, a second reprinting after the final revision of the lists. Of course, no price was fixed in the Act. I am given to understand, however, on pretty direct authority, that the Government has made an attempt to fix the price, and has given instructions to revising officers as to the price to be allowed for printing these lists, and that price is 12½ cents per name for the whole work. Now, that is, on the face of it, of course, much more than would appear to be the fair cost of printing the lists. But it may, perhaps, be urged that they require this large price on account of having to print them three times over. But again, Sir, I am informed, and the appearance of the first lists now in our hands seems to bear out the information, that it is not the intention to have the list printed three times. The first lists which we have already received have not been printed in the form specified by the Act, giving the names alphabetically for each township or large municipality, but have been divided up into polling divisions, which the Act directed should have been done after the preliminary revision. On the face of it, that seems to be a convenience to those who have to use the lists; but I am referring to it now for the purpose of showing the economy effected to the printer. For these first lists are printed, as I said, by polling divisions, with a considerable blank left at the end of each alphabetical list of the names in that division, and at the end of each polling division, and I am told it is the intention to leave a certain number of those copies in the sheet until the number required for the preliminary revision have been issued, and the preliminary revision has been held, then to fill up those blanks by inserting in them a supplementary list of the names, added at the preliminary revision; and in the same manner after the final revision has taken place to strike out the names which have been knocked off that revision by simply drawing a pen through those names; so that, as a matter of fact, the names will only be printed once by the person who contracts for the printing of the list. That is the information I have had, and I make this motion to ascertain if it is correct. Well, Sir, as to the proper and sufficient cost of printing these lists in this manner, I have ascertained what it has cost in my own county to print the voters' lists under the system that has prevailed up to this year. The township councils have almost invariably asked for tenders for the printing of those lists, and given the contract to the lowest tenderer. The result has been that in my county the cost of printing the list has varied from 3 cents per name in the larger municipalities, where it could have been done the most cheaply, to something like 4 cents, or a fraction over, per name; in the town municipality, where the lists are smaller, the cost per name was naturally greater. Now I say that, as a matter of fact, no more printing will be required in this case, according to my information, than in the other; the names will not have to be printed over any more times, and the number of copies to be issued is not very much larger. Of course we know that a small increase in the number of copies to be printed has very little to do with the cost of printing; the cost is principally in setting up the type and striking off first copies. I contend, therefore, that the cost of printing the present lists should not be appreciably larger than the cost of printing the old lists, whereas it appears on the face of it that it is three or four times larger, in my county, at all events. In a riding of, say, 5,000 electors about the size of my own, the cost under the old plan was about 3½ cents per name, or about

\$170, whereas under the present system it will be something like \$600, which is a very considerable difference in cost when we multiply it by the number of ridings in the Dominion, I ask what prices are to be paid by the revising officers, and particularly whether tenders have been asked. I do not believe tenders have been asked in any instance. No doubt those officers of the Government, like other officers and the Departments, have been instructed to give the patronage to papers which support the Government, and in this way all the money paid for the printing of those lists will go into the pockets of papers supporting the Government. Considering this is an expenditure incurred not for purely Governmental purposes but for the convenience of the public at large, I think it would have been only fair if the old system of letting by tender had been maintained.

Motion agreed to.

INDIAN VOTERS.

Mr. CASEY moved for :

Copies of all applications to be registered as voters on the first list of voters for West Elgin, with all statutory declarations as to the qualifications of the applicants, and of all lists of Indians qualified to vote, and statements (other than statutory declarations) as to the qualifications of any Indians delivered to the revising officer for West Elgin, or his clerk, by, or on behalf of, any or all of the sixty Indians resident on a reserve, whose names are registered in said list, in polling division No. 6, of the township of Orford, or statement of the information (other than such as is above specified) on which the revising officer acted in registering such Indian voters.

He said: The object of the motion is to ascertain whether the revising officer in my riding required the same evidence in regard to Indian names which he placed upon the roll as he required in respect of white voters. The House will remember the explanations given some time ago of the extreme severity with which the revising officer of Elgin dealt with the applications of white voters. He required statutory declarations exactly in the wording of the Act, giving all the particulars as to qualification, and he threw out such as failed in the least degree to come up to technical accuracy. I am informed by a gentleman living in the township where the Indian reserve is, that the same severity was not shown towards Indian voters; that, in fact, the Indian agent at the reserve furnished the judge, who is also the returning officer, with a list of the names of the Indians who were qualified to vote, and the judge on the basis of that list inserted the names on the first roll. This motion is simply to ascertain on what evidence the judge acted in placing the names of those Indians on the list. It is deeply to be regretted, and deserving of censure on his part, if it should turn out that he has dealt more leniently with Indians than he did with whites who applied to be placed on the voters' list.

Motion agreed to.

Mr. CASEY moved for :

Copies of all correspondence between the Superintendent General of Indian Affairs, or any official of the Indian Department, or the revising officer for West Elgin, and Mr. Battie, Indian agent for the Indian reserve in the township of Orford, in regard to his duties or action in connection with the registration of Indian voters, or as to the qualification of any Indian.

He said: I wish to remind the House that the Franchise Act imposes severe penalties on any Indian agent who induces any Indian to have his name registered on the list, and I am also strongly under the impression that it is, if not illegal, extremely irregular for an Indian agent to furnish a list of qualified Indians at the request of the judge. If it is illegal for an agent to induce any Indian to have his name registered, it must be even more illegal I think for an agent to put that Indian's name on the list without consulting him, and without having the same application from the Indian as is required from a white man. My information was received from the township. I do not know whether my informant

was in a position to know the absolute truth or not; I think he was. That was the impression in the neighborhood of the reserve, judging from what was passing under their eyes, that the agent furnished a list of sixty Indians to the judge, and the judge acted upon that, and it is for the purpose of ascertaining the truth of those statements that I make this motion.

Motion agreed to.

MONEY SUBSIDY TO NOVA SCOTIA.

Mr. KIRK moved for :

Copies of all petitions from the Legislature of Nova Scotia and all correspondence between the Government of Nova Scotia, or any member thereof, and the Dominion Government or any member thereof; and all Orders in Council of either Government respecting the re-adjustment or increase of the money subsidy paid, or to be paid, by the Dominion Government to the Government of Nova Scotia, not already brought down.

He said: In a speech recently delivered in London, I noticed that the right hon. Premier of this Dominion is reported as having said :

"In regard to the union of those Provinces, all the Provinces came into the Union with the voluntary consent of the people."

I cannot understand how any hon. gentleman could make a statement of that kind, in face of the fact that at least one Province of the Dominion did not come into the Union with the consent of its people, but was forced in against their consent and their solemn protest. I refer to the Province of Nova Scotia. The people of Nova Scotia had no opportunity of expressing any opinion upon the question of Confederation, but were forced into it by their Legislature, without their consent, and by a Legislature which had lost the confidence of the people. In 1865, the Legislature of Nova Scotia passed a resolution providing for the appointment of delegates to meet in Charlottetown, delegates to be appointed by the Province of New Brunswick and the Province of Prince Edward Island, for the purpose of considering the question of a union of the Maritime Provinces. These delegates met in Charlottetown in the summer of 1865. They were there met by delegates from the Government of Canada, and those delegates from Nova Scotia were there and then seduced and debauched by those delegates from Canada, and they afterwards came up to Quebec and there, in secret, framed a scheme for the Confederation of the whole of the British North American Provinces. This they did without the authority or consent of the Legislature of Nova Scotia. In 1866 the scheme prepared in secret at Quebec was submitted to the Legislature of Nova Scotia, and there a resolution was passed endorsing the scheme, passed, as I said, by a Legislature that had lost the confidence of the people, passed in face of the fact that thousands, yes tens of thousands, of the people of Nova Scotia had petitioned Parliament not to pass the measure before submitting it to the people at the polls. These petitions were, however, disregarded and a resolution was passed endorsing the scheme and delegates were sent to London for the purpose of having it made into law by the Imperial Parliament. The people of Nova Scotia also sent delegates to London for the purpose of preventing the passage of the Act if possible. These delegates carried with them petitions signed by upwards of 30,000 of the people of Nova Scotia, protesting against the passage of the Act of Confederation and asking the Imperial Parliament not to pass the Act until the people had an opportunity of passing upon it at the polls. They were not successful, however, and the Act became law. I cannot point to anything more convincing as to the feelings of the people than the fact that at the first election held immediately after, 18 of the 19 members who were returned to this Parliament and 36 of the 38 returned to the Legislature of Nova Scotia were returned pledged to work for the repeal

of the Union so far as it affected the Province of Nova Scotia. The Legislature of Nova Scotia, on its meeting in 1868, passed resolutions asking the British Parliament to repeal the Act so far as Nova Scotia was concerned. They sent delegates to London for the purpose of having the matter brought before the Imperial Parliament, and for the purpose of obtaining a repeal of the British North America Act in so far as it affected Nova Scotia. The delegates, however, failed to accomplish the repeal of the Act, and Confederation became a fixed fact and remains so till to-day. The Imperial Government at that time requested the Government of Canada, so far at least as it was in their power, by a despatch from that Government to the Governor General of the Dominion, Lord Monck, to modify the arrangement respecting the taxation and respecting the regulation of trade and fisheries prejudicial to the Province of Nova Scotia until a trial of the Union was had. Well, Sir, this has not been done by this Government. The arrangements which have been made with the Province of Nova Scotia since that time have not relieved that Province of the difficulty which it was feared by the people of that Province they would labor under in the working of the Confederation Act. It is found, after eighteen years working of the Act, that the system has worked, so far as Nova Scotia is concerned, much worse than the people of that Province feared it would work at the time of the Union. Confederation was objected to by the people, because the Act did not provide for sufficient revenue to maintain those local public works which were left under the control of the Local Government. It was also objected to because the power to tax by any mode or system was taken away from the Province and placed in the hands of this Parliament. By that means the Province was deprived of the larger portion of its revenue; a sufficient amount was not left for the purpose of maintaining provincial public works in a proper state of efficiency; and it is found that the longer we remain in Confederation, the greater becomes the necessities of the Province, and the less adequate becomes the revenue which is a fixed one, to the requirements of the Local Government. The fact that the taxes of the people have been enormously increased, while some of the most important works of the Local Government have of necessity to be left in a state of inefficient repair, has excited considerable discontent among our people. There are only two possible ways by which the Local Government can obtain sufficient revenue to efficiently maintain these works—by direct taxation, or by an increased subsidy from this Government. I do not know that the people of Nova Scotia will submit to direct taxation for that purpose, while this Government persist in taxing them so enormously as they are doing. I do not make these statements because the present Government of Nova Scotia have had difficulty to obtain money to support those public works. Successive Governments, supported by both parties, have found it difficult; and the Governments of both parties have applied to this Government for relief, but they have always applied in vain. Then, the only source left to them is direct taxation; but the people are looking in another direction. They are beginning to feel that those who opposed Confederation and warned them of the difficulties that Confederation would bring about, spoke the truth. It cannot be said that the lack of funds for local works is due to extravagance on the part of the Government of Nova Scotia. I do not think there is any Government of any Province of this Dominion which has been more economical since the time of Confederation than the several Governments of Nova Scotia. I am sure there is not a Province in this Dominion where the officials of the Local Government are more poorly paid, and I believe there is no other Province of this Dominion which has fewer officials than that Province. Now, these local public works cannot be allowed to go down or to suffer, the money

Mr. KIRK.

must be obtained in some way. I have said that the feeling of discontent with Confederation is becoming more general and more deeply fixed; and I am not alone in this opinion. I would refer to a resolution which was moved in the Nova Scotia House of Assembly in 1884, moved by a private member in sympathy with the feelings of the people. I will not read the preamble on which he founded his resolution, but will simply read the resolution itself:

"Therefore resolved, that in the opinion of this branch of the Legislature of Nova Scotia it is the duty of the Government to earnestly press upon the attention of the Federal Government the necessity that exists of Nova Scotia having granted to it such increase of subsidy as shall maintain the public services of the Province in a like state of efficiency as existed previous to Confederation; and further resolved, that failing to receive that favorable answer from the Government of the Dominion to the prayer expressed in the foregoing resolution, it will then become the imperative duty of the Government of Nova Scotia to demand a repeal of the British North America Act, 1867, in so far as it relates to the Province of Nova Scotia, carrying the appeal for justice, or separation, if necessary, to the British Government for adjudication."

Now, Sir, the fact that a resolution like that was moved in the Legislature of Nova Scotia is proof that a feeling does exist in that Province against the continuance of Confederation. The Government of Nova Scotia, not willing that the question of repeal should be considered at that time, felt that it was their imperative duty first to apply to this Government for relief, induced the member who moved the above resolution to withdraw it; and in order to make a regular application, a Joint Committee of the two Houses was appointed for the purpose of preparing an address to this Government for relief from their present embarrassed and straitened circumstances; and I believe the hon. gentleman who represents Cumberland in this House (Mr. Townshend) and was formerly a member of the Local Legislature, was a member of that committee. That Joint Committee prepared an address; and in it they set forth the feeling of discontent which existed in the Province at that time, that is two years ago. The following is a paragraph of the address:—

"That after 16 years under the Union, successive Governments have found that the objections which were urged against the terms of Union at first, apply with still greater force now than in the first year of the Union. And the feeling of discontent, with regard to the financial arrangement, is now more general and more deeply fixed than ever before."

This address was passed unanimously by both branches of the Legislature, and it was submitted to this Government by the Lieutenant-Governor of Nova Scotia, on the 18th of April, 1884. This Government took a long time to consider it. In fact, no answer was given to the Government of Nova Scotia when the Local Legislature met again in 1885, twelve months after it was sent to this Government. In 1885, finding the Government made no answer to the address submitted to it in 1884, the same private member moved his resolution for repeal of the Union again. The Government, not willing to allow this resolution to pass, but, I fancy, sympathising with it, until an answer was received from this Government, proposed the following amendment:—

"Whereas, previous to the union of the Provinces, the Province of Nova Scotia was in a most healthy financial condition;

"And whereas, strong objections were taken at the time of the Union to the financial terms thereof relating to the Province of Nova Scotia, as being wholly inadequate to meet the requirements of the various services left under the management of the Provincial Parliament;

"And whereas, after seventeen years under the Union, successive Governments have found that the objections which were urged against the terms of the Union at first apply with greater force now than in the first year of the Union, and the feeling of discontent with regard to the financial arrangements is now more general and more deeply fixed than ever before;

"And whereas, these facts have been brought to the notice of His Excellency the Governor General and the Federal Ministry by an address unanimously passed by the Legislative Council and the House of Assembly, and also by the representations of a delegation from the Provincial Government, without satisfactory results up to this time;

"Therefore resolved, that if the Government and Parliament of Canada fail to make provision, during the present Session of said Parliament, to place the Province of Nova Scotia in a better financial position in the Union, this House affirms that it will be necessary to consider the advisability of taking steps to secure a severance of the political connection between the Province and the Dominion of Canada."

This amendment was moved to the original motion for repeal, and it was adopted by the House. By it you will see that the Legislature of Nova Scotia has determined that, should this Government refuse to re-adjust the subsidy and place the Province in a position to carry on her local public works efficiently, she will seek repeal of the Union; and I have no doubt that the Local Legislature, now sitting, will, in view of the fact that this Government have refused to augment the subsidy, before it prorogues, pass a resolution asking the Imperial Parliament to repeal the British North America Act, so far as the Province of Nova Scotia is concerned. It is not to be wondered at that the people of Nova Scotia are dissatisfied with the present arrangement. Previous to Confederation, the tariff of that Province was scarcely $9\frac{1}{2}$ per cent. With that tariff and a light Excise duty and the revenue derived from Crown land, mines, minerals and other minor resources, the people of Nova Scotia had ample revenue for all their necessities; they had ample means to build their railways and maintain them, to erect their lighthouses and maintain them, to provide for their legislative expenses and the maintenance of justice. They also provided liberally for education and other public wants, and besides were able to give to the road and bridge service, for the support of their road and bridges, a grant of \$250,000 a year for a number of years. Now, notwithstanding the pledges that were made by the leading delegates, who were instrumental in forming Confederation, that the taxes of the people, that their tariff would not be unduly increased, the tariff has been enormously increased by more than 150 per cent., whilst at the same time our people are deficient in the revenue necessary to carry on local public works. The people of Nova Scotia do not feel like submitting to this enormous increase of their burdens whilst their public works are suffering for lack of means. They believe that if justice were done, they would have ample means for all their wants. With her Custom tariff of $9\frac{1}{2}$ per cent. Nova Scotia, previous to Confederation, went on prospering and developing all her resources; with this she built her railways, educated her people, and during her whole existence accumulated a debt of but \$3,250,000. What is her debt to day? We have been eighteen years in Confederation, and during that time our proportion of the debt has accumulated, making, including the \$8,000,000, with which we entered Confederation, a total debt of \$28,000,000. What is there to show for that enormous increase of debt? Where are the public works built since Confederation? We have one solitary public work, the Intercolonial Railway.

Mr. PAINT. Where is the elevator?

Mr. KIRK. That is in connection with the Intercolonial Railroad. This is the only work we have in our Province to represent this enormous increase in our proportion of debt.

Mr. MITCHELL. Have you not got an elevator in Halifax?

Mr. KIRK. I have already answered that question. That elevator is in connection with the Intercolonial Railway.

Mr. MILLS. What is it used for?

Mr. KIRK. It is used to look at. Besides that we have idle manufactories, depreciated values of real estate and other properties, silent shipyards, idle sailors, or, if employed, they are employed in other countries, and impoverished fishermen and farmers. We have all these to represent the

enormous debt which has been piled up upon us. Is it any wonder our people are dissatisfied and are looking forward to a repeal of the Union? Is it any wonder that the feeling of discontent is becoming more deeply fixed than it was ever before? What is the Government going to do about it? Are they going to allow this feeling of discontent to continue? Do they intend to increase it and make it still more deeply fixed by increasing the taxation of the people instead of reducing it? If the earnings of the people of Nova Scotia are to be dragged from them through the Custom house and expended anywhere else than in the Province, how can it be expected otherwise than that the people will be discontented, and long for a return to a condition of things such as that which existed before Confederation? It is the most natural thing in the world. It cannot continue long. The people who once knew what it was to be free will never submit to be enslaved by any system or impoverished by any misrule. The people naturally look back to the time when their taxes were light, when they had plenty of money for their public wants, and when their taxes were expended among themselves, giving employment to their own people. The people naturally look back to the time when they had control of their own revenues and their own taxes, to the time when those revenues were ample for all their necessities. In 1856, under our old tariff of $9\frac{1}{2}$ per cent. Nova Scotia had a Custom revenue of \$571,588. In 1866, ten years later, the year before Confederation, the Customs revenue had reached \$1,226,298. Supposing Nova Scotia had kept on prospering in the same ratio, and had not entered Confederation, she would have had a revenue last year of about \$2,800,000. This sum would have been sufficient to meet every obligation under which the country was placed, would have built our share of the Intercolonial Railway, would have provided for the common roads, for education, for lighthouses, legislation, and all general and local works; while to-day the services which are charged to the Local Government are, for the most part, inefficiently performed; the road and bridge service kept in an inefficient condition by borrowed money; whereas, if we had not entered Confederation, with the present Customs tariff our revenue would have been more than \$4,500,000 per annum. If the people of Nova Scotia are not paying that amount into the Treasury here to-day, they are paying the difference into the pockets of Canadian manufacturers. The consideration of these things and the lack of hope for the future lead our people to believe that the only hope of relief is in the repeal of the British North American Act, at least as far as regards Nova Scotia; and, if I understand the resolutions passed by the Nova Scotia Legislature last year, they mean that the people of that Province, at the next general election, will be asked to express upon this question of repeal, and I believe that the result will show that nine-tenths of the people of the Province of Nova Scotia are in favor of the repeal of that Union.

Mr. CAMERON (Inverness). It is true that, in 1867, eighteen out of the nineteen members from Nova Scotia, who were then returned to this Parliament, were opposed to Confederation. As I was one of them, I think I should say a few words in reference to the motion of my hon. friend from Guysborough (Mr. Kirk). I have, on former occasions in this House, referred more than once to the injurious effects which Confederation, from a local point of view, had on the interests of Cape Breton, one county of which I have the honor to represent. I complained that, owing to the action of the Local Legislature of Nova Scotia, in 1875, 1876 and 1877, under the guidance of the party with which my hon. friend from Guysborough was always associated, a large amount of money, which before that time lay to the credit of Nova Scotia in the Treasury of the Dominion, was withdrawn for railway purposes in Nova Scotia proper,

while they failed to expend any of that money in the Island of Cape Breton. I complained, that under the promise of spending \$600,000 on the island, they secured the expenditure of more than \$2,000,000, which was placed to our credit in the Treasury here, for Nova Scotia proper. This was secured in view of a general election. I have not much doubt that the party with which my hon. friend from Guysborough (Mr. Kirk) is associated will now, on the eve of a general election, which will take place next summer, for the Local Legislature of Nova Scotia, ask for subsidies for railways in Cape Breton. In fact, it has been the practice of the party with which he is associated, on the eve of every election, to ask for subsidies for railways in Cape Breton, always with a view to secure similar subsidies for other parts of Nova Scotia. But, while they always managed to expend the votes passed in favor of railways in Nova Scotia proper, they have always failed to do anything except to make promises in regard to Cape Breton. Having at sufficient length referred to these grievances on former occasions I shall now confine myself to grievances which are common to the whole of Nova Scotia, including Cape Breton. It is true that I opposed Confederation, and the ground on which I opposed it was principally the financial terms. It is true that all parties in Nova Scotia complained that the financial terms under Confederation did not place a sufficient amount of revenue at the disposal of the Local Legislature to maintain the local services as efficiently as they were maintained before Confederation. They also complained that, while Nova Scotia had not so much revenue for the maintenance of the local services after Confederation as she had previously, all the other Provinces of the Dominion had more revenue for local purposes after Confederation than they ever had before. After our return to Parliament, those who were opposed to Confederation pursued that course which they believed was the best to secure an equitable basis of financial terms. I am therefore glad that my hon. friend, the member for Guysborough (Mr. Kirk), has raised the question of the terms for Nova Scotia on this motion. I would like to remind him that on more than one occasion better terms have been conceded to Nova Scotia, but they were invariably conceded by the Liberal-Conservative party. While his political friends here from Nova Scotia ask concessions to Nova Scotia, I have no doubt that if, in the future, any proposal should be made by the Government to make further concessions, his Ontario political friends here, as on former occasions, will oppose them. I find the evidence of that fact in the speech delivered by the Finance Minister, in prospect, of the Liberal party in this House. On the 30th ult. the hon. member for South Huron (Sir Richard Cartwright), in his speech on the Budget, said:

"We know perfectly, and none probably knows better than the First Minister, that about two weeks ago delegates from his own Province were here to represent to him that Nova Scotia required better terms."

He then referred to the agitation in Quebec in favor of better terms, and proceeded to Ontario, concerning which he said:

"Even in the case of Ontario, which has a large sum to its credit, and is, on the whole, in a good financial condition, there can be no doubt whatever that there must be thrown on the municipalities a considerable portion of the present expenditure, or, after a certain number of years, they will also have to have recourse to direct taxation. I believe our Local Governments, if they care to avail themselves of the possibilities which exist in the better management of the Crown domain, might obtain largely increased revenues in the space of a very few years, which would entirely relieve them from the necessity of any application here; and it is possible that out of our present position good may come, and those communities may be obliged at last to look the situation in the face, and learn to rely on themselves, and not, as now, in making periodical raids on the Dominion Treasury."

This expression of opinion of the far distant future Finance Minister of the Liberal party, does not offer very great prospects of better terms for Nova Scotia. There is a good deal of
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agitation in Nova Scotia relative to this question, although the correspondence for which my hon. friend from Guysborough (Mr. Kirk) has asked, is already in the hands of all the members for Nova Scotia. I believe there is a method in his making motions of this kind before this House. I find the *Morning Chronicle*, the organ of the party in Nova Scotia, on the 11th March last, concludes an article on the correspondence relative in better terms, in the following words:—

"Nova Scotia will in future know enough, we trust, to send to Ottawa representatives who will have firmness enough to persist in the demand and finally obtain from the Dominion Government, Nova Scotia's rights."

I presume that in accordance with views here expressed my hon. friend from Guysborough has made a move in this direction; a review of the history of the better terms agitation shows that there is no hope from a change of Government in connection with this question. Only eighteen representatives now in this House were present in this Parliament when Confederation began. The first question that was discussed in this House in connection with Confederation was on Friday, 7th November, 1867, when the Hon. Joseph Howe, in his debate on the address, clearly defined the position of the party who were then in Opposition in Nova Scotia. He said:

"Before proceeding to discuss the question before the Chair, he would allude to his own position in connection with the leadership of the Opposition. He declared that it would have been an act of great impudence on his part to have assumed the leadership of any body of men holding views with respect to Confederation at variance with his own. It would also have been inconsistent with his duty to his own county. No one in his county went to the hustings pledged to any side of any question in the politics of Canada. No man there concerned himself about the policy of the existing Canadian Government. He felt incapable of assuming leadership in a House where two languages were used, with one of which he was not very familiar. He therefore felt, with his peculiar views on Confederation, that it was far better for him to take a position in the body of the House. No one from Nova Scotia had any side in the party politics of Canada."

After alluding to several paragraphs in the address, Mr. Howe said in conclusion:

"The mere parchment does not make Union, the Act of Parliament does not create harmony. The Act might be acceptable to the Canadians, and why not? They obtain a vast seaboard, they extend their limits, and had they done it fairly and honorably, no man with a head on his shoulders would have complained. But the people of his own Province have been tricked into this scheme, and he very much regretted that it had not been approached in a manner which might have led to the perfecting of a measure which would have rendered unnecessary such a speech as he was compelled to make. Though he did not expect to command a great deal of support from the House, and had no desire to waste the time in needless debate, he stated that he would move one brief amendment, expressing regret that the measure had not been submitted to the people of Nova Scotia before its adoption. With respect to the measures of the Government, while holding a seat in that House, he would, if he believed them to be good, support them; or, if otherwise, oppose them, but he would seek no factious course to delay the proceedings of the House, or provoke acrimonious feelings among the members."

The anti-confederate party led by Mr. Howe, pursued the best possible course to secure better terms for Nova Scotia, although it failed to secure repeal of the Union. The agitation of 1867 and 1868 resulted in better terms being granted in 1869, which was vigorously opposed by the party with whom my hon. friend is connected in this House. That increase was discussed on Friday, 11th June, 1869, Hon. Mr. Rose, Minister of Finance, moved that the House go into Committee on the Nova Scotia resolutions, and explained the negotiations that led to the proposition to increase the subsidy to Nova Scotia:

"He showed that the debt of Nova Scotia had increased from the time of the Quebec Conference, in 1864, to the date of the Union, in 1867, by \$4,440,000, and the increase of interest \$323,000. Of this increase of debt \$3,700,000 had been laid out in railways which were the property of the Dominion. For the three and one-half years previous to Confederation the revenue from local sources in Nova Scotia was on an average \$161,000, and the gross amount of her subsidies under the Union Act was \$331,000, making a total revenue of \$494,000 available for local purposes. The average yearly expenditure for the

period was \$776,000, leaving an annual deficit of \$284,000. In 1867, the total revenue, including the subsidies, was \$567,000, local expenditure \$868,000, leaving a deficit that year of \$301,000. In 1868, the estimated revenue was \$456,000, estimated expenditure, \$663,000, leaving a deficit of \$207,000 to be made up by direct taxation. Members said Mr. Rose would find the details of these figures in the table then laid on the Table of the House. It was evident from them that Nova Scotia would have had to resort to keep up the deficiency by direct taxation."

This was the statement made by the Finance Minister of this Dominion in 1869. And he proposed to ameliorate these terms by an increase of about \$150,000 annually for ten years, still leaving a deficit of \$134,000 a year, and about \$70,000 only, afterwards leaving a deficit of \$214,000 annually. Mr. Blake, in rising to move the amendment of which he had given notice, said :

"He regretted this question had not been brought up sooner. He admitted the great importance of the proposition of the Government. It amounted to an increased aggregate of expenditure capitalised at over two millions. His amendment he did not consider as involving the question of whether the increased subsidy should be paid to Nova Scotia. If it could be shown that the conditions of Nova Scotia under the Union were unjust he was heartily willing to modify these conditions. But the question involved in his amendment was a constitutional one, and he would not enter into the merits of the proposition of the Government. With reference to the despatch of the Colonial Secretary on the subject, he held there was nothing in it to justify this Government in making modifications in the Union Act. That despatch, he said, merely directed the attention of the Government, to the subjects of taxation, of the regulation of trade, and of the fisheries, all of which subjects were under the control of the Canadian Government."

He then went on to show how dangerous any interference with the financial terms of Union was to the smaller Provinces, and concluded by stating :

"There was no telling where this kind of work would end, if it were once admitted that this Parliament had the right to modify the Imperial Act. The monetary conditions of the Union were not only essential but vital, and should not be left to the tender mercies of this Parliament. Such, he was sure, was not anticipated by any one at the time of Confederation. He believed that if the proposition that this Parliament could modify the Act of Union, relative to its financial conditions, was carried, it would be destructive of the permanence of the constitution. He concluded by moving that all the words after 'that' be left out, and the following inserted instead thereof :—

"The British North America Act, 1867, has fixed and settled the mutual liabilities of Canada, and of each Province in respect of the public debt, and the amount payable by Canada to each Province for the support of its Government and Legislature.

"That the said Act does not empower the Parliament of Canada to change the basis of Union thereby fixed and settled.

"That the unauthorised assumption of such power by the Parliament of Canada would imperil the interests of the several Provinces, weaken the bond of Union, and shake the stability of the constitution.

"That the proposed resolutions on the subject of Nova Scotia involve the assumption of such power.

"And that therefore this House, while ready to give its best consideration to any proposals to procure in a constitutional way any needed changes in the basis of Union, deems it inexpedient to go into committee on the proposed resolutions."

No one knew better than the leader of the Opposition that the adoption of that amendment would virtually defeat the proposal to give better terms to Nova Scotia. In speaking to that amendment, Hon. Mr. Howe said :

"Nova Scotia did not care how they got the money, whether through Imperial Parliament or otherwise. He held that it was ridiculous to suppose that the Act framed by the members of the Quebec conference could never be changed by any Canadian Parliament. All he could say if such were the case, he wished the Act had never been passed. His hon. friend had agreed that that would be a dangerous principle to establish, not to Ontario and Quebec, but only to the smaller Provinces of Nova Scotia and New Brunswick. Well, if they, in the lower Provinces, were willing to run the risk, surely gentlemen from the other Provinces should have no objection."

Hon. Dr. Tupper, now Sir Charles Tupper, pointed out :

"It was found that the means at the disposal of the Nova Scotian Government were not sufficient to carry on efficiently the public services, and that a great part of the debt was incurred in building public works, which became the property of the Dominion. With these facts in view he thought the House should give the most generous and liberal interpretation to the Union Act in the direction of giving increased means to enable Nova Scotia to efficiently perform her local services. He would not ask for an increased subsidy to Nova Scotia on the ground of a just consideration of her claims, but on the ground of a legal consideration of the Union Act, which could do away entirely with the objection raised by the hon. member for West Durham."

He went on further discussing that proposition, and then said :

"It had never been supposed that we could suddenly pass from the condition of isolated Provinces, and arrange, at a single stroke of the pen, all the financial questions that would actually arise in the adjustment of the financial terms of the Act of Union. It was intended that subsequently a commission should issue, that the Local Governments should each appoint a commission, and one also jointly; and to these commissioners were to be entrusted the examination of the financial affairs of all the Provinces, and an adjustment of the debt on a satisfactory basis."

This statement of Hon. Dr. Tupper proves that it was the intention to have placed the cost of our railways after the adoption of the Quebec scheme, which were handed over to the Dominion, to our credit, from which Nova Scotia would receive local revenue in interest at 5 per cent., which would give \$220,000 a year extra. He concluded :

"Now he had found that the power which was always behind the gentlemen opposite had assumed a position of hostility to the smaller Provinces, immediately after the re-adjustment of the scheme at Westminster Palace. The additional concessions then granted to his own Province were made the subject of the most frantic appeals to the prejudices of the west, in the organ of these gentlemen. Under these circumstances, he was in the difficult position of not being able to obtain that support in the House, which was necessary, in order to enforce his views in regard to Nova Scotia."

Notwithstanding the efforts of the hon. members of the Opposition on that day, these resolutions passed, and I find on the division against any concessions, the following: Béchard, Blake, Bourassa, Burpee, Cameron (Huron), Geoffrion, Mackenzie and Mills, the only gentlemen in the Opposition to-day who had seats in Parliament at that time. Nor was that the only stage at which opposition to better terms was made by the hon. gentlemen with whom my hon. friend is now associated. I find that on the 12th of June, 1869, Hon. Mr. Wood moved, in amendment to the second reading of the resolutions with reference to better terms for Nova Scotia, the following :

"That all the words after 'that' in the said motion be left out, and the following inserted instead thereof: 'It be resolved, that in the opinion of this House it is expedient to disturb the financial arrangements settled between the Provinces composing the Dominion of Canada as settled by the British North America Act, in favor of Nova Scotia, without at the same time making provision for increasing in due proportion and on principles alike just to the Province of Quebec and Ontario the amount of debt allowed by the British North America Act to the late Province of Canada, and the half yearly payments to the Provinces of Quebec and Ontario respectively.'

If this amendment had passed, it would also destroy the obtaining of better terms for Nova Scotia, and I find that the same gentlemen who voted in favor of the first amendment, also voted in favor of this amendment. I find also that a Bill was introduced, and that the Hon. Mr. Holton moved an amendment to the Bill at its second reading, that amendment being as follows :—

"Resolved, that in the opinion of this House any disturbance of the financial arrangements respecting the several Provinces provided for in the British North America Act, unless assented to by all the Provinces, would be subversive of the system of Government under which this Dominion was constituted, and if effected, as proposed by this Bill, in favor of one Province, without at the same time providing for a general revision and readjustment of those arrangements, would be manifestly unjust to the other Provinces."

Which was negated on a division; and there appeared on the division list the names of the same hon. gentlemen to whom I have already referred against giving better terms to Nova Scotia. This was not all. On the third reading of the Bill, an amendment was moved by the hon. gentleman now leading the Opposition in this House, and that amendment would have had the effect of destroying any prospect of better terms in future. Mr. Blake moved to add the following as section 5 :—

"The grants and provisions made by this Act and the British North America Act, 1867, shall be in full settlement of all demands on Canada by Nova Scotia."

This was adopted, and it will thus be seen the hon. leader of the Opposition, by his fifth wheel to the Nova

Scotia coach, clogged any proposition which might be made in the future in favor of better terms for Nova Scotia. To this an amendment was moved by the hon. member for Yarmouth (Mr. Killam), one of the parties associated with myself at that time. He moved, in amendment :

"That the Bill be recommitted for the purpose of expunging clause 5."

This was negatived, and on the list I find that the whole House, with the exception of Messrs. Anglin, Cameron (Inverness), Chipman, Forbes, Killam, Le Vesconte, Macfarlane and Power, voted against it. Therefore at this particular time we find that the whole House was committed against giving any further concessions to Nova Scotia, and that the opposition to better terms to Nova Scotia originated with the hon. leader of the Opposition in this House. Is it any wonder, then that one of the most prominent Liberal members for Nova Scotia, at a public meeting in Halifax, declared in these words how impossible it was to get any better terms for Nova Scotia even if the Opposition should attain power :

"Nor have I any hope from a change of Government at Ottawa; as the leaders of the Opposition have opposed—step by step, and inch by inch—every concession made to Nova Scotia."

This was the opinion of the late lamented P. Power, Esq., who then represented the city and county of Halifax in this House, and who was in the minority in that division. Now, Sir, after the experience of the Liberal-Conservative party in 1871 and 1872, owing to the political capital which was made on the question of better terms for Nova Scotia, particularly in Ontario, I am not at all astonished that the Liberal-Conservatives of Ontario particularly should feel an unwillingness to pass through a similar ordeal in the future. I distinctly recollect that the two main planks in the platform of the Reform party of Ontario in 1871 and 1872 against the Dominion Government and the Liberal-Conservative party of this Dominion were, first on account of granting better terms to Nova Scotia, and secondly, because Riel was not hanged for the murder of Scott. There is no doubt that the appeal to the prejudices of Ontario in reference to the better terms to Nova Scotia, consigned many a friend of the Liberal Conservative party to political death, and I have no doubt whatever that if the present Government would give additional better terms to Nova Scotia, a similar agitation would be commenced in Ontario, and would have a similar effect. The second plank in the platform was embodied in a resolution, moved in the Legislature of Ontario, by Mr. Blake, on the 3rd of February, 1871, as follows :—

"That the cold-blooded murder (for his outspoken loyalty to the Queen) of Thomas Scott, lately a resident of this Province, and an emigrant thence to the North-West, has impressed this House with a feeling of sorrow and indignation, and in the opinion of this House every effort should be made to bring to trial the perpetrators of this great crime, who as yet go unwhipt of justice."

It will thus be seen that instead of local issues in the Province of Ontario, the two distinct issues raised were directed against the conduct of the Liberal-Conservative party in the House of Commons. This, I have no hesitation in saying, I considered then, and I consider now, was a very unjustifiable course to be pursued by any politician either in the great Province of Ontario or in any other Province. I always contended, when I held a seat in the Legislature of Nova Scotia, that the members of the Local Legislature should attend to their own business, and not raise issues in which the Dominion Parliament alone had any concern. However, in face of all opposition from the party who were then in Opposition as they are still, we secured better terms to Nova Scotia to the extent of \$150,000 a year for ten years, and about \$70,000 a year from that time up to the present time; and I have no hesitation in admitting that I felt a deep debt of gratitude to the Liberal-Conservative party for having granted these concessions at that time, and I feel

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assured that the people of Nova Scotia have not felt differently, and I have reason to believe that they will not forget it in the future. I find also that on the 21st of May, 1873, resolutions were submitted to this House, the purpose of which was to readjust the indebtedness of the several Provinces in the Dominion :

"The Order of the day being read, for the third reading of the Bill to re-adjust the amounts payable to and chargeable against the several Provinces of Canada by the Dominion Government, so far as they depend on the debt with which they respectively entered the Union,

"The Hon. Mr. Tilley moved, seconded by the Hon. Mr. Tupper, and the question being proposed, that the Bill be now read the third time,

"The Hon. Mr. Cauchon moved, in amendment, seconded by the Hon. Mr. Holton, that all the words after 'now' to the end of the question be left out, and the words re-committed to a Committee of the Whole House for the purpose of adding the following words after the first section : 'provided always that the last amounts go towards equalising the debts and subsidies between all the Provinces according to the population, real or assumed, with which they entered the Confederation,' inserted instead thereof."

It is true, that this would not very likely change the adjustment of the indebtedness of the several Provinces; but while there was a shade in favor of Ontario and Quebec, the Liberal party in this House were determined to have even that small shade for those Provinces against the other Provinces. I find that in favor of this amendment were Bain, Béchard, Cartwright, Casey, Casgrain, Cockburn, De St. Georges, Edgar, Geoffrion, Landerkin, Mackenzie, Mills, Thompson and Trow. This re-adjustment placed to the credit of Nova Scotia the sum of \$1,344,780, the interest on which was payable into the local treasury from that time up to the present; and while I admit it was not a material concession to Nova Scotia, yet opposition was offered even to that. I quite agree with the hon. member for Guysborough that the Liberal party in Nova Scotia was not the only party that asked for better terms for Nova Scotia. On the 2nd of January, 1879, the leader of the Government of that day sent a memorial to the Dominion Government, which was as follows :—

"The Government of the Province of Nova Scotia has had under consideration for some time its financial position as it stands now, and the resources it will possess for the future to meet its various obligations, and the annual recurring necessary expenses.

"The condition of the local revenue is of such a character, and so inadequate to meet our requirements, even upon the scale of the closest economy, that it has been decided by the Government that I should lay before you in as comprehensive a form as may be, an abstract of the financial history of this Province since it entered Confederation in 1867, up to the beginning of the present year, in order that the actual resources of the local revenue may be fairly and fully understood, and the necessity for some re-adjustment made more apparent than a mere superficial view of the situation is likely to convey."

After giving figures and facts to show that Nova Scotia was not in a very satisfactory financial condition, the memorial concluded as follows :—

"The question now suggests itself, how can the needed remedy be applied? The facts stated above prove, I think, very clearly, that a revision and readjustment of the present subsidy may be made in accordance with the reasonable requirements of our Province, so that it may be placed, in a revenue point of view, on an equal footing with its sister Provinces.

"The Hon. Mr. Mackenzie, in his letter of 29th January, 1877, addressed to the Hon. P. C. Hill, maintains that there is only one way in which this can be done, viz., 'allowing a *pro rata* payment to all the other Provinces at the same time.'

"In the face of the facts which have been adjudged in this statement of the case of Nova Scotia, the position of Mr. Mackenzie ceases to be tenable. How can it, with such a return as the following, taken from the blue books of each Province :

	Income.	Per Head Population.
Ontario	\$3,177,210	\$1 96
Quebec.....	2,428,216	2 03
New Brunswick.....	618,113	2 16
Prince Edward Island.....	328,274	3 45
Nova Scotia—in future say.....	530,900	1 29

"But should there prove to be serious or unsurmountable difficulties in this method of adjustment, relief to our necessities may be found in another direction, and in a way which could not be justly challenged or objected to by any of the other Provinces."

Then he claims the fishery award should be sub-divided among the Maritime Provinces, and in this way the increase

of subsidy so necessary, to Nova Scotia particularly, should be attained. Again I find in the very correspondence which my hon. friend asked for in this House and submitted to the Local Legislature of Nova Scotia, that a communication was recently sent by Sir Alexander Campbell, then acting Secretary of State, in which I find the following paragraph, in answer to the claims made by Nova Scotia for better returns :

"This shows that the amount of \$8,000,000, which was provided by the British North America Act, as the amount to be placed to the credit of the debt account, has been augmented on several occasions, the first increase being made in consequence of the Act of 1869, when the amount was increased to the sum of \$9,186,756, this increase to take effect from the date of Confederation. Taking this increase into consideration it will be found that the balance at the credit of the Nova Scotia debt account on the 30th June, 1868, was \$924,455.35. In 1873, by the Act of 36 Victoria, chapter 30, \$1,344,780 was added, and the amount was supplemented in the following year under the Act 37 Victoria, chapter 3, by \$199,490. The Act of 37 Victoria was simply passed to remove doubts in reference to the intention of 36 Victoria on this subject. And again by the Act 47 Victoria, chapter 4, another increase of \$793,368.71 was made, which should make the balance at the present time to the credit of the debt account about \$3,260,000, on which the Province of Nova Scotia would be receiving interest at the rate of 5 per cent., or say, \$163,000 each year, had the large withdrawals for railway extension, east and west, in Nova Scotia proper, not been made from the capital of the account. On the 1st July last, only the sum of \$1,052,345 out of the \$3,260,000 was left to the credit of Nova Scotia, representing an annual income of \$52,615, an annual loss of over \$1,10,000.

This state of affairs has been brought about by the political friends of my hon. friend from Guysboro'.

"It has been mentioned before that the amount (\$3,000,000) which was paid by the 'British North America Act,' as the amount to be placed to the credit of the debt account, has been augmented on several occasions, the first increase being made in consequence of the Act of 1869, before referred to, when the amount was increased to the sum of \$9,186,756, this increase to take effect from the date of Confederation. Taking this increase into consideration, it will be found that the balance at the credit of the Nova Scotia debt account, on the 30th June, 1868, was \$924,455.33. In 1873, by the Act of 36 Vic. Cap. 30, \$1,344,780 was added, and the amount was further supplemented in the following year under the Act 37 Vic., Cap. 3 by \$199,490, and again by Act 47 Vic., Cap. 4, another increase of \$793,368.71 was made, which should make the balance at the present time to the credit of the Debt Account about \$3,260,000, on which the Province would be receiving interest at the rate of 5 per cent., or say, \$163,000 per annum, had the large withdrawals, for railway extension before mentioned not been made from the capital of the account. In consequence of these withdrawals, however, the amount on the first day of July last, actually at the credit of the account and on which they are receiving interest is only \$1,052,345, representing, say, \$52,615 of income. It will, therefore, be seen that, had the capital been allowed to remain unimpaired, the Province would now have been in receipt of over \$110,000 more of yearly revenue from this source."

At this point, I desire to remind my hon. friend from Guysboro' (Mr. Kirk) that the total withdrawal of its capital account in the Dominion Treasury from the credit of Nova Scotia, was owing to the actions of his political friends in Nova Scotia; and it ill-becomes them now to clamor for any further concessions to Nova Scotia, while they seemed disposed to squander in this manner the revenue which had been placed at their disposal through the generosity of the Liberal-Conservative party. In conclusion, I desire to call the attention of the House to the following facts:—First. That, before Confederation, Nova Scotia had an average of \$776,000 for local works, for the maintenance of which she is held responsible by the British North America Act; Second. That all the older Provinces of the Dominion, excepting Nova Scotia, have now more revenue for the maintenance of local works than they ever had before Confederation; Third. That even if the Legislature of Nova Scotia did not withdraw any of her capital from the Dominion Treasury, that Province would now only have a local revenue of \$673,000, which is \$103,000 less than the average revenue for years before Confederation, and over \$200,000 less than would be sufficient, in view of the increased population, to maintain her local services, as efficiently as they were maintained before Confederation. But even if the Opposition obtain power, there is not the shadow of a hope for better terms for Nova Scotia from that source, as better terms cannot be secured without the repeal of the fifth clause of the Better Terms Act of 1869. This

fifth clause was added at the suggestion of the leader of the Opposition. It provides that "the grants and provisions made by this Act and the British North America Act shall be in full settlement of all demands on Canada by Nova Scotia." I deem it much more necessary that this fifth clause should be repealed than that we should have any further correspondence relative to better terms for Nova Scotia submitted to this House. I therefore deem it my duty to move in amendment to the motion of the hon. member for Guysboro' :

That all the words after "That" be omitted, and the following substituted:—

"In the opinion of this House it is expedient to repeal the fifth section, chap. 2, 32-33 Vic., of the Dominion Statutes, which provides, that the grants and provisions made by this Act and the British North America Act of 1867 shall be in full settlement of all demands on Canada by Nova Scotia."

Mr. McDOUGALL. In rising to second the amendment of my hon. friend from Inverness (Mr. Cameron), I desire to say that it was not my intention to make any remarks on this subject, but, having heard this afternoon the observations of the hon. member for Guysboro' (Mr. Kirk) with reference to the interests of Cape Breton, I desire to say a word or two. I was astonished to hear the hon. member for Guysboro' at this stage giving the attention he has given to the railway interests of Cape Breton, and I was further astonished, on hearing him speak with reference to the motion now before the House, to find him omitting any reference whatever to the interests of Cape Breton. The hon. member for Guysboro' is associated with hon. gentlemen in this House who, on previous occasions, undertook to deal with the question of the expenditure of money on railways in the Province of Nova Scotia and in the Island of Cape Breton, and who took very good care, on all those occasions to expend all those moneys, by the passing of Acts in this House and the passing of Orders in Council, in such a way as to deprive the Island of Cape Breton of a mile of railway, as it stands to-day. On the settlement of the better terms, to which my hon. friend from Inverness referred at such great length, there was placed at the credit of the Province of Nova Scotia the sum of \$2,269,235. At that time the Government of Nova Scotia adopted the policy of expending this money on railways in Nova Scotia. When that policy was adopted, the hopes of the people of Cape Breton were raised; they hoped that at a very early period they would have a railway extended through that island; but that money was voted by Parliament and expended in various sections of the Province, but not a dollar of it was expended in the Island of Cape Breton; and now my hon. friend from Guysboro' advocates the granting of further concessions to the Province of Nova Scotia, without saying a word as to the obligations to the Island of Cape Breton. As to the way in which that money was expended, without considering the claims of Cape Breton, I will give the counties in which the money was expended, and the amount expended in the several lines of railway in those counties. The following were the amounts so expended: In Annapolis and Lunenburg, \$140,000; in Digby and Yarmouth, \$679,000; in Pictou, Antigonish and Guysboro', \$643,345; in Cumberland, \$144,230. This absorbed, within a fraction, the \$2,000,000 which were placed to the credit of Nova Scotia by the passage of the Better Terms Act. The hon. member for Guysboro', in addressing the House this afternoon on the question of the Short Line Railway, made a reference to my hon. friend from Pictou (Mr. Tupper), and asked him if he had the intention of strangling the Short Line Railway, or of extending it into the Island of Cape Breton. I am not surprised at that hon. gentleman basing his argument on suspicion, from the very fact that he, to-day, supports a party who have adopted a system of strangling all means by which we could expect,

in the eastern part of the Province of Nova Scotia, that which we claimed we had a right to have. I remember the time to which my hon. friend from Inverness referred, when the present leader of the Opposition brought in a clause in amendment to the Better Terms Act, which would have had the effect of preventing the Province of Nova Scotia from getting any further consideration from that date. That was a system of strangling. Subsequently to that, the Government of Nova Scotia applied to the Dominion for assistance towards the building of the railway east of the county of Pictou, or from Pictou through the Island of Cape Breton. At that time, they desired their friends in Nova Scotia to have the transfer of the Truro branch to the Government, in order to assist in the building of a line through to Louisburg or Sydney in the Island of Cape Breton; but, notwithstanding that the representatives and the people of Cape Breton urged the Government to give that road, what was done by our hon. friends on the other side of the House at that time? They passed a Minute of Council by which the transfer of the road was made to aid in the building of a road which was limited by the Strait of Canso, and which did not provide for the expenditure of a single dollar or the construction of a mile of railway in the Island of Cape Breton. That was another specimen of strangling the construction of railways in the Island of Cape Breton. In the next place, the Government of Nova Scotia in 1882 adopted and passed a measure known as the Syndicate Act, for the consolidation of the railway system of Nova Scotia. They provided, and Parliament ratified that, for the extension of the railway system of Nova Scotia into Cape Breton. What did hon. gentlemen opposite do? What did my hon. friend from Digby (Mr. Vail) do? When the present Local Government came into power in Nova Scotia, he lent his services to that Government in order to strangle the operation of that Act. That was another act of strangling the building of roads in Cape Breton by hon. gentlemen opposite. The next thing was that the Government of Nova Scotia, in whose interests the hon. member for Guysboro' (Mr. Kirk) has brought this up to-day, took over from the company, under the powers obtained by them from Parliament, the Eastern Extension Railway, and what did they do with the road and the privileges they had obtained in the direction of building a line through the Island of Cape Breton? They came to the Government of the Dominion and asked if they would not take it over for the price which they paid for it or for less, and they imposed no condition as to the extension of the road to the Island of Cape Breton. They came to this Government and handed over this road and their interest in the Pictou branch without any condition whatever, and without the slightest hope that that property would be used towards the extension of the road into the Island of Cape Breton. Now, Sir, this is the last step towards strangling the building of that road in the Island of Cape Breton, which these gentlemen engaged to do. I take it that this step now taken tends in the same direction. It will have a tendency, possibly, to lead some people to believe that this Government has not the disposition which we had a right to expect of it, to extend the railway system of the Province of Nova Scotia and of the Dominion into the Island of Cape Breton. The hon. member for Guysboro' referred to the economy which characterised the management of the Government of Nova Scotia. Why, Sir, the economy that characterises the present Government of Nova Scotia is explained by the fact that they handed over this road at about half its value without providing any consideration for that part of the Province to which they were under obligation to extend this railway system. Without detaining the House any further, I have much pleasure in supporting the amendment of the hon. gentleman for Inverness.

Mr. McDougall.

Amendment (Mr. Cameron) negatived on the following division:—

YEAH:		
Messieurs		
Allison,	King,	McDougall (C. Breton),
Burpee,	Kirk,	Paint,
Cameron (Inverness),	Landerkin,	Robertson (Shelburne),
Daly,	Langelier,	Stairs, and
Gillmor,	McDougald (Pictou),	Vail.—16.
Gordon,		
NAYS:		
Messieurs		
Allen,	Ferguson (Leeds & Gren)	McLelan,
Amyot,	Fleming,	McMullen,
Auger,	Foster,	Mitchell,
Bain (Soulanges),	Gagné,	Moffatt,
Bain (Wentworth),	Geoffrion,	Platt,
Baker (Missisquoi),	Glen,	Ray,
Bécharé,	Guay,	Rinfret,
Benoit,	Harley,	Robertson (Hastings),
Bergin,	Hesson,	Rose,
Blondeau,	Hilliard,	Scott,
Bourassa,	Holton,	Small,
Bowell,	Homer,	Somerville (Brant),
Bryson,	Innes,	Somerville (Bruce),
Burnham,	Irvine,	Springer,
Cameron (Middlesex),	Ives,	Taschereau,
Campbell (Renfrew),	Jackson,	Tassé,
Campbell (Victoria),	Jamieson,	Taylor,
Carling,	Jenkins,	Thompson (Antigonish)
Caron (Sir Adolphe),	Kilvert,	Trow,
Cimon,	Langevin (Sir Hector),	Tyrwhitt,
Cockburn,	Leaage,	Wallace (Albert),
Colby,	Livingston,	Wallace (York),
Coughlin,	Macdonald (King's),	Watson,
Dawson,	Mackintosh,	White (Hastings),
Dickinson,	Macmaster,	Wigle,
Dundas,	Macmillan (Middlesex),	Wilson, and
Edgar,	McCallum,	Wood (Brockville).—32.
Everett,		

Main motion (Mr. Kirk) agreed to.

ADJOURNMENT—PROTECTION OF THE FISHERIES.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Mr. MITCHELL. I think that considering the time that has been taken up with Government matters this Session, the least we can do is to have an opportunity to present some matters in which private individuals feel some interest. I have had a Notice of Motion on the paper for nearly a month, and I hope the Minister will allow me to present it to the House. It is a request for papers and information upon a very important subject connected with the fisheries of the country. I beg to move for

Copies of all fishery regulations and of instructions to fishery officers or others commanding the alleged Marine Police Force of Canada under the Fishery Act of 1863, relative to fishing practices by United States citizens exercising privileges conceded by the Treaty of Washington, in common with Canadian fishermen.

Now, Sir, I shall take but a few minutes with this motion, it being so late, and seeing such an anxiety on the part of members to adjourn. I will state very briefly what the object of the notice is. It is very well known that an international question arose between the United States and the Government of England arising out of some American fishermen going to the Bay of Islands, under the supervision of the Newfoundland Government, for the purpose of catching bait. These American fishermen fished with illegal nets, and fished at a period which was contrary to the municipal regulation of Newfoundland. They were driven off by the people of Newfoundland. The owners of the vessels made a claim through their Government upon the British Government, and the British Government, notwithstanding that these American fishermen are alleged to have fished in defiance of the municipal regulations of that country, paid them the damages which were settled upon for having

been driven off. Now, with regard to what occurred in Newfoundland it may be thought that this House has very little to do, but, Sir, the same principle that was concerned in the case of Newfoundland, and one of very great importance, affects the settlement of all questions along the whole coast of Canada. But, Sir, a case arose in our own country where some American fishermen, during the existence of the Washington treaty, came within the three mile limit in Aspy Bay, off the coast of Nova Scotia, and with illegal nets commenced taking bait, and with illegal traps and nets took bait for the purpose of deep sea fishing within the three mile district, and within the municipal jurisdiction and territory of the Dominion of Canada. We have it from the blue books published by the British Parliament that that question was taken up and dealt with at Washington by the British Minister, and was settled. The American fishermen, it was alleged, came within the three mile limit and fished with illegal nets. The fishermen along the coast of Nova Scotia, finding the Americans were fishing with illegal nets, which were prohibited by the municipal regulations, sanctioned by the fishery department and by the fishery laws passed by this Legislature, drove them out and prevented them using their nets, and the American fishermen went away. They came back the next day and bought bait from the Canadian fishermen, and went on with the fishing as they intended to do if they had caught the bait themselves. They made a claim for damages amounting to \$5,000 or \$6,000, through the United States Government, against the British Government, and they claimed that they had suffered those damages from the illegal act of the Canadian fishermen in driving them out for violating the municipal laws of Canada. The point I want to make is this: I believe it to be a fact that the British Government settled the damages, which were fixed at \$600, and conceded the fact that American fishermen thus violating our laws and being driven from within the three mile limit were entitled to damages, because they paid \$600 damages to American fishermen. Either the contention I make now, that foreign fishermen, coming within the three mile limit, are liable to the laws and regulations of this Parliament, which our fishery officers are instructed to carry out, or they are not. If they are liable, then the British Government or somebody else did wrong in establishing a principle, in recognising as correct the contention of the Americans that they are not bound by the municipal regulations of Canada, when they come within the three mile limit over which our territorial rights extend, which may prove a very serious difficulty to us in enforcing any future regulation, should a new treaty be made. Some one is to blame in regard to this matter. Either the British Government have done this, with or without the consent of the Government of Canada. My own impression is that the British Minister at Washington did it without the consent of the Canadian Government. If he did, I should like to know what correspondence took place between the Canadian Government and the British Government or the British Minister at Washington, and whether the Government of Canada protested against the recognition of that principle. If the Canadian Government have protested, if they have asserted the fact that we have a right to make our own laws and to control all the fishermen, whether American, French, English or Canadian, while fishing within the three mile limit, if they have protested against that settlement, then I have nothing further to say about the matter, and I should be very glad if it is so. If they have not done so, if the documents show they have neglected that duty, then I wish to bring the question before this Parliament and show the absolute duty there is on the part of Parliament of Canada to take such steps as will protest against the recognition of a principle which may in future seriously interfere with the carrying out of and enforcement of our laws and regula-

tions, and the obtaining for our fishermen those equal rights which, if that principle is recognised, they cannot obtain. It is very well known that within the last few years a system sprung up on the part of the fishermen of the United States when they exercised rights under the Washington Treaty, I stated the other day when making a motion somewhat analogous to this, as I said last year when I took part in the discussion on the division of the Fishery and Marine Department, what I thought was the duty of the Government in relation to this matter. I said:

"The hon. the First Minister said that no damage was being done to our fisheries by the Americans fishing within the three mile limit. The right hon. gentleman is not well informed on that point."

The hon. gentleman had stated that he did not think any great damage was being done.

"Within the last three, four or five years a system of fishing has been established by the Americans which has been most destructive to the fisheries, and will ultimately ruin them, as the Americans have ruined their own fisheries. The Americans come in with schooners and with nets, and, with three or four or five miles of nets, scoop a whole bay, taking all kinds of fish, and for every one marketable mackerel two or three unmerchantable young mackerel are thrown overboard."

From interviews I have had with practical fishermen, I find if I had said 100 I would have been a great deal nearer the truth.

"Complaints have been made by fishermen of my own county of this practice, and they have asked whether any protection can be obtained."

At the same time I went on and stated this principle which I stated to the House to-day, and the First Minister then said: "Well taken, a good point." Mr. Speaker, it is a good point, and it is a very important point, for if we have 500 fishermen round the shores of the bay of the county which I represent restricted to certain limitations as to nets, perhaps ten, twenty or thirty fathoms, to a particular manner of disposing of the refuse from their fish, and if we find three or four American fishermen with one, two or three miles of nets, which are prohibited by our regulations, and if we have to compete with them, and the principle is recognised as settled by the Aspy Bay decision, the sooner this House knows it and takes the necessary steps to protest, the better, in order that Canadian fishermen shall not be placed at any disadvantage as compared with foreign fishermen and that a law shall not be applied to one as against the other. I am satisfied the acting leader of the House is anxious to adjourn, and I shall not take up the time of the House further, but simply move the resolution, and at the same time read the recommendation I made in the last report I signed as Minister of Marine and Fisheries, shortly after the adoption of the Washington Treaty:

"The admission of the United States citizens and American fishermen to our in-shores, in pursuance to the Washington Treaty, will necessitate the constant employment of cruisers to maintain order and regulate the fishing. It will be necessary to protect our own fishermen from injury and molestation, and to enforce the observance of our fishery laws. Also, it will be desirable to adopt some general system of regulation to prevent or correct any such abuses in the common pursuit as are calculated to inflict permanent damage to our estuary and river fisheries. A comprehensive code of rules was adopted under the fishery convention between Great Britain and France in 1839, to obviate collisions and disputes between the vessels and subjects of the respective powers. These regulations were framed by mixed commission, analogous it is presumed to that contemplated by article twenty of the present treaty. In the meantime the existing fishery laws, supplemented if necessary by regulations of the Governor General in Council, may suffice to avert any present injury from improper or unseasonable fishing; and for the present, at least, two marine police vessels should be kept on active duty."

What I advised at that time and what I contend for now is this: We should have had, and we should have now, protection for our fishermen in the exercise of those rights which the law gives them and to which they are entitled; and I make this remark more with a view to the future than to the present. It is true the fishery treaty has come to an end, but there is an anxiety in Canada, notwithstanding the course taken by the American fishermen, as there is amongst a large body of men interested in the fisheries of the United States that the renewal of that treaty, if it does

occur, should occur within a reasonable time. I have brought forward the motion with a view of warning our Government that if they renew that treaty with that Newfoundland decision, and that Aspy decision standing in their face, we will find the contention of the American fishermen, as was stated during the existence of the Washington Treaty, that they were not bound by our municipal laws while within the three mile limit. I have brought this matter before the House for the purpose of endeavoring to find out how we stand in relation to it; first, if this demand has been made, next, if it has been made, by whose authority it has been made. If it has been made purely on the responsibility of the British Government, then I want to know whether our Government has protested against it so as to prevent its being acknowledged as a precedent if future arrangements are made. I bring forward the motion not with any desire to censure the Government, but to find out the facts, and then if we find ourselves in a false position, to warn the Government and to bring to the notice of the House the importance of putting ourselves right in the matter, with a view of preventing decisions which may have been made by the British Government on the responsibility of the British Minister at Washington, perhaps on the direction of the Foreign or Colonial Minister in London; being held to bind us in the future. If that has been done, I wish to ask the House to protest against the principle which is pernicious in itself and is detrimental to the future interests of our fishermen.

Motion for adjournment withdrawn.

Mr. FOSTER. I am sorry that my hon. friend took so unseasonable a time as this appears to be, to bring up this matter in the way in which he has brought it up. I doubt very much if the information he has asked for, judging by what he has outlined in his speech, if rigidly adhered to, will prove to be the information that he desires. However, I may say this that not only what he has asked for shall be brought down, but that all the papers in connection with the matters of which he has spoken, so far as they can be, will be brought down; and I think that the hon. gentleman will find that he has preferred charges before the information has been before the House, which, if the information had been before the House, he would not have preferred. It has always appeared to me to be rather singular that hon. gentlemen should make a motion for papers asking for information, and then should build up without that information, certain charges about the truth of which they are not fully informed, and concerning information for which they are at the moment asking. I have no doubt at all that it will be found that the United States fishermen and foreign fishermen, under this treaty, fishing in Canadian waters, were considered to be as they are considered to be, under the rules and regulations which govern our own fishermen. I have no doubt it will be found, as indeed it is, that they are subject to all reasonable municipal regulations. However, it is another matter both with our own people and with others fishing within our limits, as to how these regulations shall be enforced. I think my hon. friend said enough to lead this House to see, that in this case the regulations were not attempted to be enforced by the proper officers, but that certain persons took the law into their own hands, and probably the claim for damages arose largely on account of that circumstance. My hon. friend is very anxious for the integrity and the good name of Canada with reference to the protection of our fisheries. So, I am sure, is the Government, and so, I am sure, is every member of this House; and although he has taken the opportunity on this occasion, and a preceding occasion, to warn the Government and to say what he thinks the Government ought to do, it is probably within the memory of the House that what he warned the Government to do, and advises them to do, is in the exact line of what he already knows

Mr. MITCHELL,

they have done. For instance, the other evening he warned and advised the Government that the proper kind of vessels were sailing vessels, and that steamers were a very wrong kind of vessel for the protection of the fisheries. Well, the hon. gentleman must have read before that that the Government were advertising for these same fast sailing schooners, and I think it will be in the memory of hon. gentlemen that the first fishing protection fleet which was organised by my hon. friend also contained one of these objectionable steamers. However, I shall not prolong the discussion to night. After these papers are brought down, and other papers as well, probably several hon. gentlemen will wish to speak on these different matters and we will have a more seasonable discussion and a better opportunity of giving our views and arriving at our conclusions.

Mr. VAIL. I merely wish to remark that my hon. friend the Minister of Marine and Fisheries (Mr. Foster), misunderstood the member for Northumberland. I did not understand him to make any charge against the Government, but was merely warning the Government that in case of any arrangements hereafter being made between the two Governments, they should bear in mind that certain claims were made by the American Government, and that they were acknowledged to a certain extent to have been right in consequence of the British Government having paid a sum of money in liquidation of those claims. I think the hon. Minister of Marine and Fisheries (Mr. Foster), should be obliged to the hon. member for bringing this matter before the House, and not only the Minister but the whole House. It is certainly a matter which has attracted a good deal of attention. The Minister of Marine says that the member for Northumberland has called the attention of the Government to certain things which he knows have been carried out. How was he to know that? If my memory serves me the Americans were driven off the shore of the harbor of Newfoundland for using seines or nets on a Sunday. The Americans made a demand—and it shows the value they set on our inshore fisheries—they made a demand for something like \$25,000 for one day for the two or three vessels interested. The British Government took the matter into consideration, and I am inclined to think, though I do not know for certain, settled the matter by agreeing to pay the amount, without consulting the Dominion Government here. Or if they did consult them, they certainly acted without waiting for an answer or for the consent of the Dominion Government. I know it was the intention of the British Government at that time to call upon the Dominion Government to pay the amount. I do not know whether it was paid or not; but it shows plainly that the British Government felt they had a right to settle this matter without consulting the Dominion Government. Now, I think it quite proper, in any arrangement to be made hereafter in regard to the fisheries, that the Americans should be made to understand that they will be bound to respect the municipal laws as well as our own fishermen. When the Americans had a right to come into our waters, they seemed to set a considerable value on our fisheries; but after the treaty was abrogated they pretended to regard them as valueless. If they are of no value, all we ask of them is to remain outside of the three-mile limit; but if they do come within that limit they must be dealt with as the law directs. I do not believe the American Government will for one moment uphold their people in violating the laws of the Dominion or in violating a solemn treaty entered into between the two Governments, and I sincerely hope that all necessary steps will be taken to show that we are determined to protect our inshore fisheries.

Mr. MITCHELL. I did not expect that I was going to get a lecture from the hon. Minister of Marine and Fisheries when I rose to perform what is my undoubted right as a citizen of the country and a representative of the people. I

brought forward a motion which is of great importance to this country. I brought no charges against the Government; I stated distinctly that I did not know who was to blame; but if the principle was recognised, that American fishermen should be paid claims for damages when fishing illegally in our waters, I thought it was wrong; and I said I did not know whether it was done by the authority of the Canadian Government or the British Government, and I wanted to know whether this Government protested against it, or whether they were *particeps criminis* in this matter. Now, the hon. Minister said, that I gave advice that fast sailing schooners were preferable to steamers, after I knew that the Government had advertised for schooners. I gave that advice a year ago, before the hon. gentleman dreamed of being in the position he now occupies, and a year before I thought that any steps would be taken in anticipation of the abrogation of the treaty I advised the Government to take the steps they have taken to-day, but taken too late. Therefore, I am not open to the charge of giving advice after the event. I gave it last year and the year before, as *Hansard* will prove. I do not care who it is that fishes illegally in our waters; the citizens of a country have a right to prevent men breaking the law, assuming that the facts stated by my hon. friend are correctly stated. But I think a number of questions arose, particularly in the Newfoundland case. The Americans were not only fishing on Sunday, and violating the municipal law against desecrating the Sabbath, but they were using nets and fishing across from bay to bay. These were the grounds on which the fishermen drove them off. In any case, the citizens of a country have a right to prevent any person fishing illegally or violating the law, and I was not wrong in my assumption. The hon. gentleman said I should wait until the papers are before the House. That is something like what was said last year when the Government was urged to take a vote of \$50,000 or \$100,000 in order to provide against the termination of the Washington Treaty. If that had been done, it would have given moral effect to the efforts of those in the United States Congress who are favorable to a renewal of the treaty. But what was done with the fisheries last year? They were given away; the Americans were begged to take them; and to take them for what? For nothing, although they were advised at that time to put on fast sailing schooners to protect them. The hon. gentleman was a member of Parliament at that time, and he ought to have known when he said that I spoke after the event, that he stated what was not strictly accurate.

Mr. McLELAN. If I understood the hon. gentleman last Session, he approved of the course taken by the Government in suspending the operations for protecting the fisheries pending the decision of the United States Congress as to the appointment of a commission. In last year's Estimates there was a sum of \$50,000, I think, voted for the purpose of protecting the fisheries. In respect to this matter, I think the hon. member for Digby (Mr. Vail) has taken the true view. The large claim made by the Americans was for injury done in Newfoundland waters, and the British Government notified the Newfoundland Government, which sent a representative to Washington to settle the difficulty. There was no such notice given to us; but after the matter was settled, the British Minister put in a small claim for compensation to American fishermen for injuries suffered at Aspy Bay. He applied to us to settle that; we protested strongly against it; but owing to subsequent circumstances and other reasons, which I am not prepared, in the absence of the First Minister, to say can be submitted to the House. A vote was taken in Parliament to pay that claim. The Newfoundland Government, I think, was represented at Washington by a delegate, and assented to the amount fixed for compensation for the disturbance there.

Mr. MITCHELL. The hon. Finance Minister has put in my mouth a conclusion I never arrived at. I did not approve of the course pursued last year, and there are gentlemen in this House who recollect the position I then took. I said that the Government should ask for a vote of \$50,000 or \$100,000 and provide the means then for protecting our fisheries, so as to let the Americans know that we were determined to protect the rights and privileges we possessed for the benefit of our own people; but I said that in the absence of a determination on the part of this Government to do that, they could not do anything but let the Americans come in and fish. That was what I said in relation to that point, but I never consented, I never thought it was the best course to pursue, to allow the Americans to use our fisheries the rest of the season for nothing. As to the Newfoundland case, we have nothing to do with it, except that it establishes a precedent that would cover any difficulty of the kind which might arise hereafter between the fishermen of Canada and the United States. With regard to the Aspy Bay affair, the hon. gentleman admits Canada was not consulted. If our Government permitted the British Government to deal with the case and thus establish a precedent without protesting against it, they did wrong. Some correspondence took place between this and the Imperial Government. We are told it is for the Premier to decide whether that correspondence will be brought down or not. I hold that the Government are bound to bring it down, in order that this Parliament may see whether the Government have taken the proper steps to protect our rights and interests, and prevent precedents being set up which will seriously interfere with our maintaining our rights and standing. The Minister said a few minutes ago that Canada had an undoubted right to protect her interests, and that nobody disputed her right. Well, Sir, the Americans disputed it. For the last three or four years that they have been fishing under the Washington Treaty, they have disputed our right to enforce our municipal laws within the three mile limit, and we should not allow, by any improper concession, the Imperial Government to establish a precedent which would prevent us in future from claiming and exercising that right.

Mr. THOMPSON (Antigonish). The subject is of very little practical importance just now, considering that we are actually discussing what shall be done when the Americans are allowed within our three mile limit, at a time while we are declaring that they shall not come within the limits at all. But as hon. gentlemen, especially an hon. gentleman from my own Province, got into the prophetic mood, and the discussion appears to throw imputation on the policy of the Government and implies distrust as to what the policy of the Government will be hereafter, I will say, as my hon. colleague has said, that the Parliament of Canada have an undoubted right, not only to make, but to enforce within the three mile limit such regulations as it thinks proper to enact. It will not be claimed that we, or any Local Legislature, have the right to pass any regulations which would, in bad faith, limit unfairly the privileges given to the Americans or to others, but to the extent to which we would have the right to legislate for our own people, we have the right to legislate, as far as the three mile limit is concerned, for all who may come there. Nothing whatever has transpired to tie the hands of the Government in dealing with this question when it shall arise. The principle upon which it was thought wise to make compensation to the fishermen of the United States, in respect to the Aspy Bay affair and the Newfoundland affair, may have been this, that notwithstanding the citizens of the United States may have violated the laws of Canada or Newfoundland, that certainly did not justify the violence and destruction of property which occurred in those two places. By violating the local regulations with regard to fishing on Sundays,

American fishermen incurred a penalty, but not the penalty of a mob destroying their vessels, nets or other property. If it were necessary to confer the right on Canadian people to go on American soil and carry on business there, our people would be subject to the municipal regulations of that country; but if they violated those regulations, the Government of Canada and of Great Britain, while recognising their liability to suffer penalty, would demand compensation to the fullest extent for any acts of violence and destruction of property from which they might suffer in consequence, at the hands of an American mob. There is a marked distinction between enforcing our regulations and justifying acts of violence. I do not say that the occurrences were such as to warrant the compensation paid by the British Government, and which the British Government may have forced the colonies to some extent to pay, but even if those Governments were justified in giving compensation, that does not necessarily involve the principle that we have not the right to enforce within the three mile limit the laws of Canada.

Mr. McLELAN. I do not think the hon. member for Northumberland understood me. I said this Government did protest against the payment of any amount for the Aspy Bay affair. The British Government paid the money for Newfoundland, and applied to us to recoup them for what they had paid on our account. We protested against the payment. Afterwards circumstances arose, and we came to the House with a vote, and every body knows what was said when the Estimates were passed. But what I want to say is that when the application was made, we replied protesting against any amount being paid.

Motion agreed to.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to; and the House adjourned at 11.05 p.m.

HOUSE OF COMMONS.

FRIDAY, 2nd April, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

PRINTING RETURNS.

Sir RICHARD CARTWRIGHT. A couple of years ago an order was made by this House with respect to various items of printing. A partial return was brought down, but no returns—although the order has been in existence for a year—no returns have been made from the Department of Immigration and Agriculture. I propose, therefore, that the several items in the Public Accounts for 1879-80-81-82-83 for printing for the Immigration Department, be referred to the Committee on Public Accounts.

Mr. McMULLEN. I hold in my hand the return the hon. gentleman refers to, and I can verify his statement that it is incomplete. The return from the Post Office Department is also incomplete, and from the Department of Customs there is no return at all.

Sir HECTOR LANGEVIN. I would suggest to the hon. gentleman to make the dates begin with 1874.

Sir RICHARD CARTWRIGHT. I have no objections. When this motion was moved the hon. gentleman made a similar addition, and the result, as I warned him it would be, was that a most interminable delay took place in producing them. But if the Minister of Agriculture, whom I see there, will undertake that these shall be forthcoming, I have not the least objection if he wants to go back to 1867.

Mr. THOMPSON (Antigonish).

Mr. McMULLEN. The return I hold in my hand was for 1874, and was made in obedience to the amendment to my motion made by the hon. Minister of Public Works.

Motion amended and agreed to.

FIRST READINGS.

Bill No. (78) to amend the Act incorporating the Guelph Junction Railway Company.—(Mr. Innes.)

Bill No. (79) respecting the Napanee, Tamworth and Quebec Railway Company.—(Mr. White, Hastings.)

PERSONAL EXPLANATIONS.

Mr. PAINT. I wish to refer to a matter of privilege. In the *Globe* of yesterday I read:

"The practice of members of Parliament obtaining charters which they hope to dispose of at a profit seems to be on the increase. To-day three members from Cape Breton—Messrs. Paint, Dodd and Cameron (Inverness)—petitioned for an Act incorporating themselves as a company to build a bridge across Lennox Passage. A Government subsidy will, no doubt, be applied for in aid of the work, and if secured, the three members will be able to sell out to advantage."

The facts of the case are these: I received a letter from the Hon. Isidore Leblanc, member of the Executive Council of Nova Scotia, and a Reformer, as follows:—

"I presented in our House of Assembly to-day the petition of the Municipal Council of the county of Richmond for the Lennox Passage bridge, and I presume that you have received one of the same, and that you will present it to your House soon."

I beg to say that we have not one dollar of interest in this Bridge Company. The time for receiving petitions for Private Bills had elapsed, and we were compelled to petition the House to be permitted to bring in the Bill. I regret that the correspondent of the *Globe* in this House should furnish its readers with false intelligence. As you, Mr. Speaker, control the gentlemen in the press gallery, I would suggest that you instruct that gentleman to send us an apology. This is not the first time he has offended in this manner. I consider we are entitled to this apology, as the insinuation was a base one and falsely interpreted.

Mr. CAMERON (Inverness). I have only one word to say in regard to the libel in the *Globe*, and it is this: the representations made by the correspondent of the *Globe* are utterly false, and the writer when he penned them knew they were false, because he came to me and enquired what was the purport of the petition, and I assured him I did not know anything about it further than I signed my name to a petition which I considered was necessary to enable the hon. member for Richmond (Mr. Paint) to introduce the Bill. Now it turns out it is a Bill in which a prominent Grit in Nova Scotia only is concerned, and it ill behoves the *Globe* correspondent to misrepresent us in connection with it.

WAYS AND MEANS—THE TARIFF.

Mr. BOWELL moved the first reading of the resolutions.

Mr. WHITE (Cardwell). Mr. Speaker, the hon. member for South Huron (Sir Richard Cartwright), in the speech with which he favored the House on Tuesday last, made the rather startling announcement that the First Minister generally had a reason for everything he did. I am sorry to say, after having heard the hon. gentleman's speech and after having listened to similar speeches for the last six or seven years, that I cannot very well return the compliment. It is difficult to understand what reason an hon. gentleman who has occupied a prominent official position in the country, and who hopes, perhaps against hope, that in the remote future he may again occupy a similar position, can possibly have for making such a speech as that to which we

listened the other evening. From the exordium to the peroration we had one dismal wail of the pessimist without a single coloring to gild the silver lining of the cloud, if there were such a lining. We had an attack upon the country, an attack upon the Canadian Pacific Railway Company, an attack upon the Government, and finally, after his peculiar method, his unreasonable method, as it seems to me, of dealing with public questions, an attack upon the people themselves. Now, Sir, one would imagine that an hon. gentleman who has occupied his position would be a little more careful in the statements which he makes in regard to the position of the country. In order to attack it, he went back to the year 1856—ancient history to most of us, absolutely unknown history in its details to a large number. But what perhaps may be unknown to many of the gentlemen who sit in this House, during a large part of the time from 1856 down to 1869, when the First Minister—having in that case, I presume, as in all other cases, a reason for what he did—preferred another gentleman as Finance Minister of this country to that hon. gentleman—down to that time he was a supporter of the Government, which, if Governments are responsible for the condition of the country, was responsible for the condition of the country during that long period. Why, Sir, where is the reason to be found why the hon. gentleman should thus deal with a period when he himself, as an independent member of Parliament during a large portion of it, was a supporter of the Government of the day? But I look back in vain to find that he ever made any remarkable suggestion for the improvement of the condition of things which, to day, he bewails as one of the evidences of the fact that this country has been going to the dogs ever since 1856. Then, Sir, we find that he dealt, as he sometimes does, with the matter of deficits. Now, one would imagine that was a subject which the hon. gentleman, if he has any reason for his utterances in this House, would carefully have avoided. What, Sir, are the facts with regard to deficits? Why, with the Conservatives in power from 1867 to 1873, they spent on capital account in the public works of this country some \$13,000,000 in excess of the addition to the public debt. During the period since they came back to power, they have expended over \$12,000,000 on public works in excess of the addition to the public debt; while during the five years that the hon. gentleman had control of the finances, he added to the public debt between two and three millions of dollars, even giving him the benefit of 1879 for which he was responsible as initiating the Estimates and the policy of that year,—I say that, giving him the benefit of that year, he added to the public debt for the ordinary expenses of the Government between \$2,000,000 and \$3,000,000. So that the only period, taking the time since Confederation down to the present time, during which we have been adding to the public debt for carrying on the ordinary administration of the affairs of this country, was during the time that the hon. gentleman had control of the finances of Canada, in spite of the fact that during that time, he made two additions to the taxation, one of \$3,000,000 and another of \$1,700,000, and yet with these large additions he failed to bring expenditure and revenue to balance in the accounts. Now, I say one would imagine, under these circumstances, that he would be the last to refer to the subject of deficits. Then, Sir, we find, as another element in his attack on the country, his statement that the gross aggregate trade of Canada has decreased enormously from 1873 down to the present time. But why did he select 1873? Why was it, when he was dealing with these matters, that he did not deal with the period for which this Government was somewhat responsible? Why did he forget to state to the House that the aggregate trade of Canada in the year when he came into office was over \$217,000,000, and that the aggregate trade

of Canada the year he left office was \$152,000,000, or \$65,500,000 of a decrease during that period? Why has the hon. gentleman selected for his point of comparison a period antecedent to that during which he controlled the affairs of the country as to its financial and fiscal policy? Sir, one would have thought, as I said, that the hon. gentleman would have avoided, if possible, challenging investigation into his own course and the course of his own Government, and the results of the policy adopted by him when he came to deal with the question of the fiscal policy of the country and its condition. Why, Sir, what was the fact? He was five years in office. During that time he saw the bank circulation decrease from \$25,750,000 down to \$19,000,000. He saw the value of bank stocks, so far as the five leading banks were concerned—the Montreal, Toronto, Commerce, Merchants', and Molson's—decrease from \$41,250,000—I give the round figures, because they are more easily remembered—down to \$31,250,000.

Sir RICHARD CARTWRIGHT. Give the date for that if you can.

Mr. WHITE (Cardwell). The dates are 1873 and 1878.

Sir RICHARD CARTWRIGHT. After the defeat of the Mackenzie Government.

Mr. WHITE (Cardwell). No, not after the defeat of the Mackenzie Government. Then, Sir, he saw the deposits in the savings banks decrease from \$3,207,000 to \$2,750,000. He saw misery and destitution all over this country, bread riots in our cities, whole streets of tenanted houses in the large cities of Canada; he saw a condition of things which made every man almost hopeless for the future of the country. He saw the failures increase until they had reached the enormous number of nearly 2,000, with aggregate liabilities of over \$29,000,000. He saw merchants and manufacturers, his own political friends, coming here Session after Session, month after month, to implore him to do something to mitigate, at any rate, the commercial condition of the country, and he met all their advances, all their suggestions, all their proposals, with that supercilious indifference, that almost insulting indifference which drove them from him, and which, when the time came, in 1878, converted the majority which he had at his back at that time of between 60 and 70 into a majority against him of between 70 to 80 in Parliament. Now, Sir, that was the position of the hon. gentleman. The hon. gentleman gave us some illustrations of the fact that the country is in a deplorable condition. He stated that the trade had decreased from \$207,000,000 in 1873 to \$183,000,000 in 1885. But, Sir, as I have just said, he did not tell this House that the trade had increased from 1878 down to the present time by no less a sum than \$31,000,000. And, Sir, I might say with regard to that, that this decrease in the volume of trade is, after all, more largely in appearance than in fact. Every one knows that there has been a serious depreciation in the value of goods since that time. We know that the same thing obtains in the United States. I find that in the annual report of the Secretary of the United States Treasury, he states that the Customs revenue for the fiscal year ending the 30th June, 1885, was \$13,500,000 less than in 1884, and that a further decline of \$6,000,000 was anticipated in the current year. In that country, as in this, the fall in values of commodities accounts largely for the apparent decrease in the trade, and a conspicuous example is given of this fact in reference to five articles which are mentioned by the Secretary of the Treasury as showing that depreciation—sugar, molasses, clothing wools, carpet wools, and glycerine. Had the prices current during 1884 been maintained during the last fiscal year, the value of the importations of these articles into the United States would have been \$103,750,000, whereas it was only \$77,000,000, or \$26,600,000 less, the Customs revenue

suffering, of course, in a corresponding degree. So that you will see that even of this depreciation in the volume of trade, a large part has been due to the depreciation in values. We have in this country during the last few years undoubtedly passed through a period of depression in common with other countries; but there is this important fact to be borne in mind, that while trade has been more dull, and profits less than they were in 1881-82, the general condition of trade, as indicated by all those ordinary tests by which one may determine the condition of the country, shows that we have suffered incomparably less than we did during the years hon. gentlemen opposite were in office, and incomparably less than the people of England or the United States have suffered during the same period. What do we find? We find, comparing 1879 with 1885, that the number of traders has increased from 56,347 to 70,045, while the number of failures has decreased from 1,902 to 1,256, and the liabilities connected with those failures have decreased from \$29,500,000 to about \$8,750,000. Or, comparing the period from 1874 to 1878 with the period from 1881 to 1885, I find that the number of failures during the first period was 8,281 with liabilities of \$11,500,000, while in the second period the number of failures was 5,389, with liabilities of \$58,250,000; a decrease in the number of failures of 2,892 and of liabilities connected with those failures of \$51,150,000. Surely, Sir, that is an indication that, in spite of depression and dullness, the condition of the commercial classes of the community has been infinitely better than it was during the period when hon. gentlemen opposite were in office. Then I find that the bank circulation, which is a fair indication of the activity of business, amounted on the 1st of January, 1879, to \$19,186,300, and the Dominion note circulation to \$2,984,464, making together \$22,170,000; while, on the 1st of January last, the bank circulation had reached \$28,064,393, and the Dominion note circulation \$6,259,930, or in the aggregate \$34,324,323, against \$22,170,000, or an increase of more than \$12,000,000 in the ordinary bank circulation of the country. I find further that the value of the shares of the Bank of Montreal, the Toronto Bank, the Bank of Commerce, the Merchants' Bank and Molson's Bank increased from \$31,380,000 to \$44,460,000; that the assessed value of real estate in three cities of Ontario, Toronto, Hamilton and London, increased from \$73,250,000 to \$103,500,000; that the deposits in the chartered banks of Ontario and Quebec increased from \$60,000,000 to \$91,500,000; that the savings in the Post Office banks increased from \$2,750,000 to \$15,750,000; that the savings in other banks increased from \$5,750,000 to \$18,750,000, and that the deposits in joint stock savings societies increased from \$5,600,000 to \$9,000,000; or in the aggregate, all these deposits increased from \$74,140,000 to \$135,050,000, an increase of \$61,000,000 during that period. Is that an evidence of a depressed condition of trade?

Sir **RICHARD CARTWRIGHT**. And your three banks asking for a reduction of capital to-day.

Mr. WHITE (Cardwell). Then I take the number and tonnage of sea-going vessels arriving at the port of Montreal, as indicating the position of our foreign trade. From 1874 to 1878 the number of vessels was 2,604, with a tonnage of 1,974,000 tons, and from 1881 to 1885 the number of vessels was 3,132, with a tonnage of 3,084,000 tons, or an increase in the second period over the first of no less than 528 vessels, and of 1,109,000 tons. Then I take the goods entered for consumption—and this analysis gives perhaps as good an illustration of the industrial prosperity of the country as can be found. In 1879, the value of goods entered for consumption was \$80,341,608; and in 1885, \$102,710,019. But when we come to separate the imports of raw material from the imports of ordinary goods which go into consumption, we find that, in spite of the growth of

Mr. WHITE (Cardwell).

the country, in spite of the greater consuming power of the people, the quantity of goods imported from foreign markets for ordinary consumption, outside of the raw material which went into our manufactures, was about the same in the two periods. The raw material, including settlers' effects, which is not a very large item, increased from \$9,029,000 in 1879, to \$24,085,000 in 1883; so that if these are deducted, and if we also take into account coin, bullion and breadstuffs, it will be found that we have as the ordinary importation, which indicates the increased manufacturing and industrial prosperity of the country, \$19,861,000 in the one year, as against \$39,585,000 in the other; or, leaving out that class of imports to which I have just referred, we have \$60,500,000 against \$63,000,000, the balance being made up of raw material which went into the manufacture of goods in the country. Now, Sir I might refer to some of the imports of raw material as indicating the prosperity of Canada. I take, for instance, wool, and I find that we imported 7,750,000 lbs. in 1885, against about 5,000,000 lbs. in 1879; of hemp, we imported 89,000 cwt. in 1885, against 38,000 cwt. in 1879; of cotton wool, we imported 23,750,000 lbs. in 1885, against 9,750,000 lbs. in 1878; of gutta percha, we imported 890,000 lbs. in 1885, against 282,000 lbs. in 1879; of raw sugar going into manufacture in our refineries, we imported nearly 176,000,000 lbs. in 1885, against 21,250,000 lbs. in 1879. I find, in spite of a largely increased production of Canadian coal going into consumption in the country itself, that the coal imported—and there is perhaps no better test of the industrial prosperity of the country than is to be found in this importation—reached nearly 2,000,000 tons in 1885 against 677,000 tons in 1879. This, I think, it will be admitted, indicates that the industrial prosperity of the country has shown marked improvement during the period to which the hon. gentleman referred as indicating a terrible depression and an almost hopeless prospect. Take even last year as an indicator, and take one test of the improved condition of things during that year—take the value of bank stocks, Montreal, Ontario, People's, Molson's, Toronto, Merchants', Commerce and Federal, on the 26th March, 1885, and their value on the 26th March, 1886, and you will find that during that period they increased in value \$3,500,000; that is to say, the holders of those stocks are to-day \$3,500,000 richer than they were on the 26th March, 1885. Take a few particular stocks, which may be said to indicate the prosperity of the country or the confidence of the people in it—take Canadian Pacific, which has increased from 38 to 66½; North-Western Land Company, 38 to 77; Canada Cotton Company, 40 to 77; Dundas Cotton Company, 30 to 70; Montreal Cotton Company, 40 to 90; Hochelaga Cotton Company 50 to 105; all these indicate that the depression in the cotton trade, of which we heard so much last Session, and on which hon. gentlemen based so strongly their attacks upon the Government in relation to the prosperity of that industry, is rapidly disappearing, and that industry is recovering its position. That condition of things is being reached, which all who knew anything of subjects of this kind knew would be reached, as soon as the cotton manufacturers came to realise that they would have to adopt various methods of manufacture and manufacture various classes of goods, so as to supply the market to a larger extent with varied goods than they were able to do at the outset. Take an opinion as to the condition of the country, which, it seems to me, is of some value. The president of the Toronto Board of Trade, who is not a political friend of this Government, but who is known as an able man and a prominent merchant, addressing his brother merchants, at the annual meeting of the Toronto Board of Trade, with reference to the commercial condition of the country, said, under that sense of responsibility which a man in his position must feel:

"Of the trade of 1885 generally, it may be said that the close of the year found it in a sounder condition than at the beginning. The terms 'unremunerative' or 'unprofitable,' rather than 'depression,' would more accurately express the tendency of trade and its present condition. There are not wanting indications that a healthier and tolerably active business will be done in 1886, the cash returns from which are likely to be more promptly made than heretofore. Of the trade of this city, in which we are more immediately interested, nothing has occurred during the year to interrupt the steady development of substantial progress which has characterised its industries generally for many years. The Custom House returns of imports show an increase over 1884 of nearly \$1,000,000, half of this being in free goods. The receipts in the Inland Revenue Department are the largest ever recorded at this point."

This is the opinion of Mr. Darling, president of the Toronto Board of Trade, a pronounced Liberal, but a merchant dealing with commercial questions as a merchant, and addressing his brother merchants, in whose judgment he relies to vouch for the correctness of the statements he was making. Now, I find in the report of the Montreal Board of Trade this language:

"While, at the close of 1885, depression in trade continues to be felt to a considerable extent on both sides of the Atlantic, the dullness does not seem to be quite so universal as in 1884. Canada, of course, shares in common with all commercial countries, yet it is gratifying to know that, so far as the foreign commerce of the Dominion may be supposed to be represented by that of Montreal, the business of last year was in general fairly prosperous."

Now, the opinion of merchants, gentlemen who have no political object to serve in the declarations they make on the subject of trade, are much more to be relied upon than the opinions of the ex-Finance Minister (Sir Richard Cartwright), whose only object—for what reason I cannot say—appears to be to belittle the condition of the country, to explain away its condition and prosperity, in the hope, apparently, that upon its ruin, if ruin it he could, he might rise into power. Then we have the statement that the farmers are dissatisfied with this policy. I am not going—because I have two or three other matters to which I desire to refer—to detain the House with any figures on this matter; but I want to call the attention of the House to one fact, which it seems to me is of very considerable importance, as it indicates in a very marked degree the feelings of the farmers, especially those of Ontario, in relation to the National Policy. Last year, or, rather, in the fall of the year before and the early part of last year, a feeling arose among the millers of this country that the National Policy was doing them injury. They saw, largely on account of the low freight rates given to the Minneapolis millers in order to enable them to place their flour in Eastern Canada, a large importation of American flour, to the prejudice, as they thought, of the Canadian millers; and there were discussions going on which seemed to point to an attempt on the part of these gentlemen to secure a reduction in the duty on wheat to 10 cents per bushel. What was the result? The grangers, who are not a political organisation—not, certainly, a Tory political organisation, whatever else they may be—met in their several lodges throughout Ontario, and we had numerous petitions, all praying and protesting in the strongest terms against any reduction in the duty on wheat, thus indicating that their own personal experience and knowledge of their own business enabled them to see that the policy of agricultural protection was evidently in their interest. They protested against any attempt to remove, or even lessen, the duties; and I may fairly put against the statement of the hon. gentleman as to the disappointments of the farmers, this one fact, namely, the action of the grangers at the time it was suggested the duty on wheat was to be lowered, if not withdrawn altogether. The hon. gentleman then went on to deal with the question of our debt and taxation, and he followed the course which he has generally followed of comparing our position with that of the United States. He told us that the debt of Canada was three times that of the United States, and that the taxation of Canada was 50 per

cent greater. Why the hon. gentleman should desire on all occasions to proclaim to the world how inferior Canada is, in its attractions, to the United States, I cannot, as I have said before, fathom. What reason he has it is difficult to see; but what are the facts? Now, as to this matter of *per capita* taxation, personally I have no hesitation in saying that I do not attach very much importance to it, because of the incidents connected with it which make it difficult to come down to any absolutely accurate mathematical demonstration of what that taxation is. But, Sir, what do we find? There has been an increase in the public debt of Canada undoubtedly, but that increase has been more than covered—I am speaking now of the increase since 1878-79—that increase has been more than covered by over twelve millions which are left as a balance, by three items of expenditure, the expenditure on the Pacific Railway, the expenditure on the Intercolonial Railway, and the expenditure on the canals; and I think I may say that the expenditure on these three items will cover the entire increase of the public debt since Confederation. Now, the question arises: Was the expenditure on these works a wise expenditure? So far as the Intercolonial Railway is concerned, that was part of the compact with the Lower Provinces at the time of Confederation. The hon. gentleman was a friend of Confederation. He supported the scheme of Confederation. He supported it with this clause in it, which compelled the Canadas, in order to be united, to undertake the construction of the Intercolonial Railway. More than that, if I am not mistaken, and I have not verified my recollection by looking at the Journals, for the reason that I have not had time, the hon. gentleman was one of those who voted in this House for the northern route, for the Robinson route, for the Intercolonial Railway, for the route which involved the large expenditure which was made in connection with it. Therefore, so far as the expenditure on the Intercolonial Railway is concerned, at least, he was as much responsible as gentlemen on this side. It was, in fact, a part of the compact upon which this Confederation was based.

Mr. BLAKE. Hear, hear.

Mr. WHITE (Jardwell). The hon. member for West Durham (Mr. Blake) says "hear, hear." What does the hon. gentleman mean by that?

Mr. BLAKE. I meant to deride the statement that the location of the route of the Intercolonial Railway was part of the compact of Confederation.

Mr. WHITE (Cardwell). I did not say anything of the kind. I said that, not the route, but the construction of the Intercolonial Railway formed part of the compact of Confederation. I said the hon. gentleman was responsible for the location, but that the construction was part of the compact. In reference to the Intercolonial Railway, I say that was part of the compact of Confederation. Let me recall one fact in connection with it? When the leader—if he ever was the leader—of the hon. gentleman from West Durham (Mr. Blake), the Hon. George Brown, the great leader of the Liberal party, who must be turning in his grave with disgust, if such a thing is possible, at the position of the Liberals he has left behind him in the matter of their leadership—when he came into the coalition which was formed at that time in order to bring about Confederation, and when it was charged against him in some parts of Ontario that this Intercolonial Railway was to be a serious burden, the largest portion of which the people of Ontario would have to bear, what did we find him saying? In that great speech which he delivered in the Music Hall in Toronto, referring to this matter, he declared that he would rather have Confederation, if it cost six Intercolonial Railways, than be without it and save that amount. So that it does not lie in the mouth of the

hon. gentleman and his friends who supported Confederation to complain of the expenditure in connection with the Intercolonial Railway. Then we come to the canals. The construction of the canals—not the immediate construction, but the construction as soon as the finances of the Dominion would permit—was also a part of the compact of Confederation. It was, in fact, a part of what was given to the western portion of the Dominion as a compensation, to some extent, for the large expenditure of money in connection with the Intercolonial Railway in the east. The hon. gentleman cannot escape his share of responsibility for that expenditure. The Government of Canada, before 1873, had large surpluses, and were able to expend, as they did expend, \$13,000,000 on public works out of the surpluses in excess of the amount which they added to the public debt. They commenced the fulfilment of this second compact by letting some contracts for the enlargement of the Lachine Canal, and they advertised for tenders for the Welland Canal just before they went out of office; but there was not a single contract let on the latter work when hon. gentlemen opposite came in, and they could have abandoned the work if they thought it was not one which Canada ought to undertake. But what they did was to cancel the tenders, and to advertise for new tenders, and the works which have gone on since have been carried on under the contracts let by hon. gentlemen opposite in large part, or in completion of the works of which those contracts formed the principal part when they were let. So I do not think that hon. gentlemen opposite will say that they have any ground of complaint against this Government in reference to the canals. Then I come to the Canadian Pacific Railway, and the hon. gentlemen can hardly say that they can escape their share of responsibility for that. It is quite true that the agreement with British Columbia was made in 1870 or 1871 when the Conservatives were in power, and that the Conservative Government undertook the construction of that road; but it is equally true that the first Act passed by hon. gentleman opposite, when they attained power, was an Act providing for the construction of that road, and that one of the most solemn agreements made by them—in fact, one of the most solemn agreements made by any Government in this country—was that which is commonly known as the Carnarvon terms, by which they undertook to construct that road as a public work out of the public exchequer of Canada and to complete it by the year 1890, from Port Arthur to the Pacific; agreeing, at the same time, to expend during that time \$2,000,000 a year in the Province of British Columbia, as an evidence of their good faith in the completion of that road from Port Arthur westward. That was their policy. That was the policy which they deliberately adopted. They may say that they were forced to do it, that they found themselves bound by the obligation entered into by the Conservatives when they were in office. If they take that ground, how do they justify their conduct in opposing the first contract which was let for the construction of the line in British Columbia on the ground that we were not bound to build it at all, although they had bound themselves in the most solemn manner to the Imperial Government, as well as to British Columbia, to build it? Now, if the Government had undertaken to build that road as a purely Government work from Port Arthur westward, I venture to think—this is an opinion that may or may not be worth anything—that the addition to the public debt on that account would have been considerably more than it is to day by the adoption of the policy which this Government has adopted. At any rate, it would certainly have been so near it as to make no appreciable difference in the aggregate debt. There are the three great public works which alone account for all the increase to the public debt, and the expenditures upon

Mr. WHITE (Cardwell).

which since 1879 account for the whole increase of the public debt during that time, with twelve millions and a half expended in addition to that increase on capital account. Then, Sir, I ask you why the hon. gentleman, dealing with a debt which has been incurred in connection with public works of that kind, for which they themselves are equally responsible with hon. gentlemen on this side of the House—

Sir RICHARD CARTWRIGHT. No.

Mr. WHITE. I ask them why they should be perpetually parading before the world as a fact that our debt has been enormously increased, and that the country is laboring under a serious burden in consequence of that increase. But the hon. gentleman makes his comparison with the United States. Well, Sir, he made a statement that the debt of Canada to-day was, in its *per capita* relation, three times that of the debt of the United States, and that our taxation was 50 per cent higher. Sir, I have no right, perhaps, to complain that the hon. gentleman makes this comparison with the United States; I have no right to complain, perhaps, that the hon. gentleman, an ex-Finance Minister, and possibly, in the remote future, a Finance Minister again, makes speeches that may be used by American immigration agents in Europe for the purpose of showing how much better it would be for people to come to that country than to this. If that is a reasonable course, if he can show any reason for that except pure cussidness—if I may use that expression—if there is any reason or excuse for him, then I have no right to complain. But what I have a right to complain of is this, that when he makes that comparison, he does not make it in accordance with the facts as they exist, but, on the contrary, he mutilates those facts for the purpose of injuring his own country and advantaging a foreign country. Sir, the debt of Canada is undoubtedly greater than the debt of the United States. Nobody denies that. Nobody has ever said the contrary; and I see my hon. friend from Brant (Mr. Paterson), who is going to follow me, making a note of that admission as one which he is going to ring the changes upon as if it were something the people of Canada should be proud of, and that he should send it forth to the world with still greater emphasis than even the gentleman who preceded me in this debate.

Mr. PATERSON (Brant). Don't make my speeches as well as your own.

Mr. WHITE. What are the conditions of the two countries in that relation to-day? We came practically into existence as a Confederation, attaching those great western territories to us, as we did, at a time when the conditions of traffic, the conditions of inter-communication, the conditions of attraction of the immigration class of the Old World, were entirely different from what they were when the United States started out on its career. We have been compelled to do by public subsidies, by public aid, what the United States, because of its larger population and greater developed resources—although I believe our resources will be developed in early time so that we shall have no reason to complain of them—I say we have been compelled to do in Canada what, in the United States, has been done to a large extent, by private enterprise. But, Sir, what are the actual facts, after all? I will deal with the published returns in both cases, and I find that the debt of the United States, at the end of the last fiscal year, was \$1,452,544,766; and the net debt of Canada was \$196,470,692. Now, Sir, taking the population of the United States at 56,000,000, and the population of Canada at 4,700,000, I find the *per capita* debt of the United States is \$26, and the *per capita* debt of Canada is \$40.95, or 50 per cent. greater instead of 200 per cent. greater, as the hon. gentleman was good enough to tell this House.

Sir RICHARD CARTWRIGHT. Do you mean that \$49.50 is only 50 per cent. greater than \$26 ?

Mr. WHITE. Yes, \$40.95; I did not say \$49. If the hon. gentleman will allow me to repeat the figures, as he does not seem to have caught them—the debt in Canada is \$40.95; the debt in the other case is \$26. I think the hon. gentleman will admit that is about 50 per cent.

Sir RICHARD CARTWRIGHT. It is a good deal more. But your population returns are entirely wrong.

Mr. WHITE. Oh, well, of course, I have no doubt the hon. gentleman will make the population returns of Canada, for the purposes of comparison, less than they are according to the last census. I prefer to take the population as I have put them; and if the hon. gentleman chooses to make a difference of one or two millions either way, or to call the population of Canada one or two hundred thousand less than it is, I still venture to say that he will have difficulty in showing that the debt of Canada is 200 per cent. greater *per capita* than the debt of the United States. But the hon. gentleman forgets the State debts of the United States. He forgets that altogether; he forgets, Mr. Speaker, that there are \$270,000,000 of State debts in the United States, in comparison with which Canada has nothing to show, except the greatly reduced debt of the Province of Quebec. He excludes these State debts altogether in dealing with that subject. If the hon. gentleman will take the State debts in, he will find, after all, that the debt of Canada is, *per capita*, somewhere about 35 per cent., instead of 200 per cent., greater than the debt of the United States.

Mr. CHARLTON. What are the State debts of the United States ?

Mr. WHITE. \$270,000,000.

Sir RICHARD CARTWRIGHT. Quebec alone owes about \$20,000,000.

Mr. WHITE. Oh no, not at present. The hon. gentleman, unfortunately, does not learn much. He gets hold of an old figure which seems to tell against the country, and he never loses it. He forgets that the debt has been reduced largely by the sale of the railways since that time. He forgets all that, and having once heard that the debt of the Province of Quebec was between \$18,000,000 and \$20,000,000, he hugs that little fact as a sweet morsel to be paraded everywhere with the view of depreciating the credit of his country. Now, Sir, as to the State debts, what are the facts. The hon. gentleman tells us that the taxation of the United States is 50 per cent. greater. Now, I take the Customs and Inland Revenues of the United States, and I find that they are \$293,970,664; I take those of Canada, and I find them to be \$25,384,529. I find, therefore, that the *per capita* taxation in the United States arising out of Customs and Inland Revenues, is \$5.25, and in Canada \$5.40, and if the hon. gentleman can make 50 per cent. more out of that, then he is a better arithmetician than I take him to be.

Sir RICHARD CARTWRIGHT. I said the necessary taxation; I did not say that the total taxation was that.

Mr. WHITE. Then, Mr. Speaker, if the hon. gentleman chooses to go to the necessary taxation, I have no doubt we can deal with him upon that subject, too.

Sir RICHARD CARTWRIGHT. Very well, deal then.

Mr. WHITE. I take, for instance, the State taxation, which I think ought to be dealt with, the direct State taxation, in relation to which we have nothing corresponding with it in Canada, and what do we find? The State taxation last year was \$65,250,000, or \$1.16 *per capita*, making the direct taxation of the United States from Customs and Inland Revenues, as to the Federal Government, and from

direct taxation on land, chiefly, as to the State Governments, \$6.41 *per capita*, and the taxation in Canada \$5.40; and yet they tell us that the taxation in Canada is 50 per cent. greater than that in the United States.

Sir RICHARD CARTWRIGHT. I do, most decidedly.

Mr. WHITE. I take another view of it. The hon. gentleman will at least not deny, though he may choose to ignore the State taxation, but he will at least permit us to deduct from this taxation to which he refers in Canada, the subsidies to the Provinces. That is certainly not an unfair thing to ask of him. The Federal Government in the United States does not furnish the State authorities with the means of carrying on their local government, as we do to a large extent in Canada. Now, if he will do that, he will find that the taxation of Canada is \$4.57 against \$5.25 in the United States, and yet he tells us that the taxation in Canada is 50 per cent. greater than that in the United States. But, Sir, I do not see why, if the hon. gentleman is anxious to deal with the question of taxation in Canada as compared with other countries, he does not take countries which stand in somewhat the same position, which started out, practically, under substantially the same conditions. Why should he take the United States as a parallel instead of selecting, for instance, the Australian colonies, to whose prosperity he bore testimony the other night? Now, one would be surprised to learn that the Australian colonies are exceedingly prosperous in spite of the facts which I am just going to state as to their debt and taxation, and that Canada because of its debt and taxation is to be denounced as an almost God-forsaken country which people who desire happiness had better avoid than come to. I take the Australian colonies, the whole Australasian group, and I find the population—according to the Statesman's Year Book, the last issue, which reached here a day or two ago—is 3,361,455. I find the aggregate debt is £121,104,583 sterling, or over \$175 *per capita*. If I take some of the individual members of that group of colonies, the position is still more startling. I take South Australia, and if I mistake not, the hon. gentleman bore his testimony to the wonderful prosperity of South Australia, and undertook to tell us that the taxation there was very much less than it was in Canada. I find the debt of South Australia is \$245 *per capita*; of New Zealand \$290; of Queensland \$260, while the debt *per capita* of Canada is \$41. And yet the hon. gentleman, because there appears no special object in depreciating the character of the Australian colonies—he reserves all that for Canada, his own country—admits they are prosperous, in spite of the fact that in some of those colonies the taxation *per capita* is six times what it is in Canada. The hon. gentleman will probably answer me that a large part of that debt was put into public works; that they have the telegraph and railway systems; that they have built the railways and operate the telegraph lines, and they receive from the operation of those two great sources sufficient to pay interest on their cost, and that therefore they are not to be charged in any way with this large debt. Why, Sir, they happen, with their railways, to have complete control of the railway system of the colonies. They can make their rates to suit themselves. There is no question of competition, such as exists in Canada, and I should like the hon. gentleman to say whether the people of Canada would be any the richer if, for instance, the Grand Trunk and Inter-colonial Railways were in such a position that they could charge passenger and freight rates sufficient to enable them to pay 4 per cent. on the capital cost of those enterprises. The people would simply pay in another way, they would simply pay in their passenger travel and freight transport instead of paying as they do now as an incident of the taxation of the country through the Customs and Excise. And therefore there is nothing whatever in the argument, having regard to the

burdens on the people, that the people of Australasia have invested their money in those great public enterprises and in working them have charged sufficient to enable them to pay 4 per cent. on the investments they have made. But, Sir, it is a curious fact that the only parties on whom the increase on our public debt and expenditure appears to have a depressing effect are hon. gentlemen opposite. With the great investing public outside, with the people who after all have a very strong interest in determining what the prospects and position of the country are, we find this remarkable fact: that since the hon. gentleman left office, and I do not say this because he left office, but take the period since he left office—although judging by the condition of things while he was in office, I might almost, I think, if I were disposed to deal with him as he deals with hon. gentlemen on this side, say because he left office—taking the period since that time, what do we find? The interest on the public debt to-day is \$7,476,942. If the rate of interest was the same as when hon. gentlemen opposite were in power, the amount would be \$9,132,957; so that by the increased credit of the country, by the increased and greater confidence of investors in the present and future position of Canada, we make an annual saving, having regard to the amount of our debt, of \$1,655,015 as compared with what the interest would be if our credit had remained as it was when hon. gentlemen opposite were on the Treasury benches. Under these circumstances, I think, I may very fairly say that that is a sufficient answer to the statement of the hon. gentleman, and we, on this side of the House, may at least take courage from the fact that all the wails, all the pessimistic wails of hon. gentlemen during the last six years have had so little effect that we have actually had the opportunity of expending \$31,000,000 without paying one single sixpence of interest, taking the rate of interest now and what it was when the hon. member for South Huron was in office. Then the hon. gentleman repeated his old story about emigration, and told us the country was losing its population; that there were 900,000 Canadians—I think he made the number a great many more than that; if I mistake not, millions—settled in the United States, and that that was in some way due to the conduct of this Government and the policy of this Government. I notice that the hon. gentleman did not make any very special reference to the immigration statistics of the United States. I notice for the first time during a good many years that we heard nothing of Port Huron statistics, those statistics of which we used to hear, which used to be cited to us as the infallible guide by which to determine the movements of population between the two countries. The hon. gentleman had not a word to say about them. Why? The officer who had charge of our Immigration Department for the last three or four years mathematically proved that those statistics were all wrong; and now we find that the highest possible authority on the subject, the Secretary of the Treasury of the United States, has come to the same conclusion, and in this remarkable circular he orders that the statistics be discontinued altogether on the ground that they are utterly unreliable:

“WASHINGTON, D. C., 20th Feb., 1886.

“To Collectors and other Officers of the Customs:

“Since it appears to be impracticable to procure under the existing laws accurate statistics of the immigration arriving in the United States from the British North American Provinces and Mexico, you are hereby directed to discontinue collecting the statistics of such immigration until otherwise directed.

(Signed) “DANIEL MANNING,

“Secretary of the Treasury.”

We shall hear, I suppose, no more in relation to that matter. But the hon. gentleman did continue to deal with the question of emigration from Canada to the United States. Sir, there can be no doubt whatever that there has been Mr. WHITE (Cardwell).

emigration from Canada to the United States, just as there has been immigration from the United States into Canada. In all our cities and towns, in all our manufacturing establishments, you will find Americans who come here because they think, for the time being, they can do better, and you will find Canadians in all parts of the United States. That migratory spirit which appears to prevail in such a remarkable degree in new countries, and on this continent particularly, has had its influence here undoubtedly; but when I tell the hon. gentleman—and I have given the figures on a former occasion in this House, and will not repeat them here now—that no less than five States of the Union have lost more of their native-born population than the Provinces of Canada have done, I think I may fairly say that that emigration, regrettable as it may be, much as we may regret that Canadians have gone to the United States instead of remaining in Canada, that emigration has, after all, been simply in accordance with the movement of population which has been going on in all parts of this great continent. Sir, it is only comparatively within the last few years that we have had a great west to which the people could go. The United States have had their great west for years past. That remarkable western development which has made the United States the great country that it is to-day, I believe we shall witness in Canada, and I have no doubt that the hon. gentleman, if he lives—as I sincerely trust he may—for a few years longer, will find the movement of population, now beginning from such States as Wisconsin and some of the New England States into our western territories, going on into those new territories as it has been going on from the Eastern States into their new territories for years past. Sir, we have no ground of discouragement whatever to base upon the fact that the population, in the ordinary movement of population, has found its way to the United States. We have no reason to ground upon that fact an attack upon the country such as the hon. gentleman has made. Sir, the hon. gentleman, however, told us that our policy in its relation to the North-West had been injurious to that country. He told us that the people had been driven from our great west, that the people were prevented from going there because of the National Policy and the burdens of taxation which he said were incident to the National Policy. Well, what are the facts? It is quite true that some of the people in the North-West complained of the duty on agricultural implements as being too high. But, Sir, every year since that duty was imposed the place of American implements has been taken by Canadian implements, the price has been going steadily down, so that to-day the people of the North-West can obtain implements manufactured by Canadians at as low a rate as they could get them in the United States, with the ordinary revenue duty of the hon. gentleman added, because in all such cases you must remember that the hon. gentleman does not pretend that there shall not be a revenue duty; at any rate, his was 17½ per cent., and taking that as an ordinary revenue duty they get their implements at as low a price to-day as they could get them in the United States with that duty added. But is there nothing in connection with the National Policy for which our friends in the North-West have reason to be thankful? Is there nothing in it to benefit them? What of the duty on wheat? What is going on to-day in connection with it? Every one knows that the great millers of Canada are compelled to use western wheat. The complaint they made to us last year that the duty on western wheat was higher than the corresponding duty on flour, and, therefore, they were being legislated against, was based on the fact that they must have this western wheat. Sir, they can get western wheat off our own lands in the North-West, and the 15 cents a bushel duty which is imposed by this tariff on American wheat secures to the farmer of Canada and the North-West, and will even to a greater extent in the future

as the area of cultivation increases in our North-West, secure to our people there a market among Canadian millers for the sale of their wheat. I venture to say that there is not a farmer in the North-West to-day who does not realise that he has been greatly advantaged by the policy which imposed this duty on American wheat. Then, Sir, the hon. gentleman tells us that they have been injured because of the construction of the Canadian Pacific Railway, that the Canadian Pacific Railway is a huge monopoly, that it is doing injury to the North-West instead of benefit. Why, Sir, every hon. gentleman must know that without the Canadian Pacific Railway settlement in the North-West would be impossible. Every hon. gentleman who cares to investigate the matter will find that, so far from their being a monopoly, the ordinary rates for wheat and agricultural produce generally on the Canadian Pacific Railway are 10 and 15 per cent. less than the rates on the Northern Pacific running through a more thickly populated country, but with conditions somewhat similar to the Canadian Pacific Railway. They will find that the price of wheat in our North West, as a consequence partly of the duty which secures to the Manitoba and North-West farmer a Canadian market for his wheat, partly and to a larger extent by the lower freight rates on the Canadian Pacific Railway, that the average price of wheat along the line of that railway has been very considerably higher than in the corresponding district through which the Northern Pacific runs, and that so far from there being any question of injury to the North-West because of the Canadian Pacific Railway, that road is developing the North West, is affording an outlet for the products of the North-West and an inlet for the settlers who are going in there, and that it is, in fact, the one thing above all others in relation to which I think this Government may fairly pride itself as having accomplished through the gentlemen who have mainly been instrumental in constructing the railway, an important work for the progress of the country. Then, Sir, the hon. gentleman tells us that the census is most disappointing in relation to the North-West. The hon. gentleman ought to remember, when he compares the census of 1881 with the census now taken, that a large portion of what was then the North-West is now within the Province of Manitoba; that the North-West proper begins at a pretty considerable distance from what was formerly the western boundary of Manitoba, and that the population which is to be found now, with the exception of small groups at Prince Albert and Edmonton, and a small population in the Qu'Appelle valley—so far as the white population is concerned, indeed, I may almost say excepting the settlements at Prince Albert and Edmonton—the whole population of the North-West, whatever it is, has gone in there since the Canadian Pacific Railway made it possible for the people to go into that country. So that whether the population be large or small, whether the census be gratifying or disappointing, to the extent, at any rate, of the population of that country west of the present boundary of Manitoba, it has been brought there in consequence of the construction of the Canadian Pacific Railway. Now, Sir, there is no doubt whatever that there has been some disappointment in connection with the North-West. There is no doubt whatever that a good many farmers—and I speak now from practical knowledge acquired from personal communication with the farmers of the North West in all parts of it—there is no doubt whatever that many of them went in there with exceedingly false notions— notions, perhaps, justified by the general discussions which were taking place at the time, but false notions, as the result has turned out, with regard to that country. They went in with the idea that they had only to tickle the soil and immediately crops of wheat would spring up. They went in with the idea of manufacturing wheat; that was the only thought of a large number of those who went in. But better sentiment, the result of

larger experience and more matured knowledge, is now springing up. We find that everywhere in the North-West to-day the best farmers who are there are realising the fact that farming in the North-West is like farming everywhere else, that the conditions are substantially the same, and that good and careful cultivation and mixed farming are the conditions of success from one end of that country to the other. This fact having come to the people, they are to-day realising it, and realising it in a sense which, I believe, is largely going to promote the prosperity of the country, as well as the individual prosperity of the settlers themselves. Under these circumstances, I have no doubt whatever that in the very early future we shall see a very largely increased immigration into that country, as well as a very largely increased prosperity to those already in it. Already this spring the immigrants are beginning to go in, some from the Old World, and some from Ontario, who, in spite of the stories of hon. gentlemen opposite, still have confidence in that country, and still feel that they can go there with the certainty of making prosperous homes for themselves in the future. Then, Sir, the hon. gentleman in the course of his speech, made some general attacks upon the Government of the country. He charged the Government with general corruption, and he charged hon. members on this side of House with being influenced by bribes and favors from the Government. He spoke of colonisation companies, of railway subsidies, of timber lands, of grazing leases; and he undertook to leave the impression that corruption was rampant, and that the Government of the day was supported, not by independent supporters elected by independent constituencies in sympathy with the political views of the Government, but by a number of gentlemen who gave their support simply in consideration of favors extended to them by the Government. Well, Sir, let me refer for a moment or two to these charges. First as to colonisation companies. I have no hesitation in saying that personally I never had confidence in the financial success of colonisation companies. I believed that the policy was one wisely adapted, if the conditions could be carried out, for enlisting gentlemen of capital, as they have done in the United States, in the settlement and development of the country. But Sir, will any person pretend to say that there was any question of corruption connected with that policy? Will any person pretend to say that the political opinions were asked of any gentlemen who came and applied for lands as a colonisation company? I believe the brother of the leader of the Opposition was a director of one of these colonisation companies, and he had a right to be; and if it had succeeded, he would probably had done good for the country, and I am sure we should all have rejoiced if he had done good for himself. But there never was any question of favor in connection with colonisation companies in any form or shape. I may say that I prevented some friends in my own constituency from going into colonisation companies; if the suggestions of hon. gentlemen opposite were accepted, I should find myself branded for asking favors for friends in connection with colonisation companies, because of letters written to the Department at the very moment that I was persuading them, and successfully persuading them, to abandon the enterprise, because I thought there was no money in it. But there never was any question of corruption. No man can put his finger on a case where a number of gentlemen came to ask for the allotment of lands for colonisation purposes, and their politics was enquired into, or any of them were asked to what side of the House their sympathies belonged. Then the hon. gentleman complains that railway subsidies have been granted. All I can say is that the railway subsidies have been granted by Parliament, and if the hon. gentleman will ask those who sit about him what they think of the implied charge that the granting of those railway subsidies was an act of corruption, I venture to say that he

will hear from them in a manner that will not be pleasant for him. Why, there was not a single case of a railway subsidy brought down which was not supported in large numbers by the hon. gentleman's own friends, and the hon. member for Bothwell (Mr. Mills) in particular, in a noted instance, left the House rather than vote against the proposed subsidy. That is the position in regard to the policy of granting railway subsidies—a policy adopted wisely or unwisely we are not discussing at this moment, but adopted with a view to the development of the country, and in so far as it has been successful in securing the construction of railways, it has tended and will tend to that result. Then the hon. gentleman talks of timber limits. As we are promised a discussion on that subject, I will not at this moment anticipate that discussion; but what is the fact? That while there were from 1880 down to the present time 2,300 or 2,500 applications for timber limits, only 56 leases were granted, which shows how much the Government were influenced in that regard. Now, as I said the other night, it cannot be an act of corruption to apply for timber limits, and the fact that an application has been refused or is not considered is, I should say, rather an evidence that the Government is not corrupt than that an application shows them to be corrupt. Timber limits are granted under a public policy which anybody is at liberty to take advantage of, and until the hon. gentleman can show that any of his friends asked for a timber limit and was refused it because of his politics, he is not in a position to complain, especially as in the overwhelming majority of cases limits were not granted, and in the few cases in which they were they were granted not to gentlemen in the House, but to business men out of the House, and they have tended to produce a supply of lumber in the North-West which is greatly to the advantage of the settlers going into that country. Then there is the question of grazing leases. Well, Sir, I am glad to say that we are giving grazing leases every day. I am glad to say that the interest in the western portion of our territories on the slope of the Rocky Mountains, is becoming so great, that the ranchmen from Montana, Texas, and other western portions of the United States are coming into our territory under our policy, bringing their herds with them, expending their money in this country, and developing this enterprise which is of immense value to the whole country.

Mr. CHARLTON. Do you put up the ranches at competition, and get the highest price possible?

Mr. WHITE (Cardwell.) The hon. gentleman asks if we put up the ranches at competition? I will tell the hon. gentleman what we do. We do not give the lands at all. The policy of the Department with regard to grazing leases is this: A man or a company applies for a grazing lease,—and we do not grant more than 100,000 acres; the average lease is, I suppose, 50,000 or 60,000 acres. Formerly the charge was 1 cent an acre; now it is 2 cents an acre; we have recently increased the price, because the number of applications indicated that we could do so. But we insert in every lease this clause, that no settler shall be kept off the land by the fact of its being leased, so that that whole country is to-day open for settlement; and the moment a man goes in and takes up his homestead and pre-emption, that 320 acres is excluded from the ranch-holders' lease. In the United States the plan they adopt is this, the ranchman and his men very often come in and take up homesteads. In that way they secure an area, comparatively small, but sufficient for their purposes, and their headquarters being arranged, then, without any lease or anything else, they allow their herds to scatter over the whole prairie, without saying "by your leave" to the Government in any form or shape. On the other hand, under our policy, the ranchman defines his lease and pays his annual rental, but his lease is of such a character that any settler

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can go in and take up land just as if there was no leaseholder on it at all; so that, while securing to the Government a large revenue from the leases, while encouraging the enormous enterprise and industry and expenditure connected with the development of cattle-raising in the North-West, we have, at the same time, left the country open for settlement, just as if there was not a ranchman there at all. Will anyone pretend to say there is anything wrong in that? Then, as to competition to lease ranches, if two persons happen to apply for the same lease, we ask them each to tender a bonus, and the highest tender gets the lease; and in a considerable number of cases bonuses have thus been obtained and paid to the Government. The policy is an open one. The hon. gentleman himself may get a rancho to-morrow if he likes to apply for one and complies with the conditions; if he thinks he can make money out of cattle-raising, let him go in, and he will find no difficulty, so far as the Department is concerned, because I can assure the hon. gentleman there is no question of favor or politics in connection with granting those leases. Hon. gentlemen have, as an evidence of corruption, been good enough to read, as the hon. gentleman did the other night, letters addressed by hon. members of this House to the Department of the Interior, in connection with timber limits or grazing leases or anything of that kind. All I can say is, that if the writing of a letter to the Department asking the Department to forward the application of any gentleman who may have applied for a lease or limit, or in connection with other matters under the control of the Department, is to be held an act of corruption, some hon. gentlemen opposite have, since I have been in the Department, written such letters. I am glad to receive their letters, and I can assure those hon. gentlemen that their letters will have just as much attention in relation to the business of the Department, as if they came from hon. gentlemen on this side of the House. Every member of Parliament knows that, in the very nature of things, he is called upon to write letters of that kind. Those letters are no evidence of corruption, either on the part of the writers or the Department. They are simply the ordinary means of communication which are used perpetually between men who, being public men, are supposed, on both sides of the House, to have the ear of the Department, and who simply ask the Department to forward certain applications. The result of these letters and of the applications is to be found in the practical operations of the Department in connection with these matters. Then the hon. gentleman finally made his usual attack upon the Canadian Pacific Railway. He told us that the Canadian Pacific Railway, while apparently a prosperous concern, was actually a very doubtful concern, in so far as the character of its securities was concerned. He had just heard from the Finance Minister that the Government had arranged, so far as the Government could arrange, subject to the decision of Parliament, with the Canadian Pacific Railway for the repayment of the loan which the latter had obtained from the Government. He knew that that involved negotiations on the other side; he knew that it involved the placing of the bonds of the Canadian Pacific Railway upon the English market; and as if to prevent the success of that scheme—just as last year when the late Finance Minister had gone to England to put a loan upon the English market—he made one of his speeches here, calculated, if anything he said could produce the result, to injure the estimation in which Canadian securities are held in England. He did this, knowing that the Canadian Pacific Railway was going to the English market to negotiate their bonds with the view of completing the arrangement to pay back to the people of Canada the money they borrowed. He made a speech which—if anything he said in this House, if he spoke less extravagantly than, happily, in the interests of the country he does—would possibly prevent success in

the negotiations the Canadian Pacific Railway are about to make. Was that a fair, was that a patriotic course? Was it a course calculated to benefit the country or any interest of the country? Could it possibly be to the hon. gentleman's own interest that this enterprise should fall from the high position it to-day happily holds in the minds of investors in England? But the extraordinary thing is this, that after telling us that the enterprise was of doubtful character, after doing the best he could to destroy its securities, after intimating that the cost of working this long section north of Lake Superior and the section through the Rockies was likely to make the road a loss instead of a profit to the company, he then complained that the Government do not own the road and are not bound to run it at a loss. If the Canadian Pacific Railroad is the enterprise which the hon. gentleman, in the desperation of despair which seems to get hold of him whenever he comes to deal with the public affairs of Canada, says it is; if it is in the condition he depicts, worked as it is by some of the ablest railway men on the continent, worked on commercial principles, worked as, with all deference to the ability of my colleague the Minister of Railways, I do not believe any Government could work it, what has this Government not gained to the country by securing the construction of the railway and relieving the country from the loss of working an enterprise of that kind? I can well understand the chagrin of hon. gentlemen at the announcement made by the Finance Minister, I can well understand their chagrin at the fact, that their last prediction in connection with the Canadian Pacific Railway has proved to be a false one. What do we find? From the very first hon. gentlemen opposite have been prophesying evil things in connection with the Canadian Pacific Railway. We were told, in the first instance, that the company would be simply a construction company, who would go to work and build the railway, and having completed it, in some form or other, and gobbled up all the subsidies, they would abandon it and let the country take it. The result has shown that that statement, at any rate, is not correct. Then we were told that the company would build simply the prairie section, take the large subsidies given for that section, and, having taken them, and built that paying part of the road, and finding it impossible to go on, they would come to Parliament and beg to be relieved from the necessity of constructing the difficult portion north of Lake Superior and through the Rocky Mountains. Well, Sir, that prediction has proved to be false. We have found the Canadian Pacific Railway Company not only honestly fulfilling its obligations with respect to the construction of the railway, but doing that in advance of the contract, and we stand here to-day at the beginning of 1886, with a railway completed from one end to the other, so far as the laying of the rails is concerned, and to be absolutely completed, as to running through British Columbia from the 1st June next, a railway completed which the company were not bound to complete for four years to come. Then the hon. gentleman told us that they would build an inferior road, and we remember the description of the contract given by the hon. the leader of the Opposition, with that minuteness of detail which characterises him in addressing the House, but which, having the fear of my hon. friend from North Norfolk (Mr. Charlton) before his eyes, it may be hoped he will abandon in the future, to some extent at least; we remember how he described the condition of the Union Pacific, when it was first built, how he told us that they were going to build simply a prairie railway, that they would put down their rails and their ties, and do it in the flimsiest way, that they would pocket the money and would hand over to the Government an unfinished railway. That has also proved to be a false prophecy. The railway to-day, in the estimation of the hon. gentlemen themselves, or those who have travelled

over it, in the estimation of the late leader of the Government, who sent that generous telegram to Mr. Stephen, now Sir George Stephen, after he had travelled over the road, is amongst the best railways, both as to construction and equipment, on the North American continent. Then we were told, when the combination of opposition to the railway sprung up, when the first partners of that enterprise, the American partners of the company, found that the company were going honestly to fulfil their contract, when they found that they were not going to do what hon. gentlemen opposite predicted they were going to do, when they found that they were not only going to build the prairie section, but also that portion north of Lake Superior, which makes this enterprise a Canadian enterprise, a national enterprise, instead of a mere continuation of an American system, when they used their best efforts, unfortunately too successfully, to prevent the sale of the securities of the company, so that they were unable to go on, and the Government came to their assistance on their giving what the Government considered good security, by granting them a loan of \$30,000,000 in one year, and \$5,000,000 in the next year, that we were told that that was money thrown away, that that was practically a gift, and that the people of Canada would never see a dollar of it. And in all the speeches they have been making from one end of the country to the other, they have been assuming this \$30,000,000 as a gift to the company, as part of the subsidies paid to the company; while to-day they find that the \$5,000,000 which was loaned last year, although the company were not bound to pay it until the 1st of July next, was repaid to the Government within two months after the prorogation of Parliament, and that, of the \$30,000,000, \$20,000,000 is to be repaid in cash and \$10,000,000 in lands; so that the end of all connection between the Government and the Canadian Pacific Railway Company is approaching, except as to that \$5,000,000 which we still retain, and will retain—although it seems unnecessary in view of the facts surrounding the road—as a security for the running of the railway. But the hon. gentleman tells us that they are giving us back our own lands. That certainly is a new doctrine. The 25,000,000 acres of land were as much part of the subsidy as the \$25,000,000, and the land, having been earned by the construction of the railway, was as much their land as the homestead of any settler in the North-West, who, by fulfilling the conditions of homesteading, has got his patent from the Government, is his. They give us back the lands and the result of the whole thing is that we see this enterprise completed, within the terms originally agreed upon, four years before the company were bound to finish it, and that for a subsidy, taking the estimate of the hon. gentlemen opposite as to the value of the land subsidy, far less than they told us, at any rate, it would amount to when we were giving that \$25,000,000 and those 25,000,000 acres of land for its construction. Under these circumstances, I think I may say that it is easy to see why, standing in the presence of a record of that kind, the hon. gentleman should feel so chagrined that he gives his last parting shot to the Canadian Pacific Railway in an effort to kill the securities of the company and to prevent the success of the negotiations in which the people of Canada are so much interested. Finally, the hon. gentleman made his usual attack upon the people. He attacked, as I have said, the Government; he attacked, as I have said, the country itself; he attacked the Canadian Pacific Railway, and then he wound up with his usual attack upon the people themselves, denouncing them as people lost to all sense of high honor, as people morally blind, and why? Because after an experience of five years of the hon. gentleman's administration of the affairs of this country, they declined to entrust him any further with that position; and because they did that at two general elections, and have since been expressing the same opinions

at bye elections—a fact which was emphasised in the most extraordinary manner by the introduction of new members which took place at the opening of this Session. The hon. gentleman mistakes the people of Canada. The hon. gentleman forgets that the people of Canada are an intelligent people. He forgets the fact that the people of Canada are every year taking a more intense interest in the public affairs of the country. He forgets that the people of Canada are an observing people, who see what is going on about them. They had an opportunity of seeing Liberal rule for five years. They saw depreciation of every industry in the country; they saw the lessening of the value of bank stocks; they saw the lessening of the value of securities; they saw the lessening of the savings of the people; they saw all these things, and, although they made representations to the hon. gentleman, although they implored him almost upon their knees—his best political friends—to do something at any rate to mitigate, if he could not remove, the depression which existed, nothing was done. They saw all those things during those five years; and, after that experience, they said to the hon. gentleman the moment they had the opportunity: "Go, Sir, into the cold shades, and give place to men who, at least, will have some respect for the opinions of the people of the country." They have since seen industries developed, they have seen commerce both domestic and foreign improving, they have seen great public works carried to completion, they have seen the continent spanned by a railway on conditions which I venture to say will not prove onerous to the people, but will prove an important and valuable investment for the people, they have seen the savings of the people enormously increased, and they have seen all this done while taxation, as to its incidence, has not been increased, and they have seen, with all this, a party willing to listen to representations that may be made to them, willing to study where knowledge can best be obtained from those engaged in industries, from those who are familiar with those industries themselves and may therefore be assumed to know something about them. They have seen a party in power which, at least, has extended the courtesy of believing that the business men of the country know their own business, and they have made up their minds that they will continue in power, as far as one can see from the indications given up to this time, the hon. gentlemen they have placed there by so large a majority at the last election. Sir, I believe as much as I believe anything, that there never was a time in Canada when there was a more intense interest in public affairs on the part of the people of the country; I believe there never was a time when, on the part of the young men of the country especially—the young men, to whom the future is full of hope and who are not willing to have that hope blasted by the presence of pessimists upon the Treasury benches—when these young men were taking so great an interest in the progress of the country; there never was a time when the independent element, if I may so speak, who have not a strong political bias on either side, but who look to the interest of the country alone, were so numerous and so influential, not only in expression of their opinion, but in the influence which those opinions must have upon the Government and the country. For one, Sir, I have no hesitation in saying that I believe this Government depends for its success, depends for its continuance in power, upon the wise and mature judgment of those independent thinkers, and of those young men who are looking into the future with so much hope. I believe, Sir, that the Canadian sentiment—which is not in any way opposed to loyalty to the British Crown—that Canadian sentiment which is growing so strongly among the people of Canada, that Canadian sentiment which seeks the progress and prosperity of Canada, will, in the future as it has done in the past, extend to the Government that is now in power, that generous

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support upon which they have until now relied, and relied with so much confidence and success.

Mr. PATERSON (Brant). It has been very pleasant to me to listen to my hon. friend opposite, and to observe the righteous indignation which possessed him as he surveyed the late Finance Minister. He could hardly find words strong enough to describe his opinion of that hon. gentleman, or of the expressions to which he had given utterance. He seemed to labor under the impression that my hon. friend on this side had, in the remarks he had felt it his duty to make on this subject, said something that tended to belittle his country, that his object and his aim seemed to be to decry the land in which he lived. But my hon. friend has entirely mistaken the intent and meaning of the expression of the hon. member for South Huron (Sir Richard Cartwright). If he would read that speech carefully, or if he had listened to it carefully, he would find that the hon. member for South Huron spoke of our country as a good country, as a pleasant country, as a country of great possibilities, and the language of denunciation, when my hon. friend used that language, was not denunciation of the country, but it was denunciation of the men who, with such a magnificent country, with such great possibilities before it, had nevertheless so completely paralysed its energies. The hon. gentleman makes the mistake of supposing that he and his colleagues are the country. Now there never was a greater mistake than that. There was a country here before the hon. gentlemen occupied seats on the Treasury benches. I think there was a country in many respects more prosperous than it has been since they have taken their places there, and when I say that, I speak, of course, comparatively. The hon. gentlemen opposite seem content when they can point to an increase in any particular industry. If they can point to a slight increase in the volume of trade as compared with what it was five, or six, or eight years ago, when my hon. friend was Minister of Finance, they say: See where your statements are. Why, we actually have two or three millions more volume of trade now than we had seven years ago. Do they not know that we, on this side of the House, believe that we have a country that ought to be able to show the slight progress that has been made? Sir, we believe that we have a country that should have taken leaps and bounds almost infinitely greater than it has taken under them. Hon. gentlemen opposite think they have fulfilled all the duties of their position, that they deserve credit for well managing the affairs of this country, if they can prevent us going on the down grade—we, with millions and tens of millions of acres of land, inviting settlers of other countries; we, who have spent two or three millions of money in inducing immigrants from other countries to come here! After all this they point to the result of their management for a period of six or seven years, and claim that we have actually maintained our own natural increase in the country. What a great record! how the gentlemen boast! Well, they know they are not capable of much, and they are to be excused for boasting of little. Now let my hon. friend bear that in mind, and all like him on the other side, that when words are spoken here with reference to the position of the country it could not possibly be with the object of damaging the country thereby, but they are spoken with the sole purpose that this country of ours shall have an opportunity of purging itself from the incapables, as we believe them to be, who are administering the affairs of the country, and that other gentlemen should replace them who will take off the fetters that have been placed upon the country, and will give it an opportunity to go forward, not merely holding its own, but leaping forward, as it is calculated to do, this country that, in its propor-

tions, resembles those of a young giant that needs but to be aroused from his slumbers in order to manifest his strength. That is the country we have, and when we complain that we have not increased more, and when we are forced to point out by comparisons that such is the state of the country, it is ever done in the spirit in which the member for South Huron did it, and a spirit more of sorrow than of anger that the country should be thus imposed upon. Well, now, I will not attempt to follow my hon. friend in all the statements he has made, but I will touch upon some points he has alluded to, and I think I shall be able to present another view of the question. He has touched upon public debt, has dwelt largely upon that, and has endeavored to controvert the position taken by the hon. member for South Huron. He speaks of our national debt as if it were not a matter of great consequence. He tells us that the interest upon our national debt is not a great deal more now than it was some years ago, and he claims that the reason why we are not paying much more interest now than we did a few years ago, is owing to the excellent management of affairs by the present Government. They take to themselves the whole credit of having reduced the rate of interest throughout the world. Yet, I suppose, hon. gentlemen opposite, although we might suppose from some of their utterances they feigned ignorance, would not care really to admit such ignorance as not to be cognisant of the fact that the rate of interest is low at the present time everywhere. While it must be admitted that such is the case, they have the supreme effrontery to claim it is due to the action of the Government during recent years, whereby a loan can be placed on the money market at a lower rate of interest now than was the case eight or ten years ago. I am not overstating their case. The Finance Minister, when speaking on this subject, gave us distinctly to understand that it was due to that cause, and that cause alone; that it was the management of the affairs of the country by hon. gentlemen opposite that produced that state of affairs; for he went on to argue, and he gave statistics in support of his argument, that the rate of interest in the Bank of England had not gone down, and, therefore, as the rate of interest on our loans had fallen, the result was due to them. The hon. gentleman forgot to tell the House, that the United States could borrow money at far lower rates than the Dominion, I am sorry to say, and that many other nations are able to do so; but he claimed that their management of the affairs of this country had alone brought about a lower rate of interest. Let us look at the national debt; let us examine where we are. What is the national debt of Canada to-day? We have it in figures given to us by the Finance Minister, and I invite the attention of the House to them and through the House the attention of the country. Our gross debt on 1st March, 1886, was \$281,314,532. But the Finance Minister told us we had assets to the value of \$72,791,837, leaving a net debt of \$208,522,695. Now, I make the *per capita* amount \$45. The hon. gentleman who preceded me said it was \$40.70. We must have taken a little different basis for the calculation, I fancy. However, the net debt as given by the Finance Minister was on 1st March, taking the population at 4,700,000, on which we shall both agree, was equal to about \$45 per head. But in dealing with this question members of the House—and if members of the House it must be more so with the people of the country—are lost in the contemplation of it. A statement of so much per head does not strike the people as forcibly as if we took another test, to which I now address myself. There are in many of the counties of Ontario, and I suppose in the counties of the other Provinces, municipal debts. These have been incurred for the purpose of constructing railways through the counties. Bonuses have been voted, and the interest upon the bonuses are being collected year by year, and the burden is annually felt by the people, and in many cases is thought to be very

heavy. Let me state the amount of debt that this Government has placed upon the counties, and let the people realise the fact that, though they may not realise and fairly appreciate the burden on account of the manner in which the taxes are collected, yet each riding has to pay annually, as their share of the public burden, the interest on no less than \$988,259. Let each riding in this country remember that this is their share of the public debt, and when I am speaking of that I am speaking of the net debt, and I am for the moment granting, which I do not grant, that the \$72,000,000 are all available and interest-bearing assets, which is not the case; but to make my position perfectly impregnable, I take the net debt, giving credit for all assets available and interest-bearing, and each riding in the Dominion has a burden upon it, in addition to all other burdens imposed by the municipality itself, of \$988,259. But there are some counties that have two ridings, and on each county large enough to be divided in two, the debt is \$1,976,511, or nearly two millions on every county of two ridings as their share of the Dominion debt, the interest on which has to be toiled for by the people year by year and paid by them into the public Treasury. But some of our large counties are divided into three ridings, and on each of those counties—Simcoe, Huron, Bruce, York—there is a debt of \$2,964,777. Let hon. gentlemen realise that fact, let them grasp in that form what the public debt of Canada means, and I think when they are next found addressing their constituents they will have to assume an air of greater seriousness in discussing the question of the public debt. The hon. member for South Huron (Sir Richard Cartwright) said he did not object to expenditure if the money was well expended; and that is the position of the Opposition. If we had as a result of that debt something of value we could show, if the money had all been wisely and properly expended, then, great as the debt is, the development of the country through that means might have been such as to render the burden easy upon it. But will hon. gentlemen opposite claim that we have incurred all this debt wisely, that we have in the property available a sufficient asset to offset this amount of debt? What have we? We have the Intercolonial Railway, the last speaker told us. We have. Was all the debt incurred for that work well expended? Was there not a remark made by the late Minister of Finance himself on one occasion, that with regard to at least eight millions they might as well have been thrown into the sea, this being one of the results of the management of hon. gentlemen opposite. Has there not been extravagance in almost an endless variety of ways in the construction of that road, and will any one claim that we have sufficient value in that railway to represent all the money we expended on it. We find no fault with the road having been constructed, as it was a necessity; but we claim the road cost more than should have been required to build it, and that it does not represent in its value anything like the cost, and that the increased cost was incurred through the management of hon. gentlemen opposite, who were largely charged with that undertaking. Then we have our canals, as the hon. gentleman says. And so we have. But hon. gentlemen opposite will regret, with me, that they are not a source of very great revenue to the country; they will regret, with me, that we are not able to avail ourselves of the money invested therein to the extent we might feel justified in expecting. Then, says the hon. gentleman, we have the Canadian Pacific Railway. We have not got the Canadian Pacific Railway—there is just the mistake. The Finance Minister as well as the hon. gentleman who has just taken his seat dwelt with a great deal of enthusiasm upon the completion of that undertaking, and they seek to extol it and to claim that in that we have something which is very much to our benefit, something that worthily represents a large part of the public debt that was incurred in order to build it. Well, I trust that it

may be a prosperous undertaking; I trust it may develop the country. We have paid enough for it; we could have had it much cheaper, and I believe we could have had all its advantages without many of the disadvantages which have accompanied its construction. But the money has been expended, and the country has been opened up to that extent by it, and we will only hope that we may reap some benefit from it in the future, that we may receive some recompense. But that does not shut our eyes to the fact that we might have accomplished that work in a much cheaper manner and under conditions which would have left the country freer to go forward in the march of progress.

An hon. MEMBER. Not with a bogus syndicate.

Mr. PATERSON. Not with a bogus syndicate an hon. gentleman tells us. He reminds me that at the very inception of this enterprise, millions of dollars of public money and millions of acres of public land were thrown away. He reminds me that if we had adopted the Government plan, prior to engaging the services of a company, if we are to take the statement of Sir Charles Tupper, who was then Minister of Railways, and the figures of the right hon. First Minister, we might have had the road built for millions and tens of millions less than we paid for it. If those statements and figures are to be relied on, we could have built the road and paid for it out of the proceeds of the lands sold up to 1890. The hon. gentleman, who has made the remark about the bogus syndicate, has simply reminded the House how exceedingly bad a bargain we made with this company, and I think, if he is candid, he will admit that we did not better ourselves much as the work progressed. We see, at any rate, that the public debt has mounted to such a figure that it behoves us to exercise the greatest caution as to how it shall be increased in the future. But let us now consider the annual expenditure. The Minister of Finance dwelt largely upon that point, but the hon. gentleman, who has followed to-day, has not devoted much attention to it, but passed it by very briefly. He seemed to be cognisant of the fact that we have arrived at a time, in the administration of our affairs, when deficits are upon us. It was not a pleasant subject to those who, in days gone by, so derided the Minister of Finance at that time, when, unfortunately, under a low rate of taxation, he was unable to make both ends meet. But what is the position of our finances, now with reference to our annual receipts and expenditures? Why, Sir, we find from the Public Accounts which are now before us, that we have for the fiscal year 1885, which is fully closed, an expenditure of over \$35,000,000, with receipts of less than \$33,000,000. We have the fact that hon. gentlemen opposite were unable, with all the excessive taxation they have levied on the people of this country, to make both ends meet, and they stand in their places to-day confessing to a deficit of \$2,240,059. This, after all their boasts of their superior management; this, after the boasts of their surpluses; this, after their claims of being able so to regulate the affairs and finances of the country that deficits would be things which would no more be heard of in the land. And do they say that this state of things is only for one year? No, I am sorry to say if we take the financial year of 1886, which is not fully completed, the estimate of the receipts and expenditures for that year was given to us by the Finance Minister himself, and what is the tale that they tell? He says he estimates that our receipts will be \$33,550,000, and that our expenditure will be \$35,500,000. It is seven years since they last entered upon office, and our expenditure has run up from \$24,000,000, until the Finance Minister told us that at the close of 1886 it will amount to \$38,000,000. These are the gentlemen who claimed that they had the power, and who made pledges to the people of this country, that they would govern Canada with less money than was required by the late Finance Minister, and they sit in their

Mr. PATERSON (Brant).

places to-day with almost every promise they made to the people of this country, violated; with almost every pledge broken, unable to point to scarce a single thing they have done which has really been in the interests of the country or for which they can claim the slightest credit. No, there they are; the country is rushing headlong into debt and they are unable to keep their expenditure within their income, but they leave us with their anticipated deficit this year amounting to \$4,950,000 as stated by the Finance Minister himself. O! but he is going to ease us in this, and how is he going to do it? Well, he is just going to take \$3,500,000 of this deficit and charge it to capital account, and he is thus going to reduce the deficit to \$1,450,000. Will placing it to capital account pay it? We generally suppose that what is placed to capital account is something for which we have assets to show; but what assets will we have for this \$3,500,000? A partially blackened and ruined country, graves on the western prairie, the smoke of gunpowder, one or two knighthoods; and for this the people of the country are to have \$3,500,000 added to their debt. There is remarkable consistency, however, in the hon. Finance Minister's treatment of this question to which I desire to call your attention. If you remember, he made rather a remarkable speech in the absence of the late Finance Minister, on the 28th of June last, in reply to a speech made on this side by the hon. member for South Huron (Sir Richard Cartwright), who moved against the gross extravagance of the Government. The hon. member for South Huron pointed out thus early that at the rate the Government was proceeding a very great deficit was staring us in the face, and that it would be inevitable. The hon. Finance Minister in replying to that remark, said that the hon. member for South Huron had conjured up a deficit. He viewed it as simply an idea that was flying round in the brain of the hon. member for South Huron. But he said, even if it be true that there should be a deficit, the wedding bells are sounding, orange blossoms are being worn, and love is being made in the snows of winter and the sunshine of summer, and by-and-bye new homes will be starting up; by-and-bye new cradles will find their way to those new homes, to add to the 200,000 cradles that are now being rocked in this Dominion; and the occupants of these cradles will grow to manhood and womanhood, and they will bend their energies to the development of this country and help to pay the deficit which has been conjured up by the hon. member for South Huron. I say the Finance Minister has been consistent. I do not know whether he over-estimated the number of babies or not, but at any rate he has found out that that deficit was not conjured up in the brain of the hon. member for South Huron. He is face to face with it as an actual fact, and how is he going to proceed? Precisely as he gave us to understand in June last; \$3,500,000 of it is to be charged to the occupants of the 200,000 cradles that are now being rocked throughout the Dominion. We of this generation will have to toil to pay the interest on it, and the generation, I will not say yet unborn, but the generation newly born, will rise up to bless him when they come to pay the principal. Such is the state of our finances under the management of these hon. gentlemen. I have not time to go into the details of this expenditure, as short speeches are to be the order from this time forth, and I must set an example in that respect. I have no time to show the increases for instance, in the cost of civil government, with regard to which hon. gentlemen opposite were so loud in their denunciations when they sat on this side of the House. But I will take the item of immigration, and I charge the Ministers of the day with having been utterly reckless in their expenditure of money for that purpose; I charge them with having squandered millions of the people's money without achieving any result whatever. I do it in the same spirit as the hon. member for South Huron (Sir Richard Cart-

wright)—a spirit more of sorrow than of anger. I should rejoice if they could show some result from the expenditure of that money; but take the census returns prepared by hon. gentlemen opposite—not American statistics, but their own figures, and what do we find? Why, in this Canada of ours, which ought to be able to retain its own population within its borders, we find that during the last six years, when we ought to have had a natural increase of 20 per cent. on a moderate estimate, we had only an increase of 16 per cent.; and to achieve that result we spent, during those six years, \$2,403,266. So that all the immigrants whom we have brought into the country have displaced native-born Canadians, or have left the country, and 4 per cent. of our natural increases have gone with them. That is the result that the hon. gentlemen opposite have been able to show from an expenditure of two millions and a half of our money. Now, I have stated what the immigration returns show we have got for this expenditure. We are in a position to speak a little more definitely this year than we have been hitherto with regard to the increase of population in the Province of Manitoba and the North-West Territories. Hitherto we have had to rely on estimated figures made by the Department of Agriculture which the Minister pledged to be correct. To-day we stand in the light of revealed facts ascertained by actual count in the country, and what do we find? I am sorry to say that the facts reveal a state of things which hon. gentlemen opposite in common with hon. gentlemen on this side of the House must regret. I say we have definite figures, because the Minister of Agriculture in answer to a question the other day, stated that the population of Manitoba was now 125,000. The hon. member for South Huron (Sir Richard Cartwright), when he made his speech, gave an authority which he thought was a good authority, for the statement that the population of that Province was 110,000; but I take the Minister's statement of 125,000, which formed the basis for an arrangement between the Dominion and that Province, and which I therefore assume is correct. Then, we learn, by actual count, that the three districts of the North-West contain 48,363 souls; so that the total population in Manitoba and the three districts of the North-West, including Indians, is 173,363. Now, according to the census of 1881, the population in that country was 122,400. What is the result? In five years the population of our whole North-West and the Province of Manitoba has increased just 50,963 souls. That is the result of five years' labor; that is the result of the expenditure of nearly two millions and a half of dollars to promote immigration; that is the result of giving away tens of millions of dollars to aid the Canadian Pacific Railway;—a poor 50,963 extra souls above what were there in 1881 when the census was taken. Now, I want to call the attention of the Minister of Agriculture to this. He should not be guilty of submitting reports to this House that are not correct; I think that is not asking too much of him; yet the various reports which he has submitted to us year by year show that the number of settlers who went into Manitoba and the North-West between 1881 and 1885 were 154,403, and there were already there at the time the census was taken 122,400. Now, if the reports submitted to the House by the head of that Department are correct, and they ought to be, we should have to-day in that country 276,803 souls; and what number have we? By actual count, by the statements of the hon. gentleman opposite, we have 173,363. No less than 103,440 souls alleged by them to have gone into the North-West cannot be found there. Where are they? Why, Sir, are we not forced to the conclusion that the policy of hon. gentlemen opposite, their management of North-West affairs, has driven from the sparse population of that territory over 103,000 souls within the past five years? They must take one horn or the other of the dilemma; they have either driven that number of people out of the coun-

try, or the reports they have submitted to this House have been false and misleading. The Minister of Agriculture is bound to account for these 103,440 people. But, Sir, have we any means of ascertaining what population we ought to have had in that country at this time? We have. In 1880 the First Minister gave us a calculation of the settlers we might expect to go there. He gave us a table showing that there were to be 30,000 in 1881, and 5,000 additional in each year afterwards; so that by the end of 1885 there would, according to his calculation, have gone into that country 200,000 souls. Now, those 200,000 souls—and it was a moderate estimate on his part—added to the 122,000 there, when the census was taken, would have made 322,000 souls, while we have actually only 173,363 there. The First Minister thought this estimate was under the mark, judging by the experience of the Western States, when he said that in 1885 50,000 settlers would go into that country. How many actually went in? The Minister of Agriculture gave us the figures the other day in reply to an hon. gentleman opposite him, and they were 7,240 souls. In this way have the predictions of hon. gentlemen opposite in reference to the settlement of that country been verified; and I say there is no more discouraging feature in our country to-day than to look at the expenditure of money for immigration purposes and the railway expenditure in that country, and then to find, that in that fertile, that magnificent country, that country unexcelled by the Western States, we can only see a paltry addition of 50,000 people to the population as the result of five years' work. After recess I shall be able to show, by the First Minister's own statement, the relative increases in the various Western States; and when the House witnesses the increase of population which has taken place in those States under precisely similar circumstances to those in our own country, the sorrow and regret they must feel now will be greatly enhanced when they consider the great facilities we have had for opening up that country, and how utterly we have failed, from the incapacity and the mismanagement of the gentlemen who occupy the Treasury benches.

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

After Recess.

THE CONTINENTAL BANK OF CANADA.

House resolved itself into Committee on Bill (No. 60) to incorporate the Colonial Bank of Canada.—(Mr. Macmillan, Middlesex.)

(In the Committee.)

Mr. MACMILLAN. I wish to have the name changed from the Colonial Bank of Canada to the Continental Bank of Canada for this reason. After the notice had been given, about six weeks ago, I discovered that a bank of the same name had been incorporated several years before, and had failed, and that some of its bills were still in existence. I had not sufficient time to give notice as required by the Standing Orders, and therefore continued the original notice. I now move to have the name changed from "The Colonial Bank of Canada" to "The Continental Bank of Canada."

Motion agreed to; Committee rose and reported, and Bill read the third time and passed.

IN COMMITTEE—THIRD READINGS.

Bill (No. 37) to naturalise Girolamo Consentini, commonly called Baron Girolamo Consentini.—(Mr. Hall.)

Bill (No. 32) to incorporate a community of religious ladies under the name of "The Sisters, Faithful Companions of Jesus."—(Mr. Royal.)

Bill (No. 53) to incorporate the Calvin Company, Limited.—(Mr. Small.)

SECOND READINGS.

Bill (No. 64) to amend the Act incorporating the Pictou Coal and Iron Company.—(Mr. Stairs.)

Bill (No. 65) respecting the Northern and North-Western Junction Railway Company.—(Mr. Kilvert.)

Bill (No. 66) to incorporate the Forbes' Trochilic Steam Engine Central Company of Canada.—(Mr. Patterson, Essex.)

Bill (No. 67) respecting the Central Ontario Railway Company.—(Mr. White, Hastings.)

Bill (No. 68) to incorporate the Brockville and New York Bridge Company.—(Mr. Wood, Brockville.)

Bill (No. 69) respecting the Bank of Yarmouth.—(Mr. Kinney.)

Bill (No. 70) respecting the Manitoba and North-Western Railway Company.—(Mr. Ross.)

Bill (No. 75) to incorporate the School Savings Bank.—(Mr. Massue.)

WAYS AND MEANS—THE TARIFF.

Mr. PATERSON (Brant). When the House rose at six o'clock, I was pointing out what could not fail to be a matter of regret to the House, that we have only succeeded, during the past five years, in settling some 50,000 more people in the North-West Territories and in Manitoba. I had mentioned that an estimate as to the probable immigration to that country was made by the Premier in 1880. If I refer to the growth of some of the Western States, I will not be liable to the charge of want of patriotism, or of comparing ourselves with those States with a view to disparage our own country, because I shall but give the figures that were given to the House by the First Minister himself. The figures that he gave to us at that time, when he sought to justify his anticipation that 200,000 would have entered that country by the year 1885, were based upon the fact of the increase of the population of many of the States. He gave the increase and enumerated among the States, Minnesota, Iowa, Wisconsin, Illinois, Missouri and Kansas. Now, the area of those States combined is something like the area of Manitoba and the three north-western districts. The increase in the States that I have just mentioned was given to us by the First Minister as having taken place between the years 1850 and 1860, and was stated to be 2,555,000, that is, a territory in the United States was in ten years populated with 2,555,000, while we, with a territory as large, we, with a country as fine, we, with facilities and opportunities equal to theirs, have succeeded in five years in placing 50,000 people in the same extent of territory. It may be said, however, that the 2,555,000 represented ten years, and so it did, while I am comparing a period of five years with reference to our population. But it may be said not to be fair to take one-half of the 2,555,000 as the gain that we might reasonably expect there, inasmuch as there would be the natural increase during the past five years, and I quite recognise that fact. But I think I am wholly within the mark if I say we might fairly expect to have had within the five years placed one-quarter the amount that was placed in the same area in the United States. Had we done that, had we placed one-quarter only in that five years, we should have had 638,750 people there, instead of 50,967.

Mr. HESSON: We had not the same population to draw from.

Mr. PATERSON (Brant.)

Mr. PATERSON. Why, the hon. member knows that we have been told time and again that the United States are availing themselves of our territory in the North-West, that their people are flocking into our country. He knows that our lands there are thrown open, and we invite not only the inhabitants of the United States but of every civilised country on the globe, and under these circumstances we have succeeded in putting 50,000 people into an area in which the Americans, estimating for them a period of five years also, would have put 638,750. Well, now, we were told by the hon. gentleman who preceded me that it was an unfair comparison to make, because there were greater facilities for settlement in the Western States, which offered greater advantages. I recognise that, but I direct attention to the fact that this increase in the States I have mentioned took place between the years 1850 and 1860. Going back in the history of the Western States 35 years, we may ask if there were superior facilities for settlement than there are in the North-West to day. Circumstances in that respect are equal: if not equal they ought to be in our favor. I say this matter challenges the attention of the House and the country. With a climate as good as a large portion of the United States, to which I have already alluded, as capable of being worked to profit by the husbandman, there must be some reason why we have failed to approximate what was done in the United States. Will the hon. gentleman charge that upon the Opposition, who, in their opinion, are powerful for evil but never powerful for good? Hon. gentlemen opposite claim credit for the prosperity which they profess to see in the country, and for any advantages gained; therefore we place on them the responsibility of populating the plains of the North-West, and I ask from them an explanation as to how it is that while the United States, during five years, put 600,000 people into the same extent of territory, we have only succeeded in putting 50,000 in the North-West, though we have completed a railway costing tens of millions and spent millions of dollars to promote immigration to that country. The whole figures given by the Government in regard to the estimated population of the North-West have been misleading. In the light of the public statistics, the Customs Department, as well as the Department of Agriculture, is blameworthy. Hon. members will find in the Trade and Navigation Returns evidence of an attempt by the Minister of Customs to reduce the amount of duties paid by the people of the North-West, in order that the people might not understand and know the amount of the taxation. How did he accomplish this result? The population of 173,000 which we find in Manitoba and the North-West in 1885, the Minister assumed to be 243,000 a year ago, and he based the rate of taxation by way of Customs duties on that population. The result of this calculation was to reduce the amount of Customs duties paid per head, and yet there were 22½ per cent. more paid per head under his Administration in 1885 than in 1878. As compared with 1884, there was 30 per cent., and as compared with the year previous, 50 per cent. additional duty paid by every inhabitant of the Dominion. Thus we find that when it suits the purpose of hon. gentlemen opposite, they enlarge the population of this Dominion in order to make it appear that the burden per head is much less than is really the case. I must now pass from this subject and touch for a moment upon the volume of trade in this country. The hon. member who preceded me found great fault with the member for South Huron (Sir Richard Cartwright), because he pointed out that the volume of trade in 1885, under the management of hon. gentlemen opposite, did not equal the volume of trade in 1873, and he said that was unfair and a deliberate attempt to mislead the House and the public. Why did the hon. gentleman, he said, not take 1876-77, and he would see the volume of trade had increased from that year to 1885 by some \$30,000,000. True, the hon.

member for South Huron (Sir Richard Cartwright) did not take that year; true, there was some increased volume of trade between 1876-77 and 1885. But the hon. gentleman who found fault with the hon. member for South Huron knew he was taking a year which was almost a famine year in Canada, that he was taking 1876 when the wheat crop failed for once in Canadian history, and I believe only once, and we had actually to import bread to feed our own people; he had taken a year when trade was paralysed, when our lumbering interests were paralysed on account of the state of trade in the United States, which are our greatest customers, a year which was one of the dullest in trade not only in this country but almost in the world, to show that we have increased our volume of trade, imports and exports, by \$30,000,000. The hon. member for South Huron did perfectly right. He was pointing out to the House this fact: That we had not reached twelve years after 1873 as large a volume of trade as we had in that year, and looking at 1876-77 does not alter the aspect of the question. It is a grave matter for the consideration of the people, no matter what intervening years there have been, that in 1885 under the management of hon. gentlemen opposite the volume of Canadian trade is nearly \$20,000,000 less than it was twelve years ago. And yet hon. gentlemen opposite talk about the promising prosperity of the country. The figures are eloquent to speak for themselves; I would they were not eloquent in pointing out in a clear manner that, instead of there being prosperity, there is a condition approaching stagnation in trade. The hon. member for Cardwell (Mr. White) did not allude to a certain other matter to which I desire to refer, but it was incidentally touched upon by the Finance Minister in his speech. It is rather amusing that it did not receive attention because hon. gentlemen opposite know and you, Mr. Speaker, will remember how several years ago they were enforcing the great importance of maintaining a balance of trade in our favor and pointing out what a fearful thing it would be if the balance of trade should happen to turn against us. It did so in the days of the hon. member for South Huron and brought us nearly to the verge of ruin, as they aver. One of the principal arguments used by them was that they would prevent the imports from exceeding the exports; they said to the people: "If we are placed in office we will stop that and equalise the imports and exports." They did not do it. But under their management the hard times of 1879 struck the country, and I beg to remind the hon. gentlemen that that was the worst year in Canadian history, and public affairs were under the control of hon. gentlemen opposite and the National Policy was in force; at that time land, stocks, cotton stocks, and all investments were at the lowest point, while I say they were not able to control the balance of trade, the hard times that existed in 1879 were unparalleled in the history of the country and unequalled by the dullest times under the Mackenzie Government. It appears that one year afterwards the Government were unable to make the balance of trade agree and we imported \$1,500,000 more than we exported. It will be remembered how we had the true causes of prosperity pointed out, and how that prosperity was going to be maintained. What was the result? Next year trade began to improve somewhat, and whether they had lost the secret of maintaining an equilibrium I cannot tell, but they had a balance of trade against them, that fearful thing which prevailed when the hon. member for South Huron (Sir Richard Cartwright), was in office, the amount reaching \$7,000,000; in 1882 it rose to \$17,000,000; 1883 it broke loose and went up to \$34,000,000; in 1884 it was \$25,000,000, notwithstanding all the efforts of the Government; in 1885 it was \$20,000,000; and for the months which have elapsed in 1886 the balance is still against us, and so it goes. Sir Leonard Tilley declared in one of his Budget speeches that so soon as a man's expen-

diture increased beyond his income poverty stared him in the face. So if you had an adverse balance of trade against you, poverty will stare the nation in the face. That was the principle upon which they worked; that was the principle they laid down, and I ask them how they can, in the face of that declaration, reconcile these statements with the fact that the balances of trade against them have aggregated in the space of five years the sum of \$103,000,000. With reference to the balance of trade being against us, I would point out that the average balance of trade against us for the five years of these gentlemen actually exceeds the average of the balance of trade against us ever since Confederation, taking the figures of the Minister of Customs himself. The average in all the years since Confederation has been \$20,096,655, while the average annual balance against us during the past five years has been \$20,600,000. I see my hon. friend from South Essex (Mr. Wigle) looks rather thoughtful about this, and I have no doubt he gave very learned lectures about the balance of trade, and how impossible it would be for a country to prosper with the balance of trade against us. I call his attention to the figures which I have given as showing the condition of things into which we have been brought by hon. gentlemen opposite. I now wish to draw your attention for a moment to the state of trade in the country. We have had statements made by the hon. gentleman who preceded me, as well as by the Finance Minister, with reference to the state of trade. They have been forced to admit that it is not quite as satisfactory as it should be, but still, they say it is in a better condition than it was a few years ago. Well, as I said before, we do look for some improvement; we do look for some increase in trade caused by the natural increase of our population. It is not to be thought a very wonderful thing that we can hold our own and prevent ourselves from going back in a country like this. But what I want to point out to the hon. gentleman is this fact, with reference to the manufacturers of this country, that they have heralded so loudly, have been benefited so much by the operation of their tariff—I ask them to look at the effects of that tariff on the export of manufactured goods, and to tell me and tell the country whether our export trade is in the healthy condition that we would like to see it. What is the condition of things with reference to the export of manufactured goods? Sir, it is not encouraging. I can remember that in 1878, Canada occupied rather a proud position as a manufacturing country, for so young a nation. I can remember that our exports of manufactured goods equalled some \$4,000,000. I can remember that we took a position at the exhibition at Philadelphia that challenged the admiration of the world. So at the exhibitions of the Australian colonies, and I know that as a result of that enterprise, a valuable trade with these colonies sprung up in Canadian manufactured goods. Now, we have a tariff which hon. gentlemen opposite boasted was designed to have a beneficial effect upon the manufactures of the country, but where are your exports of manufactured goods to-day? Are you exporting as many to-day as you did in 1878. No. Have you exported as many since the tariff was put in operation, as you did before? No; the decrease has been great and marked. We are exporting about 25 per cent. less to-day than we did in 1878, and still they claim that they have conferred inestimable advantages upon us by their tariff. Look at some of the items. In the important item of agricultural implements, we exported \$63,361 less last year than we did in 1878. Biscuits—thousands of dollars less; candles and soap—less; carriages—\$40,000 less; clothing—nearly \$10,000 less; glass and glassware, grindstones, pig iron—a decrease; leather, \$144,000 less, and it is one of the largest exports we had. Boots and shoes were a great manufacture, but we exported \$166,000 less in 1885 than we did in 1878. Oil cake—a great reduction; ships sold to other coun-

tries \$971,000 less than in 1878. Why, we all remember that the late Minister of Railways, Sir Charles Tupper, when he was sitting in Opposition to the Mackenzie Administration, pointed out the declining state of the shipping trade, the deserted shipyards, and we remember how he asked that he might be restored to office that the sound of the hammer might be heard once more in these deserted shipyards. How is it now? Of ships sold to foreign countries, there were nearly \$1,000,000 less last year than there were in the year when he lamented the way in which the Mackenzie Administration was treating that industry. Steel manufactures—decreasing. But I need not go over the whole list only to say that there is \$1,500,000 decrease in the items I have given. It is true there are some increases—cotton goods, woollen goods, furniture, woodenware, extract of hemlock bark, &c. We have had some increases, but the sum total of our exports shows that we were only able in 1885 to export \$3,181,500 worth, while in 1878 we exported \$4,127,755 worth. And, Sir, with that state of thing staring us in the face, we have the Finance Minister taking four or five hours to speak about the financial condition of the country, but did he give us one practical hint how we should arrange matters so that the foreign trade of this country might be developed? We have a period of stagnation in our midst; we have factories and we have skilled artisans, but has there been any proposition on his part to open up markets for our goods elsewhere, to enable us to export our manufactured goods to other countries so that our artisans may have employment? Why, Sir, in the Estimates last year, they asked for \$10,000 to establish commercial agencies. What was done with that money? They made the statement that it was intended to open up a market and help the export trade of our manufactured goods. Were there any commercial agents appointed and if so, at what points? Has any effort been made with other countries to extend our trade? What has been done? The Finance Minister is mute. He says our export trade is declining; he asks for this money to establish commercial agencies, but what have they done? He is silent on that question, and while he talked on many other things we failed to hear him say that he had any remedy. Sir, we want our export trade opened up; we want to have the markets of other nations, and we want him to take steps to secure them. If he wants the export trade developed, and if he maintains the tariff as it now exists, and if he persists in taxing the raw material, in making the manufactured products of this country higher in price, and if he will not give the drawbacks which he promised to those who are manufacturing and exporting to foreign countries, I tell him he will kill off what export trade we have. He promised these drawbacks, and yet when claims are lodged in the Department and parties ask for these drawbacks, they are met with technical objections; they are put off and their trade is dying away. In my own city, we have as enterprising a firm as there is in the Dominion. At their own expense, they exhibited at the different international exhibitions; they have sent agents to Russia, Hungary, Austria, Chili, in South America, and opened up a trade with these countries. They did it alone and unaided; Canada had no agents in these countries, and they had to seek the help of the British Ministers, and as a young man, a member of that firm, who was over there, told me, he sought the aid of the British Minister to help him in opening a market for his goods; he was met very kindly and courteously as any one is sure to be met by an English gentleman. But he was also given to understand by the British Minister that Canada had imposed a tariff, and a heavy tariff, upon goods from Britain as well as from every other country—that while he would be glad to aid a Canadian if he could without jeopardising British interests, yet he could readily see that his interest would not be to put Canadian manu-

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factured goods into competition with British manufactured goods. Thus the exporter was left to struggle alone. Although he did open up a market in Chili, and is trying to hold it, yet whenever they present their bill of drawbacks made under the law of the land, he is met with technical objections that he does not comply with the law; and when he says it is beyond the bounds of possibility to comply with the law, then there is a hitch. Thus our export trade is dying and languishing, and there is no help for it. The manufacturers do not ask a helping hand; they only ask that the law should not fetter them, and they do not get even that. I think the figures are eloquent; and if a few of the hon. gentlemen opposite who have spoken on this subject had devoted their time to the subject of how to increase the export trade of this country and thus give employment to the artisans who are manufacturing goods, it would have been time better spent; but the hon. gentleman who has preceded me, when he spoke before, pointed out that we were not exporting because our people were all manufacturing for the home market, but unfortunately that is not the case, and I will prove it by showing that the imports of those very articles which we are manufacturing for the home market have been greater in 1835 than they were in 1878, which is proof positive that the manufacturer of those goods has not the home market in 1885 to the same extent that he had in 1878. Take the article of boots and shoes. It is true, that in that item, we imported in 1878 \$49,833 worth more than we did in 1885; but certainly that does not come up to the amount of the decline in the export trade. Therefore, it is not the increased home market that has prevented our being able to manufacture boots and shoes to send abroad. Of carriages, we imported \$65,000 worth more in 1885 than we did in 1878; the carriage makers, therefore, have not had an increased home market. That is not the reason they have been unable to export as many carriages in 1885 as they did in 1878. Take leather, that important item, the export of which, as I have told you, has declined, and we find that the imports have increased \$420,000 in 1885 over 1878. Take sewing machines, that large and prosperous industry. When two or three years ago I pointed out how that industry was suffering, I remember how the hon. gentleman who has preceded me fortified himself with a letter from a sewing machine manufacturer in London, which he read with great gusto to the House, and which stated that the policy of the Government had given great help to the trade, and that the writer was employing more hands and working over hours. What is to-day the state of the sewing machine industry, which, in days gone by, has employed thousands of hands in the country? The tale is a lamentable one. In the year 1885 we imported 7871 machines, at a value of \$169,146, whereas in 1878 we imported 6,206 machines, at a value of \$101,404; so that in the year 1885 we actually imported, under this tariff that was to give the home market to the manufacturer, no less than 1,663 machines more than we imported in 1878, at a value of \$67,742, and many machine operatives in the country are out of work—why? Because the manufacturers have a profitable export trade? No, I am sorry to say. In the year 1878 they had, but in 1885 they have not been manufacturing, but have been idle. The figures of exports tell the tale. In 1878, whilst supplying the home market to a greater extent than we are doing now, we exported 30,429 machines at a value of \$273,258, a magnificent export in that one line of manufactured goods. That was the condition that industry was in before these hon. gentlemen attained power. But since they have been in power, under their blighting influence, or from some other cause—and if they claim the credit for everything that is better, they must be debited with what is worse—instead of exporting 30,000 machines in the year 1885, we exported 9,118 machines; and instead of getting \$273,000 of foreign gold brought into the country as the result of the sale, we brought

in \$69,235. Such is the condition of that trade under these hon. gentlemen.

Mr. HESSON. Will you say there is a less number of machines made?

Mr. PATERSON. Well, I do think this would rather indicate it.

Mr. HESSON. It indicates our people are using them in the country.

Mr. PATERSON. There is a larger import in 1875 than in 1878, and there is a smaller export. It seems to me this rather points in the direction that there is a less number made in the country. What would the hon. gentleman say about it, if he were at liberty to speak? The Finance Minister dwelt upon the benefit his tariff has been to the farmers. I will touch that later on, but in the mean time there is an industry which concerns the farmers as well as the manufacturers, to which I wish to refer. I mean the flour industry, which comes next in importance, and in the amount of capital it employs and in its output, to the saw milling industry. We used to hear moaning and wailing because American flour was consumed by Canadians, and the Government asked that a duty should be put on the American flour in order that our people should be compelled to buy Canadian flour made out of Canadian wheat. Have we accomplished that? In 1878 we imported of American flour 314,520 barrels. Then the Government have put on their tariff of 50 cents a barrel to prohibit that coming in, and the result was that in 1885 we imported 540,108 barrels of American flour, or 25,588 barrels more than in 1878. Was that to the benefit of the farmers? Did that benefit the Canadian miller? Then they were going to benefit the coal industry. What has been the result of their efforts in that direction, in which they claim a great deal of credit? Let us take, first, the importations of coal and coke, and what do we find? In 1885, we imported 1,953,948 tons; in 1875, we imported 896,446 tons, making an increased import of coal in 1885 over 1875 of 1,057,502 tons; or, in other words, we have an increased import of 118 per cent. on coal in 1885 over 1875. Yet hon. gentlemen designed their tariff to shut out this importation altogether, in order that our people would have to get their coal from the Maritime Provinces. What has been the case with reference to the export trade? The increased importation would not matter so much, if our mines in the east were enabled, in some peculiar way, through the operation of the tariff, to export their output; but, in 1885, we find that they exported 479,706 tons, and, in 1875, they exported 340,127 tons. Thus, we had an increased export of coal in 1885 over 1875 of 139,579 tons, to set off against the increased import of 1,057,502 tons. In other words, our imports increased 118 per cent., while our exports increased but 41 per cent.; and thus it is they have benefited our coal industry. Now, although this duty on flour and this duty on coal have failed to accomplish what hon. gentleman said they would, they have not failed in one respect. They have given the Government an amount of revenue, for there was paid, by way of taxes on coal, in 1885, \$1,072,111, and by way of duty on flour, in 1885, \$270,054; or a total duty on flour and coal amounting to \$1,342,215. Now, let these gentlemen, with their \$4,900,000 deficit, place the tariff as it was placed by the hon. member for South Huron (Sir Richard Cartwright). If their flour and coal duties were wiped out, we would have, instead of a deficit of \$5,000,000 for 1886, a deficit of \$6,300,000; but even after having taxed everything they can lay their hands on, they have saddled this country with a deficit greater by far double any that was ever known in the darkest days of the administration of that hon. gentleman whom they so much revile for his departmental mismanagement, as they are pleased to term it.

Mr. HESSON. What about duty on tea and coffee?

Mr. PATERSON. My hon. friend is moaning again. To pass from this matter hastily, I come next to notice for a few moments the proposed tariff changes. There is something that cannot fail to strike one with reference to these changes. It seems to me that the Finance Minister—I wish he were present that I might get his humane ear, in order that I might plead successfully with him for the little ones that are being rocked in these 200,000 cradles—it seems to me it is rather hard that they should be held responsible for this deficit to the extent of \$3,500,000, to meet which they will have to toil and weep when they grow to manhood and womanhood, without inflicting upon them a burden while yet in their cradles. How grievous must the strait be in which the Finance Minister finds himself when, in addition to compelling them to shoulder this burden when they reach mature age, he actually, while they are sleeping peacefully in their cradles, according to his graphic description of last year, increases the taxes on the toys and playthings these little ones use. Even these childish playthings are not exempt from the hand which a remorseless fate compels him to stretch out and tax everything it can grasp, in order that he may reduce somewhat his deficit. After taxing flour and coal and leaving a part of the deficit to be paid by those children when they reach maturity, he goes to work and adds to the playthings already covered with a 20 per cent. duty, 10 per cent., in order that the poor little creatures may feel the burden in their cradles. He has adjusted the sugar duty. We will discuss that matter more particularly in committee, when we will get some information from the hon. gentleman as to how he considers his new arrangement will work. I, looking at the matter, and subject to revising my judgment when we have more information from the hon. gentleman, and time to examine more closely in the committee, incline to this view, that he has materially enhanced the duty on sugar. My impression is he may secure something like \$500,000 extra duty out of it, and while he has done that, he will also compel the consumer, great as was the amount of duty he paid on that article before, to pay more actually in the way of bonus to a few refiners in this country. Be that as it may, while American granulated sugar was taxed before to the extent of 96 per cent., now—if I have figured it out correctly and if he intends to exact a duty on American granulated on the long instead of the short price, which is, I suppose, his intention, and which, I suppose, if the refiners ask him to do he will do—the duty on American granulated sugar coming into this country, under this tariff as now arranged, will be more than 100 per cent.; and the people can have some idea of what they are paying towards the taxes of the country on that one article. Yet, I suppose I will find gentlemen here who will not hesitate to risk the statement that sugar is as cheap as ever.

Mr. HESSON. Hear, hear.

Mr. PATERSON. A gentleman opposite says "hear, hear," and he is one of the gentlemen I would expect to hear it from, and he is about the only gentleman. What has the question of whether sugar or any other article is cheaper now than it was seven or eight years ago to do with the question? Do not values rise and fall? That has nothing to do with it, but the question the people are interested in is: If that duty were wiped off, at how much less would they get sugar? If the duty were wiped off American granulated, they would get it at one half the price than they can under the tariff. Hon. gentlemen have spoken of the effect of their policy upon the working classes. They claim the working classes have been greatly benefited by the introduction of their tariff. The Finance Minister also made that claim; and in order to strengthen himself with reference to it, he was bold enough to do what no other hon. gentleman in this House has ventured to do since the

Budget speech was made last year, as far as my recollection goes. We had a long Session, yet, if I remember right, the Finance Minister (Sir Leonard Tilley) last year was the only gentleman in this House that ever dared to refer to the statistics he had compiled, through the agency of two gentlemen, in order to show that our manufactures had increased. He did venture; but when once they were dissected and shown to be utterly fallacious, they were dropped by every hon. gentleman, and no one ever ventured to allude to them until the unfortunate Finance Minister of to-day (Mr. McLelan), in a moment of dire necessity, alluded to them, as might be expected. Are we to accept those statistics, prepared at the cost of thousands of dollars to the country last year, and which were conclusively proved to be utterly unreliable, wholly false and misleading? Was it not pointed out last year with reference to these statistics, that actually they gave an increased product of woollen goods amounting to several million dollars, while the import of raw material was actually less than it was in 1878. When these things were pointed out, when it was shown, by the importation of the raw material, that it was impossible to have had the extra amount of goods manufactured which they alleged to have been made in the country, that was abandoned, and it remained abandoned until the Finance Minister saw fit again to introduce it here, and he based upon it a calculation that we had so many more workers in the country because of those fallacious statements which were previously made, and of which I believe even the compilers were ashamed, that we had some 35,000 more workers in consequence of this policy. The hon. gentleman expressed regret that he had not had time to obtain further statistics. Well, it is to be regretted, no doubt, but he had statistics from one manufactory; he fortified his statements by statistics supplied by one cotton company, the Canada Cotton Company. I admire the shrewdness of some manufacturers in this country. I have known the case of a manufacturer who availed himself of the Minister of Finance, two or three years ago, to advertise his resources and to tell the country how successful his business was; and here we have the Canada Cotton Company managing to secure the assistance of the Minister of Finance to state that their output is so much greater than it was. I wonder if they have any stock to sell; I wonder if they have anything to dispose of; and whether the Finance Minister is lending his aid to this end. I might ask how it is that the hon. gentleman gave us a comparison only of the last six months of 1885 with the last six months of 1878. Why did he not give us the whole year? It may be all right, but it looks rather fishy. Surely it would have been just as easy to give us the comparison for the whole year as to give us the comparison for the six months. Can it be possible that in the first six months the mill was shut down or was running with less hands? I do not say that it was. It may be all right. They may have done the increased business all through the year, but I think it would have struck the House as more fair and reasonable if we had had the comparison for the whole year instead of for the last six months only. And these are the proofs we have given to us that the mechanics of this country have been so greatly benefited by the operation of the tariff. Further, it is denied by the Finance Minister, and it is also denied by the hon. gentleman who preceded me, that the cost of living has been in any way enhanced by the operation of this tariff. We have been told time and again by these gentlemen that things are not dearer in Canada than they are in the neighboring Republic, that they cost no more here than they do across the border. That may be true. I am not in a position to say, or rather I will not assume to say, that it is not true, but I would like to ask the Minister of Customs one question. If he takes that position, if it be true that goods are as cheap in

Mr. PATTERSON (Brant).

all lines in Canada as they are in the United States, how is it that some people are so silly as to go to all the expense, and risk, fine and imprisonment in order to smuggle goods which can be obtained just as cheaply in the country itself? Do they smuggle for the mere fun of the thing? Do they risk incarceration in the gaols of the country, and the fines and imprisonment which the Minister of Customs is so frequently imposing for that? If not, what do they do it for? Is it just for the fun of being caught? It must be just because they like it. Everything is as cheap here as over there, and the men like to have the fun of the Minister catching them. That can be the only reason. Now, we come to look at the effect of the tariff upon the farmers. The Finance Minister was very strong on the subject of the benefit which the tariff had been to the farmers. He pointed out some statistics, and I could not exactly follow him in some of the figures he used, taking certain years to suit himself, but he alleged that we have been able to export on the average of certain years \$9,371,756 per annum more of agricultural products than we did on an average during a certain number of years under the Mackenzie Administration. In addition to that he asserts that he has given the home market to the farmers to the extent of \$3,500,000 a year; or that they were able to export, in consequence of the operation of the tariff, \$13,000,000 worth more in the year 1885 than they were in the year 1878. Well, now, what are we to understand by an argument like that? If it means anything, and if it is to have any force, it must be that the tariff that they imposed for the benefit of the farmer, as they say, has enabled the farmer to raise more product than he did before, or to raise the price of his products in the foreign market; because they have \$13,000,000 worth a year more of a product, according to the statement of the hon. gentleman. Does he solemnly mean to say that the operation of the tariff has enabled the farmer to grow more grain or has enabled him to raise the price of that grain in foreign countries? That must be the meaning of it, and yet it is almost impossible to believe that an intelligent man would take that position. Still, I am forced to believe that it is so, for the hon. gentleman told us that, as one of the effects of his tariff, while, in 1873, the oxen were idle in the stall, and the ploughshare was rusting in the field, when he put a duty on agricultural products, the oxen forthwith came out of the stall, and was immediately yoked to the plough again. I do not know where the hon. gentleman got his illustration from. I do not know what part of the country he had been travelling in. In the first place, in 1873, in the portion of the country in which I live, horses were more in use for ploughing purposes than oxen, and I had fancied that they were largely used for that purpose throughout the Dominion. And, more than that, if it be a fact that some of the farmers did use oxen, and were not engaged in ploughing because ploughing would not pay, that they had abandoned farming because it produced no profits, I still think that the farmers would have had sense enough not to keep an ox in the stall and feed him there, when they could turn him out to graze; because, I submit, Mr. Speaker, for your consideration, the fact that, greatly as this tariff has benefited the agriculturists, and badly off as they were before its introduction, the grass did grow, in 1878, and the ox could have grazed if they had turned him out; also, in 1878, if ploughing did not pay, the farmers had that sense of economy that they would never have left the plough in the field for the share to rust, but would have put it in the barn or the shed where it would have been exposed to no such danger, as the hon. member for Essex knows quite well. So the hon. gentleman is altogether astray in his illustration. I do not know where he has been, but he has been out of Canada, and it does not apply to our country at all. But it struck me, when he allowed his fancy to indulge in that flight, or when he was taking credit for the tariff, that he had found

a patent by which idle oxen could be set to work with the plough, that he was looking in a direction the key to which he gave us in the opening portion of his speech, when he said that he had succeeded in his present position to an array of gallant knights; it struck me that the thought was in his mind: "And why cannot I, too, be Sir Gallant Knight? Is there no way by which Her Majesty's favor can be drawn to me? Is there no way by which, while I hold this position, I can attain to that dignity?" I should say that there is hope for him after the discovery of that patent for setting idle oxen to work. The hon. gentleman used another very remarkable illustration, when he said that, if you sell a \$100 bond for \$100 cash, it is better than if you sell it for \$88. That is doubtless great wisdom, but I have an impression that the stupendous mind of Mr. Gladstone has grasped that fact, and that the Minister of Finance is not alone in that idea. And, when he told us that other remarkable thing, which may be unknown to so many, that you cannot build railways and canals without money, though that may not be known to the masses, I think there are other statesmen who have discovered that before him. You cannot look for knighthood in that way, or in consequence of those discoveries, but let Mr. Gladstone know that the hon. gentlemen has discovered that by the imposing of duties on agricultural products, of which we raise millions more than we need and have to send to foreign markets, the farming community have been enriched, the idle oxen have been set to work, and the ploughshare has been freed from rust as it passes through the ground, and there is hope that another gallant knight may yet fill that position. Now, Mr. Speaker, I come to notice the concluding remarks of the hon. gentleman who preceded me with reference to some statements that have been made by the hon. member for South Huron with reference to the corruption that prevailed amongst members of Parliament and in the country. And he attempted to defend it; nay, he attempted, so far as the members were concerned, to say that no such thing existed. Well, Sir, I hope and trust it is so, and that a future meeting of the committee may wipe out that dread doubt that has entered into some people's minds that there has been traffic on the part of certain members of Parliament to a greater extent than merely writing a letter for a friend to the Department of the Interior. But, Sir, he attempted to defend the people of the country against the charges that, he said, were levied against them by the ex-Finance Minister, that they were morally and politically blind, because they had seen fit, in 1878, to dispossess him of office and to put them back in office, and he seemed to think it was jealousy on the part of the hon. member for South Huron, and that was the reason why he condemned the people of the country as unable to understand their own best interests. He told us the people saw that. But the people saw more than that, Mr. Speaker. The people saw, in 1878, when they did dispossess that gentleman of power, they saw gentlemen claiming to be men whose words might be taken, whose promises might be relied upon, that if they were to put that gentleman and his colleagues out of position and put them in their places, they would then better the condition of every man, woman and child in this country. The people took them at their word, a portion of the people believed them, and placed them in their position. But, to-day, are those gentlemen willing to rely upon the fulfilment of their promises made to that electorate, in order to secure a return to power? Did they, in 1882, rely upon them? We know what the people of the country know, and what the people saw—that they could not trust themselves, even at that early day, upon the records they had made for themselves, and before they dared to appeal to the electorate they had to gerrymander, in the most cowardly manner, in a manner that was unworthy of men who bear

the name of Britons, they had to cut and carve the constituencies of the great Province of Ontario, in order that Liberals might not be returned and that they themselves, afraid to stand upon their own records, might thus secure a majority for themselves. Not content with that, Sir, they stated to the people, already deceived by them once: "Put us back again, and there are millions and tens of millions of capital waiting to be invested in manufacturing enterprises in this country." I ask them to-day if they can point to those millions. I asked them in 1882, and three years after I ask them again where those millions are that were to be put into large iron works in this country. Where are they? Let them stand up in this House and answer. Sir, they must rise; they must point out where those millions are. It will not do to speak in general terms. We want to know where are the works; we want to know the names of the capitalists; we want to see the effect of it in giving industry and employment in our midst. Sir, I come now to notice what the gentleman who preceded me, himself a Minister of the Crown, did not attempt to answer in reference to the charge that was made by the hon. member for South Huron; and when I recall to your recollection, Mr. Speaker, the omission of that hon. gentleman, you will agree with me, I think, that it will be impossible, before this debate closes, that one of the gentlemen on the Treasury benches shall not get up and answer the charges framed specifically by the hon. member for South Huron against members of the Cabinet themselves, about which the hon. Minister did not say one word. Sir, what were those charges? He talked about what he had said to the representatives, what he had said to the people; he had read the speech and he heard it, but he did not say anything about the statement as to the members of the Cabinet, of which he himself was a member. What was said? You, Mr. Speaker, and the House, will bear in mind that this is no statement made by some irresponsible person upon a hustings or a platform. It is a statement made by a gentleman who has occupied one the highest positions in this country, as he does yet, and made in the face of the men whom he charges while he stood within twenty feet of them. These charges must be answered. The Minister of Interior cannot afford to let these charges go unanswered. The Minister of Interior ought not to have sat down, he could not afford to sit down, with these charges unanswered by him. I give him another opportunity to do it. What does the hon. member for South Huron charge:

"It has come to pass that to-day, however much we regret it, we are obliged to admit that every second member of the Cabinet has been either the recipient of a testimonial largely subscribed for by public contractors and public employés, or that Ministers have received subsidies granted for the purpose of advancing lines in which they are large shareholders; or that they have been participants, by means of the cloak of a special company created for that special end, in printing contracts and other jobs which they could not have undertaken in their own proper persons without putting their seats in peril; or that they have been recipients of timber limits; and I am sorry to say, as the Cabinet are, so are the majority of their supporters."

Sir, a Minister of the Crown heard that charge, and read that charge. It was more against members of the Cabinet than against the House, and the hon. member for South Huron said he did not blame the members of the House so much as the members of the Cabinet; and we had a Cabinet Minister rising and taking notice of the fact that has been charged against some members of the House, and ignoring, not saying one word of that fearful charge that is brought against members of the Cabinet. Again the hon. member for South Huron says:

"It is a record to cause every true Canadian to blush, and I say more, that it would be idle and criminal on our part to conceal our opinion of these things. If they go on, a few years or a few months may bring our whole Confederation to a very abrupt termination."

Again:

"Our duty is to oppose and fight these evils; a short time will tell whether Canada is to shake off the incubus that now presses on her, or

whether our Confederation is to rot by its own corruption, before it is able to pause, before it is able to stand alone."

Sir, if such a state of things exists, and if such a state of things is tolerated, that men who hold the highest position in this land do not deny these charges, then there is danger ahead. We cannot have corruption in high places to that extent. Corruption if it does not exist, must be denied by the members of the Cabinet; if they have not received money subsidies to aid railways with their position, and that is charged; if they have not participated by word or act in printing contracts, if they have not been recipients of testimonials subscribed for among others by contractors with whom they have had dealings, then I hold that they cannot ignore the charge. It is made by a gentleman of too high a position, it is made in the Parliament of Canada and to the face of those hon. gentlemen. They must rise in the interests of their party and deny that those charges are true. They will have an opportunity of doing so. I hope they may be able to deny them for the sake of the country. It will be a sad thing if such charges can be sustained. We have to recognise this fact, that if there be any danger to the nation it does not come to us in the nature of extravagant expenditure, especially in a country like this. We may commit errors of administration, we may have extravagant management of our affairs; but we are a young country and we are a reliant people, and we can surmount evils that come upon us in that direction; but if we are to have what has been charged upon those gentlemen and yet not denied, corruption in the very highest places in the land, then, Sir, there is a dark outlook for this country. Everything tells us that. I need but remind you, Mr. Speaker, of a nation that was once brought out of slavery by a great deliverer, who was their great law giver and judge, and settled in a goodly land and became one of the most noted nations the world has ever seen. To that nation were given laws by the great law giver and ordinances which were to be observed, given by wisdom greater than any wisdom that dwells in man, and the principles contained in those laws have formed, I am happy to say, the basis of the laws and Governments of the British Empire, of which it is our boast to form a part. What was the instruction given to the judges and officers that were to rule over that nation by this great law-giver just before he was to lie down and die and leave other men to step into his place? His charge to those occupying in that nation at that time positions similar to the positions occupied by hon. gentlemen opposite was:

"Thou shalt judge the people with just judgment. Thou shalt not respect persons—neither take a gift, for a gift doth blind the eyes of the wise and pervert the words of the righteous."

The truth of those words no man pretending to belong to the British nation will dare to deny. They were given to that nation in order that it might maintain its record as a nation, in order that it might maintain its existence as a nation. But there crept into that nation corrupt rulers, men filled with the spirit of covetousness, and the great seer of that nation, who saw into the future some few hundred years, and saw that country, that was his glory and his pride, about to be degraded and cast from its high station amongst the nations of the earth, gave utterance to this wail:

"Everyone coveteth gifts and followeth after reward; they judge not the fatherless neither doth the cause of the widow come unto them."

Yes, if you have those bearing rule in high places whose hearts are set on gifts, who followeth after reward, before such men it is vain to plead the cause of the widow and fatherless. If the nation does not give heed and by its legislation attend to and promote the interests of the poor and defenceless, then the administrators of that nation fail to perform their duty and their continuance in office will lead

Mr. PATERSON (Brant).

to the collapse of the very prosperity of the nation. We must have true men in high places; I speak not in a pharisaical spirit. This charge cannot be answered by: "You are another." I hear people often say, politicians are all alike. I challenge those who say it to prove the statement. I do not claim for each individual member of the party that there never have been mistakes made or acts done that should not have been done; but I claim that you cannot look over the record of the Reform party and find such record in this respect as you do find in the record of hon. gentlemen opposite. I want to say more, for my remarks apply in a general way to myself as they do especially to every member on this side of the House as well as every member opposite. It is the duty of the people of this country, who need not care particularly for one party or the other, it is in their hands to purge out the old leaven of political immorality so that the whole lump may not be leavened by it. If we have gone out of the true path we may thus return to the path of rectitude and purity in the administration of the affairs of the country. If the hon. gentlemen opposite are tried upon their record and found guilty, depose them; if gentlemen who succeed them do not prove true to the public interest, depose them; if the gentlemen who succeed them do no better, depose them; but let the people of the country, those who truly wish to see it maintain its character as a nation see to it that party prejudice no longer blinds their eyes, conscience and judgment, but let justice be meted out. There must be men in the country who, if accused, would rise and repel charges like those made against hon. gentlemen opposite. Let them be put in the position, and if they fall from their high estate, punish them. The evil is this: If there be corruption in high places it permeates down among the masses of the people till, unfortunately, as the hon. member for South Huron said, the public conscience is deadened till it does not give the answer it should do, till it does not resist the things it should resist as promptly as it should do, and as it would do if it were not tainted by this corruption that I fear, from the fact that it has been charged and not denied, prevails in this country. Sir, we want as the rulers of this land those who will act upon the precepts I have uttered, those who will not run after rewards and look for gifts, but who will recognise that if any special class are to be looked after and their interests promoted it is not the rich and wealthy, but it is the poor as embraced under the head of the widow and fatherless. Sir, we want men in positions who will regard the claims of labor just as readily as they will recognise the claims of capital, that the mechanic and laboring man can gain their eye and have their wishes granted as readily as capitalists and manufacturers. We want men there actuated by noble principles, so that the prayer of the petition of the poor Indian and the Metis of the far West will be as quickly heard as I receive as ready a response as the demand of the landholder who might seek to deprive him of his land and home.

Mr. WOOD (Westmoreland). Mr. Speaker, I cordially endorse the sentiments expressed by the hon. gentleman who has just taken his seat in his opening remarks. He referred to the fact that it was desirable that the speeches which are delivered on this subject should be short. I fully, Sir, endorse that remark, and I shall endeavor in the observations which I propose to offer to the House on this subject, to follow the hon. gentleman's precept rather than his example. The hon. gentleman, in the opening portion of his remarks, endeavored to defend the hon. member for South Huron, and the other gentlemen who compose the party to which he belongs, from the charge which has been so often made with regard to them of using language in this House which is calculated to injure the best interests of this country. And, Sir, after hearing the language which he used

in the opening part of his address, I am sure it must have been a surprise to almost every gentleman in this House, that he should have occupied so much of his time since recess in pointing out almost every interest in this country at the present time was in a declining condition. And, Sir, I think, too, that when the hon. gentleman was defending the hon. member for South Huron from having uttered any sentiments or used any language tending to depreciate the interests of this country, the hon. gentleman must have forgotten many of the discussions which have taken place in this House during the past few years, and must surely have been absent from his place in this House during last Session when that hon. gentleman, in describing the condition of this country, astonished every hon. member in the House by the declaration that the position of this country at that time was worse than that of the United States at the close of the civil war. Now, Mr. Speaker, we were somewhat relieved at the opening of the hon. gentleman's address, by hearing him frankly acknowledge that the country was not in a very bad position. He was rather inclined to acknowledge, from his remarks then, that the country was in a prosperous condition, the only matter he regretted was that it was not in a more prosperous condition, that it was not advancing more rapidly than it had been, or, to use his own language, that we were not advancing by leaps and bounds. But, Sir, the hon. gentleman has, in the latter part of his address, devoted a considerable length of time to showing that the trade of this country at the present time shows that it is not in a prosperous condition. Now, it is necessary that I should, for a few moments, direct the attention of the House to the present position of our foreign trade. It is true the foreign trade of this country has declined somewhat during the last year. Hon. gentlemen point to this fact and repeat it on every occasion, and they endeavor in every instance to create the impression in this House and throughout the country that it is an indication that the important interests of this country are at the present time in a languishing condition, and that it is due to the policy of the present Administration. It is necessary, I say, to refer to some of the facts which our trade returns show in order to prevent such an impression from going abroad. Now, Sir, if we turn to the Trade and Navigation Returns for the last year, we will find, it is true, there are some decreases in both our exports and imports. Our exports in 1884 amounted to something more than \$91,000,000; in 1885 they have decreased to \$89,000,000, showing a decrease of some \$2,000,000. Our imports in 1884 amounted to \$116,000,000; in 1885 they amounted to nearly \$109,000,000, or a decrease a little short of \$7,500,000. But, Sir, if we examine these returns more closely we will find that this decrease can be satisfactorily accounted for, that it is accounted for and more than accounted for by the remarkable shrinkage in values that has taken place during the last year throughout the civilised world. Sir, the Trade and Navigation Returns show that while the value of our trade has decreased, the volume of trade has been fully maintained. Now, Sir, if we examine the different classes of our exports we will find that there has been a very considerable increase in all classes, except in our exports of lumber. It is true that in that particular class of products there has been a decline, but this is not to be wondered at, when we remember the fact that the price of lumber in foreign markets, during the past year, has been exceedingly low; that those low prices have had a depressing effect upon that industry, and therefore I repeat that it is not to be wondered at, under those circumstances, that the production of lumber is less, and that those engaged in that industry have not exported as much as in former years. But, Sir, taking the other classes of our exports, we find that in the products of our fisheries, we have had an increase from 127,000,000 pounds of fresh and salted fish in 1884, to 133,000,000 pounds in 1885. Our exports of salted fish have

increased from 260,000 barrels in 1884, to 310,000 barrels in 1885—an increase of some 50,000 barrels. Then, Sir, if you pass to another class—animals and their products—we find that we exported, in 1884, some 90,000 cattle; in 1885, upwards of 144,000, an increase of 54,000. In 1884 we exported 304,000 sheep; in 1885, upwards of 335,000, an increase of upwards of 30,000. In 1884 we exported a little short of 76,000,000 pounds of cheese; in 1885, upwards of 86,500,000, an increase of 10,500,000 pounds. Of agricultural products, we exported, in 1884, something short of 8,000,000 bushels of barley; in 1885, 9,000,000 bushels. Of beans, 56,000 bushels in 1884, and in 1885, 193,000 bushels. Of oats, 1,400,000 bushels in 1884, and 2,400,000 in 1885; and a great many other articles which I will not detain the House by enumerating. But the argument may be used, that while the quantity of our exports has increased, the value has decreased, and this shows that our people have not received as good a price for the goods they had to sell as they did in former years, and this may be used to show that the present state of our trade is not a satisfactory one. It is true, that would not indicate a satisfactory condition of the trade of this country if there were no corresponding advantage to offset it. But, Sir, that position is shown to be untenable from the fact, that while the value of our exports has decreased, the value of the principal classes of goods which we import has decreased in a corresponding and even in a larger ratio. Now, Sir, the total value of our imports in 1884 was \$116,000,000; in 1885 it has declined to a little short of \$109,000,000, or a total decline of \$7,500,000. But while there has been this decline in the total value of our imports, it is remarkable to note the large increase which is shown in the principal classes of goods which we have imported during the last year. Our imports of sugar, which amounted in 1884 to 173,000,000 lbs., have increased, in 1885, to upwards of 200,000,000 lbs.; our imports of tea, which, in 1884, amounted to 16,000,000 lbs., have increased, in 1885, to upwards of 18,500,000 lbs.; our imports of coffee, which amounted in 1884 to a little more than 1,600,000 lbs., in 1885, were a little less than 2,600,000 lbs.; our imports of raw cotton, which amounted, in 1884, to 20,000,000 lbs., in 1885 exceeded 23,000,000 lbs.; our imports of wool have increased from 6,000,000 in 1884 to a little less than 8,000,000 in 1885. I might enumerate other articles, but I do not wish to detain the House. But these figures show, first, that while there has been a shrinkage in the value of many classes of our exports and also in the classes of goods which have been imported, there has been an actual increase in the quantity of both our exports and our imports; showing that the volume of our trade has not only been fully maintained, but has actually been increased; and secondly, these figures show that while our people have received lower prices for some of the goods they have exported, they have paid less for the goods they have purchased in foreign markets, and their purchasing power has not been diminished by the decline in price. Now, Sir, there are several other features in our trade returns to which I might refer; but they have already been dealt with at considerable length by those who have preceded me. I will merely call attention very briefly to one or two of them. In the first place, the decreases in our imports have occurred almost entirely in those classes of goods which are manufactured in this country. I find that our imports of manufactures of iron and steel have decreased by upwards of \$2,500,000, the manufactures of cotton goods by upwards of \$1,250,000, and that there have also been decreases in imports of the manufactures of brass, copper, cordage and a variety of other articles. If we take the classes of goods upon which the people of this country pay duty, inclusive of those classes which are manufactured in the country, we find that there has been a decrease in the goods entered for consumption from \$80,000,000 in 1884, to \$73,000,000 in 1885, while in free goods there has actually been an increase from \$28,000,000

in 1884 to upwards of \$29,000,000 in 1885, or a total increase of a little more than \$1,250,000. These figures show, first, that the importations of raw material bear relatively a much larger proportion and the importations of manufactured goods relatively a much smaller proportion to our total imports than they did in former years; and secondly, they furnish a most conclusive proof of the growth of manufacture in this country, and their increasing power to supply the wants of our people. Now, Sir, I do not intend to refer to very many matters which have been alluded to in the course of this debate. The hon. gentleman who has spoken has referred to the increase of taxation. It is not necessary that I should deal at any length with that subject; it has already been exhaustively dealt with by the hon. Minister of Finance, and the facts respecting it are in possession of the members of this House and before the country. I may simply state briefly what the facts are: Our net debt in 1878 amounted to \$140,000,000; in 1885 it had increased to \$196,000,000, the increase being \$44,000,000. During the same period the interest on our debt increased from \$6,553,000 in 1878 to \$7,467,000 in 1885, an increase of something less than \$1,000,000. In other words, while our debt has increased 31½ per cent., the interest we pay upon our debt has increased only 14½ per cent. This, Sir, is largely due to the favorable terms on which the late Minister of Finance during the past year negotiated his loans upon the London market, reducing the average rate of interest upon the debt of this country from 4.65 per cent., in 1878, to 3.80, in 1885. If we take into consideration the growth of the population during the time, we have this astonishing result, that the taxation necessary to pay the interest on our debts is actually at the present time 3½ cents less per head of the population than it was in 1878. The hon. gentleman who last addressed the House referred to the decline, which has taken place in the value of money throughout the world. He told us that the rates of interest had declined, and that it was not therefore due to the improved condition of this country that we were able to procure money on better terms now than we were in 1878. In answer to that statement, I have only to refer the hon. gentleman or any other member of this House to the relative value of our securities to-day in the English market as compared with those of other countries. I have not the figures here, but any hon. gentleman who will refer to the commercial reports will find that all Canadian securities to-day stand in a very much better relative position than they did in 1879, as compared with the securities of any other country in the civilised world. The hon. gentleman then referred to the other items constituting the expenditure of the country. In doing so, he complained that the hon. member for Cardwell (Mr. White), who had preceded him, had not dwelt upon that subject at any length, and I noticed that the hon. member for Brant (Mr. Paterson), himself very prudently followed the example of the hon. member for Cardwell in that respect. Now, Sir, I intend to follow the example which has been set me by both hon. gentlemen. It is true, there has been a large increase in the expenditure in all the different branches of the public service—in Public Works, in the Department of Railways, in the Post Office Department, and in almost every other Department. But hon. gentlemen must bear in mind the facts so clearly stated by the Minister of Finance that this has been rendered necessary by the growth of the country and the increased demands made upon the Government to provide for these different branches of the public service, and they must also bear in mind that in very many of these branches of the public service there are corresponding receipts to offset the increased expenditure. The Minister of Finance furnished figures to show that while there has been an increase of expenditure, it has only been sufficiently large to keep pace with the growth of

Mr. Wood (Westmoreland).

our population, and that there has been actually no increase on the taxation of the country. The hon. gentleman referred to at some length to the present condition of the manufactures of this country, and from the tenor of his remarks I inferred he was endeavoring to show that our manufacturing industries were not in a satisfactory condition. I was amused at one of the arguments he brought forward to support that theory. He asks why, if goods were manufactured in this country so largely at present, and if they could be produced as cheaply as in the United States, attempts were made to smuggle goods from the United States into the Dominion? I think the hon. gentleman will find that in all those attempts he speaks of, the classes of goods which were smuggled are classes which are not manufactured in the Dominion and upon which high duties are levied; but in order to show the growth of manufactures in this country, I will merely refer to a statement which was made by the hon. member for South Huron (Mr. Cameron), in speaking on this subject on a former occasion. He was referring, I believe, to the growth of manufactures between 1874 and 1878, and he said that the importation of raw material was the true standard of the growth of manufactures in a country. Now, I am willing to accept his standard, and by that standard to measure the growth of manufactures in the Dominion between 1878 and the present time. I will not detain the House with the figures, for they have already been presented to the House by more than one speaker who preceded me, but the enormous increase in the importations of raw cotton, wool, pig iron, hides and a variety of other raw material, show how marvellous has been the growth of manufactures in this country during the past five years; what a large amount of employment they have given to the people, and how much they have contributed to advance the material prosperity of this country. Now, I shall pass over many matters which I have noted here, and come to another subject that has been dwelt upon at considerable length by all the speakers who have addressed the House, and that is the present position of the debt of this Dominion. It cannot be denied that the debt has increased very considerably during the last few years. Hon. gentlemen are constantly reminding us of this fact; hon. gentlemen constantly placing this fact before the people, and endeavoring, by merely stating the fact to persuade the people to draw the inference that the increase of debt is due to recklessness and extravagance on the part of the present Administration. But that is not a fair inference; it is not an inference which can fairly be drawn from that fact alone. If we wish to form an intelligent judgment upon the question, we must take into consideration the purposes for which that debt has been incurred. Of the debt of the Dominion, upwards of \$100,000,000 represents the debts of the different Provinces assumed at the time of and since Confederation. Leaving that aside, we have expended, since Confederation, upon railways and canals alone, upwards of \$120,000,000. These two items together would make a sum \$30,000,000 in excess of the entire debt of the Dominion at the close of the last fiscal year. We must also bear in mind that there was a large sum expended on railways and canals prior to Confederation; we must remember that this large expenditure amounted to nearly \$53,000,000, making a total expenditure upon railways and canals alone, up to the present time, of over \$174,000,000, or only \$22,000,000 less than the entire net debt of the Dominion. That \$22,000,000 is represented by expenditure on other public works, and besides this we have the sums voted by this Parliament at different times as subsidies to railways, for the improvements of our harbors and rivers, for the construction of piers, lighthouses, telegraph lines and other works of public importance and general utility. I find that the total expenditure upon public works in this Dominion, at the close of the last fiscal year, amounted to upwards of \$213,000,000, and when we take into considera-

tion the fact that this large sum has been expended upon these important public works; when we consider that these works are absolutely necessary in order to open up channels for our trade and commerce, and render the remote portions of the country accessible for settlement, in order to develop the variety of sources of wealth which otherwise would remain dormant and useless, I feel there is no member of the House, no intelligent man in the country, who will maintain that such expenditure was either an unnecessary or an unwise expenditure. We must bear in mind, too, that at this early period in our history we have acquired a large extent of territory; and when it is borne in mind that after the lapse of only twenty years we have done so much to provide for the future growth, development and settlement of the country, it is not a matter of surprise that our debt at present should have assumed the proportions it has assumed. Hon. gentlemen, in referring to the debt of this country, speak of it as a tax which has been imposed for all future time upon the people of this country. It should be properly regarded as borrowed capital, necessary to promote the best interests of the country; it should be regarded as capital absolutely indispensable to enable us to carry on the business of the country, as an investment which will in the future repay its cost tenfold, as an investment that will so stimulate the trade and commerce of the country, so help all the various industries in the country, that it will take but a mere fraction of the vast wealth which will accrue from it in the future to our national resources, to pay both the principal and the interest on that expenditure in a very short space of time. It has been the policy of the present Government to incur a large expenditure; it has been its policy to incur large obligations abroad in order to enable it to provide for the construction of these important works; and I feel, however much hon. gentlemen may oppose this policy and denounce it in speeches here, that it is a policy which will meet with the approval of the majority of this House and the majority of the people of this country in the future as it has in the past. Hon. gentlemen have frequently, during the course of this discussion, compared the position of this country with that of the United States. We have had a variety of figures, in the course of this debate, submitted for our consideration, to show the relative rates of taxation which prevail in the two countries. I do not intend to repeat these figures or to detain the House with them at all, as they have been exhaustively dealt with by the speakers who have preceded me; but on this point I wish to say this: that, if I desired to go abroad to find proof in support of the policy of the present Administration, I should ask for no better evidence than that which is furnished by the history of the United States. From the year 1835, when railway construction first commenced upon this continent, the general government of that country has from time to time lent aid to encourage railway enterprise, and we all know that, in addition to this, it has been the policy of every State in the Union not only to tax its resources, but to pledge its credit, in order to promote the construction of railways and canals, to provide the best possible means of communication between one part of the country and the other, and to unite all the remote inland districts with the towns upon the seaboard; and there is nothing which has contributed more than the adoption of that policy towards the marvellous growth and prosperity which we have witnessed in that country. It is due, in my opinion, to that policy that they are in a position to-day to pay off their national debt with the rapidity with which they are paying it off; it is due to the adoption of that policy so early in the history of that country that they were enabled years ago to maintain for five long years one of the most bloody and exhausting and costly civil wars the world has ever seen, and since its close to liquidate the enormous debt which it caused to be incurred with a rapidity which

is without a parallel in the history of the world; and at the same time the burden of taxation which was found necessary in order to enable them to accomplish this has been felt so little by the people of that country that it is borne without a murmur and it has never for a moment checked their continuous and unparalleled prosperity. If I wished to find proofs of the influence of railways and canals in increasing the wealth of and contributing to the general prosperity of a country, I should turn to the history of the State of New York. Far back in the history of that State before the age of railways, the Government of that State at the public expense constructed the Erie Canal. They united the waters of our great lakes with the waters of the Hudson, and thus formed a continuous water communication between the great west and seaboard. And what was the result of that great enterprise? Why, Sir, as soon as that canal was opened, the cost of transportation was reduced from \$70 per ton to \$10 per ton. A few years later, further reductions were made, until it reached \$5 per ton, and the result of opening that means of communication between the west and the east was to contribute so greatly to the trade and commerce of that state that the growth in wealth and the general prosperity which followed has exceeded the most sanguine expectations of the promoters of that scheme. It was estimated that, within a few years after the completion of the Erie Canal, the value of the farm lands in the State of New York alone increased over \$100,000,000, and the City of New York, outstripping all its rivals, advanced at once to the foremost position as a great commercial city. The policy which that State adopted at that yearly period in its history has been since continued and with the same results. By repeated expenditures of public money, they have from time to time enlarged and extended their canal system, they have lent liberal aid towards railway construction, and, as the result to-day, they have in the State of New York upwards of seven thousand miles of railway; and, by consolidating and extending their lines and connecting them with those of other States, they now reach to every corner of the fertile wheat fields of the west, they reach the lumber districts of the north, they reach the coal fields in Pennsylvania, they reach the cotton and corn fields in the south, and all that vast territory is made tributary to swell the volume of their trade and commerce. As the result of the policy which was adopted in the State of New York, of lending liberal public aid to the construction of railways and canals and other important public works, that State has, from that time to now, maintained its proud position as the first State in the Union, both in population and in wealth, and the great city which bears its name, has become the centre of railway enterprise upon this continent, and continued from that time to the present to control more than one-half of the entire commerce of the nation. If hon. gentlemen will study the history of the United States, not with a view of making unfair comparisons unfavorable to the position of this country, but for the purpose of seeking the causes which have contributed most largely to that prosperity, they will find there ample proof in support of the policy of the present Administration; they will find that in a new country it is a wise policy to lend liberal aid in order to form the best and most perfect means of internal communication, and that nothing more than this contributes to the rapid growth and prosperity of the country. Now we have in the Dominion of Canada all the elements which are necessary to make a great and progressive people. We have wealth in the fertile prairies of the west, we have wealth in our forests and in our mines, we have wealth in the waters which skirt our shores and fill our bays and rivers and lakes. It is the policy of the present Administration to develop as rapidly as possible these varied sources of wealth and make them all contribute to place us at an

early date in a foremost position among the nations of the earth as a great agricultural and commercial people. The success of this policy is already proved by the present position of this country, that the policy of the present Administration has tended to increase wealth in this country is shown by the fact that the deposits in our chartered banks have increased from \$72,000,000 in 1878 to \$106,000,000 in 1885, while the savings of the poor have increased from \$8,500,000 in 1878 to \$35,000,000 in 1885. The growth of manufactures, as I have already stated, is amply proved by the large increase in the importations of raw material and the large relative proportion they now bear to our total trade. The increase of inter-provincial trade is shown by the traffic upon our railways, which has increased from 7,000,000 tons in 1878 to upwards of 14,000,000 tons in 1885; while our foreign trade, which, from 1873 during five successive years when hon. gentlemen opposite were in power, gradually declined until in 1879 it reached its lowest point, some \$64,000,000 less than it was in 1873, has since then gradually risen again, until in 1883 it reached \$230,000,000, the highest point reached in the history of this country. Since that time, Sir, notwithstanding the general depression that has prevailed, and the remarkable shrinkage that has taken place throughout the world in the value of both domestic and foreign merchandise, the volume of that trade has not only been maintained, but it has actually been increased. The hon. gentleman, in the course of his remarks, referred to another subject; he referred to the fact that the late rebellion had cost us some \$3,500,000, and complained that this had been charged to capital account. He referred, also, to the fact that there was nothing to represent that expenditure except the graves that had been dug on our western prairies. And, Sir, he also called attention to the fact that the population of that country had not increased as rapidly as he considered it should have done. Now, I ask any gentleman who desires to censure the Government for the cost of the late rebellion, or to censure the present Administration because the population of that country has not increased more rapidly, to reflect on this: What would have been the condition of that country at the present time, how many, and how great, would have been the misfortunes into which that country would have been plunged, had the views which hon. gentlemen opposite entertain prevailed, and had the policy which they advocate been adopted? It is well known that during the past few years we have passed through a critical period in the history of this country. For a young country, with its resources undeveloped, we have undertaken public works of enormous magnitude. The Canadian Pacific Railway Company had undertaken the construction of that great national work, and had made fair progress with it when they found it necessary to appeal to the capitalists of New York and London for aid, in addition to the aid granted by this Parliament, to enable them to complete that work. But Sir, they had met there the combined hostility of the great railway corporations upon this continent, and they had found that hostility strengthened by the utterances of hon. gentlemen who occupy seats in this House, and by the whole Liberal press throughout this country, and contrary to every reasonable expectation, no capitalist could be found, in either Europe or America, who was willing to invest in that enterprise. It was under these circumstances that the railway company appealed to this Government for aid, and the present Administration, recognising the importance of that work, recognising the danger of delay, anxious to avail themselves of the opportunity which was then afforded to secure the early completion of that work, came to Parliament with a proposition, first, to loan the company thirty millions from our public funds, and afterwards with a proposition to make a second temporary loan of five millions more. Those loans were granted, but we all remember that those measures met

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with most determined opposition from the Liberal party in this House and throughout the country. Those measures were denounced as acts of wanton waste upon the part of the present Administration, and the hon. member for South Huron (Sir Richard Cartwright) only a year ago, in his place in Parliament, declared that that money had been absolutely thrown away. Now, Sir, I ask hon. gentlemen who heard that statement then to reflect to-day what would have been the consequences to this country had those views prevailed in the counsels of this country. Why, Sir, we all know that the Canadian Pacific Railway Company would have been compelled to suspend operation; we know the result of that suspension would have been to involve this whole country in a commercial crisis; we know that its effects would have been felt in every branch of trade and industry in this country, and we know that the whole business of this country would have been paralysed, and its progress, growth, development and settlement arrested. But, Sir, that is not all. It would have been under these circumstances that the Government of the day would have been called upon to deal with the late unfortunate rebellion, and who can state the consequences if that rebellion had occurred during a period of general financial depression and disaster? Who can tell what would have been the consequences if its flame had been fanned and its forces had been strengthened by a feeling of insecurity at home and a feeling of distrust abroad. It is scarcely possible to hope that it would have stopped short of a general uprising among the Indians, and we know that would have resulted in a general wholesale massacre of the settlers in the North-West and the destruction of property. Sir, the misfortunes of last year, which we all so deeply regret, would have been multiplied tenfold, and the dark record which is already written upon the latest pages of our history, would have been ten times darker still if the views which hon. gentlemen opposite entertain had prevailed in the counsels of this country. The past few months have proved conclusively that the policy adopted by the present Government has been a wise one, and to-day we are able to present it in most striking contrast to the folly of the policy advocated by hon. gentlemen opposite. Sir, it is due to the fact that the Government of this country lent aid to that great and important enterprise at a time when that aid could be obtained from no other source, that a great commercial crisis was averted, and we have the satisfaction to-day of seeing that great work practically completed. Notwithstanding that hon. gentlemen, in the course of this discussion, have not expressed appreciation of its value, we find that its commercial value is fully recognised by the capitalists of Europe and America, and the statesmen of Great Britain acknowledge its great national importance, not only to the Dominion of Canada but to the whole British Empire. It is due to the same cause that, instead of being obliged to-day to view the result of a protracted insurrection and the horrors of an Indian war, we have, in a comparative short space of time, at a comparatively trifling cost, at a comparatively small sacrifice of life and property, the rebellion crushed, and peace restored; and Sir, we have demonstrated to the world that the Dominion of Canada has ample resources under her control, and has sufficient loyalty among her sons to enable her to protect both the lives and the property of even the humblest among her people.

Mr. McMULLEN. I expected this debate would have taken a wider range than it has done. I observe that the hon. gentleman who has just taken his seat made no effort whatever to reply to the very able and very forcible speech delivered by the hon. member for Brant (Mr. Paterson). It is somewhat singular that the hon. gentleman should have undertaken to follow the hon. member for Brant (Mr. Paterson). Last year the present Minister of Fisheries

took a prominent part in the debate. We had also the member for Stanstead (Mr. Colby), who made a very able and powerful address in favor of the National Policy, and we had the hon. member for Essex (Mr. Patterson), who delivered a very long and elaborate argument. Where are those hon. members this year? What is the matter? Was the speech delivered by the hon. member for Brant so forcible and pointed that they are unable to answer it, and so put up an hon. member to occupy a short time in order to drag speeches from other leading members on this side and allow Government supporters to follow after they have studied the speeches of hon. gentlemen on this side for two days and nights? Is that a fair way of dealing with hon. members? Are not the hon. members for King's, N. B., and King's, N. S., going to speak on this question? It must be remembered that this is an important discussion. We are considering the enormous debt of the country, and whether it is in the case of a country or an individual it is the amount of debt that is all important. We have been adding year by year to our debt; in fact, the Government have added a million a month, or \$41,166 a day every day since they sat on the Treasury benches. It, therefore, behoves hon. gentlemen opposite to manfully refute the charges made against them and not shrink from meeting them. Our debt is undoubtedly an enormous one. I regret that the hon. member for Cardwell (Mr. White) was forced to admit that our debt *per capita* is in excess of that of the United States, as well as our taxes. I should like to ask the people of this Dominion whether we, with the drawbacks arising from our severe winter and other causes, are in as favorable a position to pay a *per capita* tax as the people of the United States, who have great diversity of climate and produce everything under the sun? I say we are not. Would anyone coming to this continent to reside, and studying the speech of that hon. gentleman, decide to stay in this country rather than go to the Western States? No; he would decide to go to a better climate. Of course we cannot help the climate we have. Hon. members will say that we are decrying the country. We cannot help pointing out the unfortunate conditions in which we are placed. Hon. gentlemen opposite, when they introduced the National Policy, declared that it would cure all ills and remove our financial difficulties. Every man was going to be made rich, our farmers were to grow larger crops and obtain better prices and working people were to get higher wages for their labor. Such promises have not been realised. Public affairs, during the last seven or eight years, have been conducted on principles of humbug. The whole people have been humbugged. The Finance Minister started a gigantic humbug, and his henchmen from every platform heralded the humbug, that through the National Policy people would be made rich. The truth is that nothing would tend to improve our condition more than to allow the people to obtain what they require, at the lowest possible point, and to keep down the burden of indebtedness. It is a very serious matter, that hon. gentlemen opposite have gone on and increased the debt to the enormous extent they have increased it. They reply that Mr. Mackenzie's Government increased the debt. We admit they did. When they took office, they found the Government were committed to certain contracts, which they were obliged to carry out; and yet when they subsequently appeared before the people, hon. gentleman pointed out the increased expenditure made by the Government, and they had the brazenness to do this, although they were themselves responsible for that increased expenditure. Reference was made by the hon. member for Cardwell, to the Australian colonies, and the hon. gentleman tried to show that their debt was greater than that of Canada. The Australian colonies are, however, in the same position as the

United States. They have a climate very much more desirable than ours. In consequence of the shortness of the seasons here a farmer is obliged to have a large force of horses and machinery, whereas in countries with a more favorable climate they are able to work almost all the year round. As I have said, the people have been humbugged by the National Policy. I challenge any hon. member to point out a village where there has not been over production within the last few years. Men invested in the manufacture of agricultural implements and other goods in my own section of country and we have had over production and disaster. The hon. member for King's, N. B., in 1883, gave an illustration of what he considered the Government could do for this country. He said:

"A simile occurs to me, and I think it is a true one. Government cannot create the water that flows in a mighty river, but the Government can take the water out of the mighty river and by appliances and machinery can carry it through acres and acres of arid soil, and by a proper system of irrigation can make the desert bloom like a rose, and cover the sands with fertility and an abundant harvest. There is this distinction: That which causes this fertility is the gift of nature, but the duty of utilising it rests with man, and it is the same thing with the prosperity of the country. The great river in a country's prosperity is that which comes out of the soil, the sea and the mine; but that is powerless to do what it may do unless the Government provides proper conditions and unless they foster and care for and direct the energies to be applied to it. That is the distinction I would make, and it is one which, if carried in our minds, would very much lighten up that often muddling and perplexing assertion that the Government cannot make good crops and cannot cause the fish to multiply in the sea."

The Government should now remedy the unfortunate condition of things we have in this country. Business is dull and in a disturbed condition. Why, Sir, the people of the country at the present time are paying more for everything they buy over the counter of retailers than the people of the United States. The facts alluded to by the hon. member for Brant (Mr. Paterson) with regard to the smuggling of goods from the United States is the most positive evidence that such is the case. Hon. gentlemen talk about free trade, but I say it is impossible for a country like this to have free trade with the enormous burdens which the Government has to impose on the people in the way of taxation to meet their expenses. The Finance Minister is in such a state of desperation that he feels that he must raise the taxes from 20 to 30 per cent. on dolls, so it is certain that he has been searching over every single article to find something upon which to replenish his depleted Treasury. I say that this is a deplorable condition of things, and I hold that it is the duty of this House and the duty of the people to take seriously into consideration the whole question of our financial position, and exact from the Government an honest, true, fair and impartial statement of the condition of things in this Dominion. Every time a Budget speech is delivered, we are presented with calculations and figures which are calculated to mislead. I believe that if those figures were sifted to the bottom they would not bear investigation. The hon. member for Cardwell (Mr. White) said the interest paid on our debt last year was \$7,000,000, but I find by the Auditor General's report that he puts it at \$9,419,482.19. I cannot understand how the member for Cardwell says it is only \$7,000,000, but perhaps he has some peculiar way of his own so as to try and mislead the House, and it is just the same with other hon. gentlemen. Year after year they are trying to persuade the people of the country that the interest on the debt, *per capita*, is increasing very slightly, but when you consider that at Confederation we had a debt of \$93,000,000, and that now it is \$282,000,000; that our population then was 3,416,000, while now it is 4,700,000, according to the statement of the Finance Minister, I say it is impossible to reconcile these statements. Then the hon. member for Cardwell told us that wheat on the Canadian Pacific Railway is worth more than what it is on the Northern Pacific. Now, I am strongly inclined to doubt that statement, because

I have friends who live in Manitoba with whom I have continuous communication with regard to prices, and I have also friends in Minnesota. I have received letters from these friends of mine since I came here, and I am satisfied that wheat is higher in Minnesota than it is in Manitoba, and for this reason: There is no doubt that Liverpool is the great market for flour, and you can ship a barrel of flour from Minneapolis or St. Paul to Liverpool as low as you can from Montreal to Liverpool, and as St. Paul is as far north-west as Winnipeg, and as you cannot ship a bushel of wheat or a barrel of flour from Winnipeg at as low a rate as you can from St. Paul, it must be worth more there than it is in Winnipeg by at least the difference in the cost of shipment. With regard to North-West wheat coming down to Ontario and Quebec, I really fear that the opening up of the North-West is going to have a very serious effect on the receipts from the growth of wheat by the farmers of the older Provinces. The farmers of the North-West can grow a larger amount, and they can grow and reap it more cheaply, and the result will be that it will seriously interfere with the price of wheat in the older Provinces. I believe that when you consider the fact that the older Provinces will have to compete in the production of wheat with the North-West, they will find that in place of being taxed to build the Canadian Pacific Railway, to open up that country they should not be asked to contribute a cent towards it. I would have no objection if the entire lands in the North-West were set aside for the purpose of producing that railway to the Pacific, but I hold that it is unjust and unfair to tax the people of Ontario and Quebec for that purpose, and I say that they should not pay a farthing. They have produced all their own lines and they have taxed themselves and granted bonuses to the different lines of railways, and to ask them to pay the interest on the money invested in the Canadian Pacific Railway is unfair. The hon. member for Cardwell (Mr. White), said that 2,300 applications had been sent to the Minister of Interior asking that certain timber limits should be granted to them. I think that we have here the explanation of the difficulty in the North-West. The Minister of Interior had to attend to all these applications by friends and supporters who were pressing for themselves and their friends and their relations of all kinds, and the result is that they are responsible for these troubles as well as the Ministry. The entire party are responsible, because by constantly boring and worrying at the Minister of Interior to get timber limits and colonisation companies, they so took up the poor man's time that they almost worried him to death, and he could do nothing else, and at last he had to get up and run away from the Department. The result of this is that they are responsible for these troubles, for the increased amount of debt produced by those troubles and for the 200 of our subjects who have been shot in them. This is a serious matter. In my humble opinion the affairs of this country have not been conducted in a proper way. I say that if our people will not wake up to the fact that their resources have been flitted away and that this Government have been enormously increasing their annual outlay, the result will be a serious one. Why, in 1877-78, we spent the sum of \$23,000,000 annually, and I can well remember Sir Charles Tupper, in an address delivered in this House before the general election, state that any Government who would dare to ask more than \$22,000,000 annually did not deserve the confidence of the people. To-day we have about \$35,000,000 of annual outlay, and this year the sum is about to be largely increased, and no doubt if hon. gentlemen remain in office, it will go up to \$40,000,000 and to \$50,000,000. The result is that our people will be reduced to absolute financial slavery if they do not wake up to the fact that they are being dragged into debt, which is going to be a serious burden to them, and to those who follow them. I did not intend to speak on this question, only I thought it

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would be well that I should offer a few remarks before the debate closed. Now, I say it is full time that we should seriously consider our true position. Is it any wonder that we should be disposed to resent the mean, unjust, unfair and un-British advantages that hon. gentlemen opposite have sought to take of their opponents? Take the Gerry-mander Act of 1882, by which almost every constituency, in the Province of Ontario, was changed to make its political complexion suit hon. gentlemen opposite. I say it was a disgraceful act to the men who inaugurated it. It is as bad as the Pacific scandal, and I do not know but that it is worse. Then, take the Franchise Bill. We are now having some little experience of the trouble and annoyance that the people of this country are going to have in getting enrolled under that Act. We placed the expenditure which it would involve at \$500,000, but from what I have learned I have no doubt it will add at least \$1,000,000 to the expenditure of the Dominion in the coming year. Apart from that, the Statute is unfair and unjust, and no people who claim to exercise the rights and liberties of a free people should quietly submit to such an unjust Act. I believe the people of this country are beginning to see through all the transactions hon. gentlemen opposite are guilty of. I notice an exposure that took place in the Railway Committee room the other day in connection with a railway charter; and I believe the people are going to see whether matters of that kind are allowed to take place and to be winked at by the Government of this country. The hon. leader of the Government evidently made up his mind years ago that everything that could be got would be distributed among his followers. He has acted like an old barnyard hen that scrapes everything together that she can find and divides among her chickens. Land grants, grazing leases, timber limits, coal lands, everything that can be got is divided among his followers. We have had enough of this sort of thing, and it is time it was stopped, and I hope the people will put a stop to it. Hon. gentlemen may laugh, but the people of the Dominion are beginning to realise the true condition of this country. They are beginning to think that after all, notwithstanding the professions of this Government, there is a certain amount of rottenness, and they are bound to find out what that rottenness amounts to; and I am satisfied that when these hon. gentlemen go before the people of this Dominion, they will be called on to give a strict account of how the country's affairs have been managed. Unless the people do this, it is going to be a deplorable thing for the younger people who will have to take our places. I will not detain the House any longer. I simply rose to make these few remarks, because I was surprised that no hon. member opposite was willing to reply to the able and eloquent speech of the hon. member for South Brant (Mr. Paterson). I hope we shall yet be favored with some explanation of the very serious charges that hon. gentleman has made.

Sir RICHARD CARTWRIGHT. I suppose the hon. Minister of Finance will enter into some general explanations before proceeding with the discussion of the details of the tariff changes.

Mr. McLELAN. I understood that some other hon. gentleman wished to continue the debate on Tuesday. If it be the wish of the House, I will refer to a few of the items to-night. I stated, in submitting them, that the object was mainly to substitute specific for *ad valorem* duties. The first item is shelled almonds and nuts. The change made there slightly increased the duties. On baking powder there is a change to specific duty, which will yield about \$5,000 additional revenue. The great difference in the prices and values of the baking powder imported has led to confusion and difficulties in the Custom houses, and we propose to place upon that a specific duty of 6 cents per pound, which, taking the average value of that

imported, will give us about \$5,000 additional revenue. Then, on fancy goods, we increased the duty to 30 per cent. from 20 per cent., the value imported and entered in 1885 being very much below that of 1883. We concluded that addition to the *ad valorem* duty would about enable us to receive about the same amount of duty that we received in 1882 and 1883. Then, of fruit, take the article of raisins. In 1882 and 1883 we had less weight of raisins imported and yielding us a revenue of \$108,326, while last year we had 750,000 pounds more imported, yielding but \$70,691; and we propose to place a specific duty that will about produce the amount received in 1882 and 1883. On other fruits, we expect to reach about the same revenue that we had in previous years. On green fruits we have made the change mainly on the imported fruit of the early descriptions; it is found they ripen earlier across the line by a week or ten days; the market is in the hands of the importer at very high prices during that period, and the importation is continued until they fall below the value that will pay duty and leave anything for importation. We have, therefore, placed the duty at 4 cents per lb., instead of 2 cents a quart as previously, in order that our fruit growers will receive some benefits from that protection. On fancy goods we have added 30 per cent., because value have fallen since 1882-1883, and we think we should collect on that class of goods about as much duty as we did in those years. In 1883, we collected \$241,000 under the 20 per cent. tariff, and in the present year, while we imported a larger quantity, the duty collected has fallen to \$191,000. By the increase of duty we expect to receive about \$240,000, or the same as we received in 1883. Lead pipe and shot: we shall not receive so much under this change, as the importation had largely increased last year owing to the great decline in value. By putting this rate, we will come back to the same percentage, and on the quantity we will perhaps get less as there will not be so much imported. As regards oleomargarine, we are unable to say how much is imported. Our object is to prevent its importation and manufacture, as far as possible, so that we hope not to receive any revenue from that source. Printed cottons and fabrics: the present rates upon cottons is 27½ per cent., and a difficulty has arisen among the appraisers and the Customs house officers as to what should be classed as printed cottons. Importations are now made of a description of goods, which are really printed cotton, and yet are entered under some other name at a lower rate. To prevent confusion and misunderstanding, it is proposed to use these terms "printed or dyed cottons, not elsewhere specified, 27½ per cent." Spirits and strong waters were not particularly described, so the Customs officers reported that they were not able to determine whether high wines should come in under the same rates as spirits or not. It was claimed they should not pay additional duty for the additional strength over a certain strength fixed, and in the alteration made last year in the duty on spirits and gin, old tom was omitted. When we go into committee, we may propose some alterations to make the duty more in harmony with the other duties on spirits and gin. On sugar we have taken what we think is about the average duty that has been charged upon sugar for five years. The great decline in the price has, of course, under the *ad valorem* duty, lessened very much what we have been receiving on sugar. In 1878, the average rate was \$2.39 per 100 lbs; take the quantity we imported in 1885, and at that rate we should have received over \$5,000,000 duty, whereas we only received \$2,544,921. In 1881, the rate was \$1.80 per 100 lbs; in 1882, \$1.69; in 1883, \$1.61; in 1884, \$1.50; in 1885, \$1.29. We propose to take what will be an average of those years, and from that we expect to receive between \$300,000 and \$400,000 additional revenue. If we took the tariff of 1884, we would lose on it; but taking the average of five years, we shall gain about \$400,000 more than

last year. As last year sugar fell very low, averaging only \$1.27 per 100 lbs., under the rates now proposed it will average between \$1.50 and \$1.60, giving us about \$400,000 additional, providing we import the same quantity. But perhaps we shall not, in this coming year, import quite so largely as in the past, as the stocks in the country are so heavy. The calculation which we make is based upon a polariscope test of from 85 to 87, as being about the average of what is imported.

Sir RICHARD CARTWRIGHT. What is the total revenue expected from all sources?

Mr. McLELAN. From all sources we expect an increase of about \$700,000.

Sir RICHARD CARTWRIGHT. What is the effect of the alteration of the duty on cordage?

Mr. McLELAN. That will not make any change in the receipts. I am informed by the manufacturers that it will not give any additional protection. The hon. gentleman knows that there is a great difference in the value of cordage imported, as in consequence of the adulteration of the sisal in it, the values change, and, by making part of the duty specific the collection will be simplified somewhat. The ordinary qualities will not be affected; it may affect the poorer qualities, but it is expected that it will reduce the amount on the better quality, and taking the whole we do not expect any additional revenue.

Sir RICHARD CARTWRIGHT. Is there any increase in spirits?

Mr. McLELAN. No, except on old tom. On gloves and mitts of all kinds, we hope to get back to the amount we collected in 1883, which reached \$204,000, while last year upon an equal quantity imported, we collected only \$179,000. By the increase we expect to receive as much as we did in 1883.

Sir RICHARD CARTWRIGHT. What alteration is made in the item of gas and water pipes?

Mr. McLELAN. There is an increased duty of 5 per cent., but we shall probably not receive any more, if as much, as there will not be as large an importation as there was in 1885, owing to the decline in the cost of that class of goods abroad, and our own manufacturers say they are prepared to increase the output very largely so that we do not expect any increase from the change on either the wrought iron or the cast iron tubing. When we take up the several items, I shall be prepared to give more details as to what is imported and what we expect to receive from each of them. We expect to receive about \$750,000 on the whole.

Resolutions read the second time.

Mr. McLELAN moved that concurrence in the resolutions be postponed until Tuesday.

Motion agreed to.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to; and the House adjourned at 11:35, p.m.

HOUSE OF COMMONS.

MONDAY, 5th April, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FIRST READINGS.

Bill (No. 81) to incorporate the Lennox Passage Bridge Company.—(Mr. Paint.)

Bill (No. 80) further to amend the Interpretation Act (from the Senate).—(Sir Hector Langevin.)

FINES AND FORFEITURES.

Mr. THOMPSON (Antigonish) moved for leave to introduce Bill (No. 82) in relation to certain fines and forfeitures. He said: I dare say most hon. members of this House are aware that the statutory provisions of Canada relating to fines and penalties, and their appropriation are in a somewhat unsatisfactory condition. A number of the Statutes which make provision for the imposition of fines and penalties have no provision as to the application of such forfeitures, excepting the provision in 31 Victoria, chapter 1, section 7, sub-section 22, which I will read to the House. It is in the Interpretation Act and reads as follows:—

“Whenever any pecuniary penalty or any forfeiture is imposed for any contravention of any act,—then if no other mode be prescribed for the recovery thereof, such penalty or forfeiture shall be recoverable with costs by civil action or proceeding at the suit of the Crown only, or of any private party suing as well for the Crown as for himself,—in any form allowed in such case by the law of that Province where it is brought,—before any Court having jurisdiction to the amount of the penalty in cases of simple contract,—upon the evidence of any one credible witness, other than the plaintiff or party interested; and if no other provision be made for the appropriation of such penalty or forfeiture, one half thereof shall belong to the Crown, and the other half shall belong to the private plaintiff, if any there be, and if there be none, the whole shall belong to the Crown.”

By a recent decision of the Supreme Court of Canada it has been held that this provision only extends to the recovery of penalties or forfeitures in a civil action to recover them, and therefore the cases remain unprovided for as to the appropriation of penalties recoverable in criminal proceedings, or quasi-criminal proceedings. The amendment, therefore, which I propose to make is as follows:—

Where no other provision is made by any law of Canada for the application of any fine, penalty or forfeiture, imposed for the violation of any such law, the same shall belong to the Crown for the public uses of Canada.

The Governor in Council may from time to time direct that any fines, penalties or forfeitures, or any portion thereof which would otherwise belong to the Crown for the public uses of Canada, be paid to any Provincial, municipal or local authority which wholly or in part bears the expenses of administering the law under which such fines, penalties or forfeitures are imposed, or that the same be applied in any other manner deemed best adapted to attain the objects of such law and to secure its due administration.

Motion agreed to, and Bill read first time.

PRINCE ALBERT COLONISATION COMPANY.

Mr. BOWELL. Before the Orders of the Day are called, I desire to draw the attention of the House to a motion placed upon the Order paper for the first time to-day by the member for West Ontario (Mr. Edgar), in which certain charges are insinuated against myself. This motion asks for the appointment of a special committee to investigate all matters connected with the formation and organisation of the Prince Albert Colonisation Company, in which motion the following paragraph is to be found:—

“That the affair was conducted with the knowledge of the Honorable Mackenzie Bowell, then and now member for North Hastings, and Minister of Customs, the father-in-law and associate in business of the said James C. Jamieson; and Mr. Bowell was consulted during its progress, and when Mr. Jamieson ultimately sold his ‘blind share’ Mr. Bowell received from Mr. Jamieson, upon some transaction between them relating to the affair, \$500 out of the price of the said ‘blind share.’”

As these statements affect not only my position as a Minister of the Crown, but my reputation as a public man, I respectfully ask the House to waive all rules and allow the member for West Ontario (Mr. Edgar) to make the motion at once; as it would be a grave wrong to me to allow it to remain upon the notice paper one moment longer than was necessary to grant the committee. I therefore claim, not as a matter of courtesy, but of justice, that the member for West Ontario (Mr. Edgar) should be given the opportunity,

Mr. McLELAN.

at the earliest possible moment, to place himself in a position to substantiate, if he can, the accusations insinuated in his motion. In the paragraph which I have read, it is stated: First, that I am the father-in-law and associate in business of the said James C. Jamieson. It is true that I am the father-in-law of Mr. James C. Jamieson. I have yet to learn, however, that that is a crime, or a breach of the privileges of this House; but it is not true that I am now, or ever have been, directly or indirectly, his associate in business. It is stated, secondly, that I was consulted during the progress of the formation and organisation of the said Prince Albert Colonisation Company, thereby implying that I was personally interested in the success of the company. This is not true, in the sense in which the insinuation is made; I was not consulted. Mr. White did, in casual conversation, as did others, speak to me of their intention to organise colonisation companies, but I had no conversation or correspondence with Mr. James C. Jamieson upon the subject, as he had nothing, so far as I know, to do with the matter until the lands had been selected, and the Department of the Interior had agreed to allot them to a company which might be formed by Mr. White and his associates, upon the terms which lands for colonisation purposes were granted. Thirdly, it is stated that Mr. Jamieson ultimately sold what the motion terms his “blind share.” Mr. Bowell received from Mr. Jamieson, upon some transaction between them relating to the affair, \$500 out of the price of the said “blind share.” If it is intended by this to imply that I had an interest in the Prince Albert Colonisation Company, and that \$500 was given to me by Mr. Jamieson as my proportion of the amount received by him, after selling what interest he had in the said colonisation company, I give it the most emphatic and positive denial. I have not now, nor did I ever have, any pecuniary or other interest in the said company, either directly, indirectly, inferentially, or otherwise. Any moneys received by me from Mr. Jamieson at any time was to repay that which had been loaned by me to him—an accommodation and assistance which he has received from me, to a greater or less extent, as he might require it, for the past ten or twelve years. But I am not aware that these transactions concern this House, or should become a subject for a special committee to investigate; still I am quite willing, even in this particular, to satisfy the prurient curiosity of the member for West Ontario (Mr. Edgar), and then leave it to the committee about to be appointed, and to the House, to judge of the character of the imputations implied in the motion, and of the motives which have actuated the mover of the resolution, in placing it upon the notice paper. I desire, Mr. Speaker, again to pronounce in the strongest possible language, that the insinuations contained in the motion of the member for West Ontario (Mr. Edgar), so far as they relate to me, are untrue and false in every particular; and therefore urge that the House consents to the motion being made the first Order of the Day, so as to enable the mover, at the earliest possible moment, to produce the evidence upon which he has ventured to state his belief, that he can establish the truth of the imputations embodied in said motion. I may add that any assistance I can give the gentleman in order to procure whatever evidence he has at hand, or to facilitate the action of the committee, I shall most readily give.

Mr. WHITE (Hastings). Before the hon. gentleman makes his statement to the House, I hope he will have the manly honesty to tell the conversation that passed between himself and Mr. Hugh Sutherland, a member of this House, concerning my connection with the Prince Albert Colonisation Company.

Mr. EDGAR. I quite agree with the hon. Minister of Customs that this is a matter which should be brought up at the earliest possible moment. And I shall, with the

permission of the House, do so at once, as I did not put this motion on the paper without being ready to go on with my proofs at the shortest possible notice. I beg, Sir, to state in my place as a member :

That I am credibly informed and believe that I can establish, by satisfactory evidence, that in the year 1882 John White, Esquire, then and now member for East Hastings, who was associated in the transaction with James C. Jamieson, of Belleville, journalist, used his influence with the Government of which he was a parliamentary supporter, to obtain, and did obtain—

Mr. WHITE (Hastings). That is not true.

Mr. EDGAR—

An Order in Council and an agreement for a grant, for colonisation purposes, of 51,200 acres of choice lands near Batoche, in the North-West Territories, with the intention of trafficking with such grant, by the formation of a colonisation company, the members of which should give the said White and Jamieson special advantages and profits in consideration of the procuring of the said order and agreement, and of assistance and promotion of the interests of the company in the past and in the future ;

That subsequently they formed the company called the Prince Albert Colonisation Company, and got the other shareholders to agree that for the said considerations each of them, Messrs. White and Jamieson, should be entitled, without payment out of their own pockets of any money, to a free gift or bonus of one-twelfth part of the expected profits, which were estimated to be very great ; and they each accordingly received what were called "blind shares" to the amount of \$33,000 nominal value, on which they were not to pay and did not pay any sum out of their own pockets to the company or otherwise than out of the expected profits, while the other shareholders were to pay and did pay their calls in cash, to the extent of \$20,000 and upwards ;

That the affair was conducted with the knowledge of the Honorable Mackenzie Bowell, then and now member for North Hastings, and Minister of Customs, the father-in-law and associate in business of the said James C. Jamieson ;—

Mr. WHITE (Hastings). That is not true.

Mr. EDGAR—

and Mr. Bowell was consulted during its progress, and when Mr. Jamieson ultimately sold his "blind shares" Mr. Bowell received from Mr. Jamieson, upon some transaction between them relating to the affair, \$500 out of the price of the said "blind shares" ;

That Messrs. White and Jamieson fulfilled their agreement further to promote the interests of the company, and the company subsequently obtained from the Government an Order in Council for a very favorable exchange of part of their land for other land on the shore of the South Saskatchewan, in what is known as the parish of St. Louis de Langevin ;

That in 1882 Mr. White applied to the Government for another lot of choice lands near Edmonton, in the North-West Territories, which he subsequently offered to procure from the Government for the paying stockholders of the Prince Albert Colonisation Company upon the same system of the allowance to him of a profit or "blind share" for his services ;

That in 1882 Messrs. White and Jamieson procured from the Government an agreement for another lot of choice lands in the North-West Territories for the Shell River Colonisation Company, on the same system of the allowance to them of profits or "blind shares" for their services.

Now, according to the notice I gave, I beg to move :

That a select committee be appointed to enquire fully into the said allegations, with power to send for persons, papers and records, and to examine witnesses upon oath or affirmation, with instructions to report the evidence and all proceedings of the said committee, and that the said committee be composed of Messrs. McCarthy, Laurier, Hall, Weldon, Tupper, Davies, Girouard, Patterson (Essex), and Lister.

In making this motion, Mr. Speaker, I do so with regret.

Some hon. MEMBERS. Hear, hear.

Mr. EDGAR. I regret that the necessity has arisen for proclaiming to the world that such a state of things exists. It is never pleasant to have to bring charges against a fellow member ; but when I have information which convinces me of the truth of these charges, the House will feel, and what is more, the country will feel, that my duty is clear—that I could do nothing else than I have done. I have made specific statements of facts which can readily be investigated by a committee. Assuming that the House will order that investigation, I propose to make no comment whatever upon my allegations further than to say, that they so far compromise the honor of the House and of some of its members as to call for a prompt and thorough enquiry. With reference to the remarks of the hon. member for East Hastings (Mr. White), in which he called upon me to state to this House the words of a conversation which he says took place between the hon. member for Selkirk

(Mr. Sutherland) and myself upon this subject, I can only say that no conversation which I had with Mr. Sutherland, or with anybody else, was at all inconsistent with, but was entirely corroborative of the facts which I have set out in these statements. I beg to make the motion as a matter of privilege, if it is necessary, although, with the consent of the House, I suppose I can do it in the ordinary course.

Sir HECTOR LANGEVIN. After the declaration of the hon. Minister of Customs, I think that nothing was left to the hon. member for West Ontario (Mr. Edgar) but to put the motion before the House. It is a matter which should, of course, be investigated now, as the statement has been made by the hon. gentleman on his responsibility as a member of this House. The charge is one which affects the standing of two hon. members of this House, one of whom is a Minister of the Crown ; and as it is not a mere matter of curiosity, but is a charge or an insinuation against those hon. gentlemen, I think, under the circumstances, the House will see that it is a matter of privilege, as the hon. gentleman himself stated just now, and should therefore be investigated by the Committee on Privileges and Elections. Besides, I think the House will agree with me that there are not only two members of this House who are on their trial. I have no doubt the hon. gentleman who made the motion has felt that he is on his trial also in making these charges against these hon. gentlemen ; and therefore, having done so, it is important that he should have the fullest opportunity before an impartial tribunal to present his case, and to bring his witnesses and the documents he has to produce in support of his charges. If the hon. gentleman cannot prove his charges, of course he knows perfectly well that he must abide by the consequences. Therefore, without going further into this matter, which, of course, we should not now discuss except to refer it to the committee, I move, seconded by the hon. member for Antigonish (Mr. Thompson) :

That the last paragraph be expunged and the following substituted : The above statements be referred to the Standing Committee on Privileges and Elections, with instructions to report the evidence and all proceedings of the said committee and their finding thereon, with power to send for persons, papers and records and to examine witnesses upon oath or affirmation.

Mr. WHITE (Hastings). Before that amendment is put, as far as I am personally concerned, I would much rather this matter would go to the committee moved for by the hon. member for West Ontario (Mr. Edgar). The reason I would like it to go there is this : In conversation with the hon. gentleman some time ago, I said I was quite prepared that he should move a committee of one, consisting of the hon. member for East York (Mr. Mackenzie), the hon. member for Norfolk (Mr. Charlton), the hon. member for Brant (Mr. Paterson), or the hon. member for Bothwell (Mr. Mills)—any one of those gentlemen, or all four ; that I had done nothing I believed was wrong or against the law, or my honor as a member of the House. If the matter goes to the Committee on Privileges and Elections, it will take too long ; let us know the whole truth and have it at once. I have nothing to fear. This is the seventeenth Session I have been a member of the House, and, I believe, I have as many well-wishers in it as any other member ; I am satisfied I have as many personal friends in the House as any other member. The conversation which passed between the president of the company and myself—and I have not written to him, I have not communicated with him, by myself or any other party, until I saw him the night, if I mistake not, when he left for England. I said : "Mr. Sutherland, Mr. Edgar talks of a motion of enquiry for papers ; and I advised him to get a committee consisting of one and to name the committee." He said : "I have just had a conversation with Mr. Edgar, and I said to him : 'Edgar, what do you mean ? So far

as John White is concerned, he has done nothing but what any gentleman could do; he has neither directly nor indirectly received one cent of benefit by the Prince Albert Colonisation Company.' So Mr. Sutherland informed me he said to Mr. Edgar. We will live to meet Mr. Sutherland in this House, because I hope he will be successful and come back with money enough from the English market to build the Hudson Bay road. We will meet him face to face in the House of Commons; I hope we will all live to do that, unless the seat be taken away from me, which no person has yet succeeded in doing. So far as the resolution is concerned, it is well written and astutely prepared. The hon. gentleman (Mr. Edgar) will not be offended if I say that, though he has been ambassador to British Columbia and his ambassadorship cost the country \$6,000, he had not the intelligence to write that document; for all that he was an ambassador on matters affecting gas at the Champ de Mars meeting at Montreal, to associate with men who were finding fault with the Government because they allowed the law to take its course, and who are insulting the noble-hearted people that sorrowed for the deaths of dear ones—for all that he went there and was not successful; he never, in my opinion, wrote the document. This document was written by my dear, kind, large-hearted, sympathetic Irish brother, friend Blake. My dear brother, every line is yours. When parties in difficulty need sympathy, I always look, and I find it is a good thing, for the sympathy of the ladies. In my misfortune on this occasion—if it is a misfortune—I will have the sympathy of two; I will name them, if you will excuse me. When I am out of order, Mr. Speaker, you will call me to order. One is my partner, who has fought the hard battle of life with me, Mr. Speaker, and she is the mother of a large family, which, I think, is something very beneficial to this country, and she has had to stay at home to nurse and take care of them. The documents written by the correspondent of the *Globe*, whom I have never injured, the correspondence in the *Globe* by the editors and others connected with that paper, whom I have never injured by word, act, or deed, and I hope I never will—every document they wrote, every editorial they wrote, was copied into the Belleville Grits newspaper, a paper that, when I for seven years was member of the County Council as Reeve, I insisted on getting an equal amount of printing with the Conservative paper—a gentleman to whose brother-in-law, when I had an important gift in my power, I gave it, instead of to one of my friends.

Mr. LANDERKIN. You ought to have given it to your son-in-law.

Mr. WHITE (Hastings). Now, doctor, keep cool; I will battle my own way. She has had to read these matters over, and has had to notice the cowardly, mean and contemptible correspondents that attack a man, and have not the moral courage and independence to put their names to the attack. She has had to read all these things, but I said to her: "All right, Esther, take it quietly, it is all right. I never surrendered, and I never will; I will be all right." That I have her sympathy to-day, I am sure; I am sure I have another kind-hearted lady's sympathy, and that is the sympathy of the hon. member for West Durham (Mr. Blake's) good lady. I will tell you how I got that: You remember, Sir, when we were fellow passengers crossing the ocean, and on the Sunday morning, the first after we left Lough Foyle, I remember the late hon. member for Leeds and myself were walking up and down the vessel, trying to fight against that dread disease, sea-sickness; you remember, Mr. Speaker, when with your portly form you went to the side of the ship and cast up your accounts, and when the said hon. member for Leeds (Mr. Jones) said: "Go it, George, there is lots of room." We landed upon a beautiful Sunday morning in August at Point Lévis.

Mr. WHITE (Hastings).

Of course, the Minister of Justice was very anxious then to see his native Canada, to breathe once more its fresh air, and, when he got his foot on Canadian soil, he walked off and left alone Mrs. Blake, letting her do as she will, letting her look after the luggage. The sailors were pulling the luggage here and there, and then the officers of the Minister of Customs came to look after the smugglers, and one man in particular was trying to interfere with Mrs. Blake, when I came up to the fellow and I hit him on the shoulder, and I said: "What is the matter?" "Leave that alone; that belongs to the Minister of Justice; if you insult Mrs. Blake again, I will tramp you where you stand." And added: "When the Minister of Justice comes back, after he has got the fresh air, when he gets the keys, you can do as you please." Well, Sir, after the Minister of Justice had got the fresh air, he came back, and he said: "Well, my dear, how are you getting along?" She said: "Yes, I am getting along, thanks to Mr. White." So you will see, Mr. Speaker, that I have the sympathy of two good ladies, my own good partner, and the partner of the man who penned this accusation. I am not going to discuss the question now with the hon. gentleman, with all his legal ability, with his general ability, with his honesty of character, with his love of country, with his patriotism, because he is composed of that from the crown of his head to the sole of his foot. So far as he is concerned, let him come on with his evidence, and he will find that, as far as I am concerned, I am prepared, here, there, or in any other place, to take my own part. I neither fear his eloquence, nor his size, nor his muscle, nor his honesty, nor his statesmanship. I do not fear him or anybody else. I do what is correct. This is brought on all for this little seat, this seat for East Hastings. There is one thing I can say, it has never been purchased for me by any Minister or anybody else. No man had ever to write a letter to ask the people of East Hastings to elect me. They know who I am. They have known me for thirty-eight years. I am not ashamed to state that I landed in the town of Belleville thirty-eight years ago with a York shilling, and that I worked on a farm for \$3 and \$4 a month in that county. My hon. friend, Mr. Paterson, of Brant, knows the people of my county, and those people know who I am. I got the seat in 1872 independent of the influence of the member for East York—whom I highly respect, because he was managing the affairs of the party for the member for Durham, who was then conveniently absent. I admit, I acknowledge and I say that I am the follower of the First Minister, and that I have been his follower through evil and through good report, and, if he goes into Opposition, I will go with him. At the time I speak of, it was thought that it would not answer for me to try unless the seven or eight hundred Roman Catholic voters went for me, and I only got two out of those seven hundred voters. I had the banks against me, I had the commercial men against me, I had the Tories under Sir John Macdonald against me, and I had the Grits against me, but I got the seat and I will hold it. I might go on and say many things that might not be acceptable or pleasing, but I will not. I do not say these things to create amusement. Not at all. It is serious. The hon. gentleman has made his charge; he will try to prove it; and, no matter what the consequence may be, I will have to take it. I have yet to learn that I have not the right to make an agreement with any gentleman, if I do it in the light of day and within the laws of the country. As far as the Minister of Customs is concerned, I knew nothing of him in the transaction. If I wanted a favor from any member in the Cabinet, I would rather go to any Minister than to the Minister of Customs. I got no favors from the Minister of Customs, and I asked none. I got no favors from any member of the Cabinet, and I asked none. I have had a great deal of business in the Indian Department, because the most

important township in the county I have the honor to represent was once an Indian township, and a great number of patents were not got out. You can apply to Mr. Van-koughnet to find out if I ever asked him to do wrong. I have had a great deal of business with Mr. Lindsay Russell. Ask him if I have ever done wrong. You can ask the present Deputy Minister of the Interior, and you can ask those gentlemen who are under him if I ever tried to do wrong. I do not thank the Government for passing any Orders in Council. I am not ashamed to say that the Prince Albert Colonisation Company paid \$20,000 in cash into the treasury of this country; and when it is circulated and reported that that company insulted or crushed the half-breeds at Batoche, it is untrue. No living man can prove that anyone was insulted or injured, directly or indirectly, by that company. So soon as that company found from Mr. Stephenson's report that there were half-breeds settled on their lands, a committee of four, of whom I was one, went to the Minister of the Interior and said that when we found that these half-breeds were settled on the land, we would have nothing to do with the half-breeds, or with the land; but we would take back the money or take the land in some other place. If any Frenchman, or any Englishman, or any Scotchman, or any Irishman, or anyone else says that we injured the half-breeds there, he says what is not true. We never injured a half-breed, and I thank God we never will. With reference to the Shell River Colonisation Company, it has built a saw mill and a grist mill, and has expended money to the extent of \$25,000 or \$26,000. If I have done wrong, tell me where. Very few members of this House have done more or tried to do more than I have done for the benefit of the North-West. I would like to give the history of the timber limits, but that does not come in here. I hope that the hon. member (Mr. Edgar) who went into the front door of an Orange lodge and out of the back door, and who insulted the Orange society, will get this committee; I hope he will get his investigation; I hope he will get it to his heart's content, to his honest heart's content, to his religious heart's content, until the whole of him will be contented; but then this will not be settled, for I will give him a Roland for his Oliver. I will tell him candidly that I will fight my battle through evil and through good report. He, Sir, will have to meet me face to face. The chaps that have propped this up—I beg pardon, that is not the term—that wrote this document, the members of this House that wrote this document, that bring these charges, before they are through with John White will find that they have woke up the wrong passenger. If there is to be any dirt-slinging, they will get it to their hearts' content. I think I have a tongue—perhaps it is owing to my education—that will help me to do it, and I will try to supply it. I thank you for your kindness, I thank you for your sympathy, I thank you for your courtesy. Now let us have the investigation. Let that great and good man have his investigation; and, Sir, I can say to him, that before he is through he will find out this fact, that he will regret that he ever undertook it.

Mr. BLAKE. As the hon. Minister of Public Works has proposed this amendment, I do not intend to delay the House by any lengthened argument upon it. I will say, however, that when I was sitting upon the other side of the House in the majority, as I am sitting on this side in a minority, I recognised the fact, and acted upon the view, that a small select committee was a much more appropriate tribunal for the investigation of facts than the large Committee on Privileges and Elections. I remain of that opinion, and, therefore, I regret much—and I sympathise with that portion of the speech of the hon. member for Hastings (Mr. White), though I cannot profess to any great

sympathy to a good deal of what he said—I am sorry that it is proposed to alter the tribunal, and for my part I must vote against the amendment.

Mr. HAGGART. Let me draw attention to the fact that there is no charge against the hon. member for Hastings (Mr. White) in this statement of Mr. Edgar. Suppose that everything proved true before the committee, which the hon. gentleman charges, what action is the House going to take? There is no charge of corrupt practices, or anything. I think that before a committee is appointed the charges should be such that if they are found to be true, some punishment should be visited upon the member, either unseated, or something else. There is not the slightest charge of a corrupt practice in all this statement.

Amendment (Sir Hector Langevin) agreed to on division.
House divided on main motion of Mr. Edgar, as amended.

YVES :

Messieurs

Allen,	Fortin,	Mills,
Allison,	Foster,	Mitchell,
Armstrong,	Gagné,	Moffat,
Bain (Soulanges),	Gaudet,	Montplaisir,
Bain (Wentworth),	Gault,	Mulock,
Baker (Victoria),	Geoffrion,	O'Brien,
Barker,	Gigault,	Orton,
Beaty,	Gillmor,	Paint,
Béchar, d,	Glen,	Paterson (Brant),
Bell,	Gordon,	Patterson (Essex),
Benoit,	Grandbois,	Pinsonneault,
Bergeron,	Guilbault,	Platt,
Billy,	Guillet,	Pope,
Blake,	Gunn,	Pruyn,
Blondeau,	Hackett,	Ray,
Bourassa,	Hall,	Reid,
Burns,	Harley,	Rinfret,
Burpee,	Hesson,	Riopel,
Cameron (Huron),	Hilliard,	Robertson (Hastings),
Cameron (Inverness),	Homer,	Robertson (Shelburne),
Cameron (Middlesex),	Hurteau,	Ross,
Campbell (Renfrew),	Innes,	Scott,
Campbell (Victoria),	Irvine,	Shakespeare,
Carling,	Ives,	Small,
Caron (Sir Adolphe),	Jackson,	Somerville (Brant),
Casey,	Jenkins,	Somerville (Bruce),
Casgrain,	Kaulbach,	Springer,
Chapleau,	Kilvert,	Sroule,
Charlton,	King,	Stairs,
Cochrane,	Kinney,	Sutherland (Oxford),
Cockburn,	Kirk,	Taschereau,
Colby,	Kranz,	Taylor,
Cook,	Landerkin,	Thompson (Antigonish),
Costigan,	Landry (Kent),	Trow,
Coughlin,	Langelier,	Tupper,
Curran,	Langevin (Sir Hector),	Tyrwhitt,
Outbert,	Laurier,	Vail,
Daly,	Lesage,	Wallace (Albert),
Daoust,	Livingston,	Wallace (York),
Davies,	Maedonald (King's),	Ward,
Dickinson,	Mackintosh,	Watson,
Dodd,	Macmillan (Middlesex),	Weldon,
Dugas,	McCallum,	White (Cardwell),
Dundas,	McCarthy,	White (Renfrew),
Dupont,	McCraney,	Wigle,
Edgar,	McDougald (Pictou),	Wilson,
Everett,	McDougald (O. Breton),	Wood (Brockville),
Farrow,	McIntyre,	Wood (Westmoreland),
Ferguson (Welland),	McLellan,	Woodworth,
Fisher,	McMullen,	Wright.—150.

NAYS :

Monsieur

Haggart.—1.

Mr. LAURIER. I would suggest to the House that the practice followed in England on similar occasions should be adopted on this occasion. I find that in England when such charges are made it is usual to add to the committee charged with the investigation, the mover of the resolution, but without power of voting, and in like manner it is usual for the gentleman accused to name someone to represent him on that committee, but also without power of voting. I would refer the House on this question to a precedent in the

English House of Commons in 1858. Mr. Roebuck made a charge against Mr. Butt, and a committee was granted composed of Sir James Graham, Mr. Sidney Herbert, Mr. Bright, Mr. Sergeant Kinglake, Mr. Bouverie, General Codrington and Colonel Wilson Patten. Thereupon Mr. Roebuck and others spoke as follows:—

"The petition which I have presented is about to be referred to this select committee. I suppose there must be somebody to take charge of it. Now, I am not very anxious to undertake so disagreeable a task, but having presented the petition, I feel bound to present myself to the House.

"**SIR JAMES GRAHAM** said that in conformity with precedent and the claims of justice, Mr. Butt ought to be at liberty to nominate an hon. member to attend the committee on his behalf.

"**MR. SPEAKER** said that the House had on former occasions, as the right hon. Baronet had stated, nominated two members to serve on the committee for the purpose of conducting the enquiry, on either side, but without having a vote.

"**MR. FAGAN**, on the part of Mr. Butt, named Mr. Serjeant Deasy.

"**Ordered**—That Mr. Roebuck and Mr. Serjeant Deasy be appointed to serve upon the said committee, and to take part in its proceedings, but without the power of voting."

I would therefore suggest, Mr. Speaker, in conformity with this precedent, that the hon. member for West Ontario (Mr. Edgar) should be appointed on the committee to conduct the enquiry, but without the power of voting, and in like manner, that the hon. member for Hastings (Mr. White) should suggest someone to be appointed on the committee on his own behalf.

MR. THOMPSON (Antigonish). What was the charge in the case you quote?

MR. LAURIER. The charge was that Mr. Butt had taken a money consideration to promote the interests of a certain Indian prince. The petition states:

"That Isaac Butt, Esq., M.P., on or about the month of July, 1856, entered into a corrupt agreement with the Rajah Ali Moorad Khan, or his agents, the effect of which was that the said Isaac Butt, for a sum of money stipulated to be paid to him, should advocate and prosecute in the House of Commons the claim of his Highness for the recovery of the territory of which he had been deprived by annexation by the East India Company."

I therefore move, accordingly, that Mr. Edgar should be appointed on that committee, and that the hon. member for Hastings be given the option of naming someone to serve on the committee in his behalf, but neither to have a vote.

MR. SPEAKER. We have no precedent for adding members without power to vote.

MR. BLAKE. In unprovided cases we follow the practice of the English House of Commons.

MR. WHITE (Hastings). So far as I am concerned, I think I can do that job myself as well as anyone. I am not a lawyer, but I think I can fight my way through without anybody to help me. I thank the hon. gentleman for his kindness and his goodness, but I will ask nobody to represent me.

MR. LAURIER. Although there is no precedent in our own proceedings, we follow in all unprovided cases the practice of the English House, as suggested by my hon. friend. It is certainly a matter of justice that someone should, as stated by Mr. Roebuck, attend to prosecute the enquiry.

MR. SPEAKER. In the English case it was a select committee—this is a standing committee. In that case a select committee was specially appointed, and all parties interested were to attend. This is a new practice.

MR. BLAKE. Quite true; but the requisitions of justice must be the same, whether the committee be a select committee or the Committee on Privileges and Elections. If it is according to the principle of justice that the person who makes the charges, and the person who has to answer them, should have the convenience, one of being on the committee, and the other of being represented on the committee, it is quite clear that this practice must apply to the

MR. LAURIER.

standing committee as well as to a select committee. There is no difference in that. The principal question on which the committee are supposed to be consulted, and are supposed to act, is that they act judicially on these matters; that there is not among the members of the committee a prosecutor or a defender; that the members of the committee are there to hear what is said on each side, with, of course, the privilege, wherever they see it necessary to the ends of justice, of asking further questions for the purpose of making the investigation thorough and satisfactory, so that the truth may be reached. An hon. member who is not on the committee—as the hon. member for Hastings, I believe, is not on it, and as the hon. member for West Ontario is not on it—would, of course, not be in the position of being able to ask a single question or make a single suggestion in the way in which a member of the committee would be. In England by nominating the hon. member who makes the charge a member of the committee, he has the same privileges as other members, except that of voting on the question. He is, therefore, able to say, for example: Mr. Chairman, I move that Mr. so-and-so be summoned as a witness; and the committee, except himself, decide whether the person be summoned. He also, for instance, proposes that such and such questions be asked; and the committee decide the matter. But the hon. member for West Ontario and the hon. member for East Hastings would not have the right to make any motion, either of them, before the committee. The English practice, therefore, seems to me the more convenient practice. We have no practice contrary to the English practice. Our rule has been in parallel cases to adopt the English practice, and, even if it has not been our rule, it is certainly calculated to meet the demands of justice.

MR. THOMPSON (Antigonish): So far as the requirements of justice are concerned, they are safe, I take it, in the hands of the committee. As regards the suggestion with respect to what witnesses should be summoned and what documents produced, both as regards the charge and the defence, the committee will decide that from day to day. But the mover of the committee in the resolution which has just been carried, put to the House his own sense of what practice should be adopted when he nominated a committee of which he was not himself a member, either for speaking, moving or voting. I think, therefore, we have, at least, an indication from the mover of the resolution that nothing of this kind was desired on his part. We have the further distinction which has been suggested by yourself, Mr. Speaker, that the committee has already been appointed and the will of the House already declared, that it should be the Standing Committee on Privileges and Elections. It is proposed by this motion to turn it into a special committee, entirely differently organised from the standing committee. Besides, Mr. Speaker, while there is no question, I presume, that the House has the right to depart from its ordinary practice and follow the English practice on this subject if it pleases, this much is certain: that both this House and the Provincial Legislatures, if it be proper to refer to them for precedents, have a well defined and established practice with respect to this very matter. In 1876 a charge was brought against a member of this House—not exactly a charge, but circumstances were brought to the notice of this House which, it was alleged, affected the right of the member to his seat. That matter was referred to the Committee on Privileges and Elections as originally constituted, and no application was made to the House by the promoter of the charge or those who were interested in the defence to be added to the Committee with any privileges whatever. In 1877, the House will remember, day after day, the House entertained charges, not only with respect to members having violated the Independence of Parliament Act, but as to members of the Government having allowed such members to violate the Independence of

Parliament Act, and those matters were referred to the Committee on Privileges and Elections, the Committee sending for witnesses and documents; and yet in not one of the long list of cases, involving Messrs. Anglin, Currier, Norris, Burpee, Moffat, Workman, Desjardins, was the English practice, which has been appealed to now, followed, a practice which is not in any sense obligatory in the English Parliament but is entirely optional, as appears from the citation of the hon. member for Quebec East. In 1877, it will be remembered, a question was brought before this House as an amendment to go into Committee of Supply; it was an application to have the House affirm the principle that members of Parliament, and especially the Speaker of the House, should not be interested in contracts with the Government; and that motion was steadfastly refused by the hon. gentlemen who were then controlling this House, on the ground that while it might be proper to affirm such a general principle, the case was one which should be referred to the Committee on Privileges and Elections, and the case was subsequently referred to that committee; both sides, of course, were heard, witnesses, I presume, were examined, the case was reported on. But no intimation was given that the English practice should be adopted of having the matter go to a committee composed in part of the mover of the motion and the defender. The same practice existed in the Local Legislatures. The hon. member for West Durham (Mr. Blake) will remember a case in which an imputation was made against himself in the Legislature of his own Province, and a proposition was made to the House that a committee should be appointed to investigate the charge, which was indirectly made. The hon. member, in the first place, required that the charge should be made more specific; then he required a further modification to be made, viz., that it be referred to the Committee on Privileges and Elections. The practice that has grown up in the Local Legislatures and in this Parliament, the House should not be called upon to depart from now for the purpose of following what is really not established to be the English rule on the subject, but a practice which occasionally is adopted in the Mother Country.

Mr. EDGAR. The Minister of Justice is under a misapprehension when he suggests that, because I adopted the form I did of moving a committee without adding my own name to it, I did not think such a motion as has been moved by the hon. member for Quebec East (Mr. Laurier) was necessary. In fact, the reason why I left my name off the committee was, that I considered such a motion as has been moved was necessary in order to supplement my resolution. For I think in a case of this kind it is as well, if it can be avoided, that the person who is in the position of a *quasi* prosecutor should not be acting as a judge upon the committee; but, at the same time, there is a manifest inconvenience which has already been pointed out, in his not being on the committee for the purpose of conducting the prosecution, if it may be so called. Now, in the cases to which the hon. Minister of Justice has referred as being referred to the Committee on Privileges and Elections without any name being added in this way, I think, in nearly all these cases, the hon. member who made the charge or brought the matter before the House, or pressed it on the attention of the House, was already upon that committee. At all events, the Minister will not find that any application of this kind was refused when it was made; and I think it is more a matter for this House to decide than for me to press upon it. I have taken the responsibility of making this statement and moving for this committee; and as Mr. Roebuck said in the case of Mr. Butt, already quoted: I am sure I do not wish to press my services upon the committee unduly; but I am ready, whether I am allowed the privilege of appearing on

the committee with a vote or not, to attend every day when requested, or every day the committee sits, until the matter is fully and thoroughly investigated. I would prefer to be on the committee and vote, so that my opportunity for usefulness might be increased, but if the Government do not wish that, of course I will have to submit.

Mr. HESSON. The informer is always examined.

Mr. SPEAKER. I perfectly agree that there is no rule against such a proceeding in the practice of the House, and that it is in the power of the House, as it is in accordance with English practice, to appoint additional members to a committee.

Mr. McCARTHY. I would like to ask why the name of the hon. Minister of Customs has been left off the committee. Can my hon. friend explain that?

Mr. LAURIER. I took it for granted that he was on the committee, and I shall be glad to have his name added.

Sir HECTOR LANGEVIN. Is not notice required for a motion of this kind?

Mr. IVES. I rise to a point of order. This motion is not really a motion to increase the membership of a standing committee, but simply a motion to add special members to a special committee—because this committee has been made a special committee for this purpose—and therefore I hold it is not in order.

Mr. BLAKE. The standing committees of this House—
Some hon. MEMBERS. Spoke, spoke.

Mr. BLAKE. I am not aware that I have spoken on the point of order. I was about to say that every standing committee was a select committee, for we have a special order under which we are bound to appoint seven, eight or nine standing committees in the early part of the Session, and the regulations with reference to them are no more cast-iron—are no more like the laws of the Medes and Persians, than those with reference to any other select committee. You have just now ruled, Sir, in accordance with the rules of the House, and alike in accordance with good sense. I think that it is quite in our power to modify the constitution of our ordinary committees under the limits provided by the English practice. It is simply a question of convenience whether it should be done in particular cases. If this be true, as laid down by the English practice, and as was plainly a requisite of justice and of the judicial attitude of the committees of the House, I think it applies as much in the case of this committee as in the case of all other committees, with regard to what the Minister of Justice has said as to the proceedings in the Ontario Legislature. I may say I have not looked at those proceedings for a long time, but my memory does not verify his statement that the motion he referred to in the Ontario Legislature was referred to the Committee on Privileges and Elections.

Mr. BOWELL. Is that a point of order?

Mr. THOMPSON (Antigonish). I did not say it was referred to the Committee on Privileges and Elections, but that the hon. gentleman said that he would require that it should be so sent. At a subsequent stage he carried an amendment in the Ontario Legislature which entirely changed the nature of the charge, in the view of those who were promoting it.

Mr. BLAKE. Hear, hear.

Mr. THOMPSON (Antigonish). What I stated was that the hon. gentleman required, before he moved his amendment, that the matter should be referred to the Committee on Privileges and Elections, but when he was so fortunate as to get the charge made to suit himself, then he changed his mind.

Mr. SPEAKER. The hon. member for Richmond and Wolfe (Mr. Ives) takes the point that this motion is not in order. The question is somewhat difficult, but it appears to me that the question of privilege which has brought up the question now before the House, has been disposed of by the motion which has just been carried. It seems to me, therefore, that this motion should have been moved as an amendment to the main motion, as amended when the motion of the hon. Minister of Public Works was carried, referring the matter to the Committee on Privileges and Elections. The question of privilege has been decided; this is now a question to add members to a committee, and as such motion requires notice, for that reason I think the motion is not in order.

SABLE AND SPANISH BOOM AND SLIDE COMPANY.

On the Order, House in Committee on Bill (No. 36) to grant certain powers to the Sable and Spanish Boom and Slide Company of Algoma, Limited.—(Mr. Sutherland, Oxford.)

Mr. CHARLTON. Information has been received today which makes it desirable that this Bill should stand.

Mr. SUTHERLAND (Oxford). I do not know any reason why the Bill should stand. I allowed it to stand for a week, and if it stands from week to week, it may not be passed at all. There was an amendment asked to be made in the Bill which the promoters were perfectly willing to accept. If the hon. gentleman would state the nature of the amendment, it might be accepted at once.

Mr. CHARLTON. The company ask power to obstruct the navigation of a navigable river. We have not a diagram to show in what way this would be done, and I could not intelligently draw the amendment we desire to-day. The postponement of the Bill is desired for one day, in order that we may understand more fully the topography of the region, and the nature of the amendment we wish to draw, in order to leave the river unobstructed for rafts and vessels.

Mr. SUTHERLAND (Oxford). Documents and surveys were submitted to the Committee on Private Bills and a provision to that end was inserted in the Bill and approved of. The promoters do not wish in any way to obstruct navigation; and if the hon. member would only suggest any amendment he desires, we would be quite willing to accept it now, although I should think the provision in the Bill would be quite satisfactory.

Sir HECTOR LANGEVIN. I did not notice that the Bill had been referred to the Private Bills Committee. I thought it would have been referred to the Committee on Railways, Canals and Telegraph Lines. Though not a canal, the river it relates to is between the two counties, and is in the nature of a canal. Therefore I had an amendment or two to propose when the Bill should come before that committee relating to the tariff of rates to be charged by the company. I thought we might insert in the Bill the same clause we have put in Bills for the incorporation of two or three companies of the same nature—for instance, in the Upper Ottawa Boom Company's Bill. Perhaps, therefore, the hon. promoter of the Bill will allow it to stand for a couple of days until I can confer with him, and I have no doubt he will accept an amendment which will put his Bill on the same footing in that regard as other Bills that have become law.

Mr. SUTHERLAND (Oxford). I certainly accept the proposition, and I am quite sure we shall be willing to accept the amendment.

Order allowed to stand.

Mr. THOMPSON (Antigonish).

IN COMMITTEE—THIRD READINGS.

Bill (No. 18) to incorporate the Midland Bank of Canada.—(Mr. Ward.)

Bill (No. 54) to incorporate the Medicine Hat Railway and Coal Company.—(Mr. Small.)

Bill (No. 38) relating to the Niagara Grand Island Bridge Company.—(Mr. Baker, Victoria.)

Bill (No. 40) relating to the Canada Southern Bridge Company.—(Mr. Baker, Victoria.)

SECOND READINGS.

Bill (No. 73) to incorporate the North Pacific Railway Company.—(Mr. Haggart.)

Bill (No. 74) to incorporate the Ste. Ursule, Mattawan and Lake Temiscamingue Railway Company.—(Mr. Hurteau.)

CARAQUET RAILWAY COMPANY SUBSIDY.

Mr. WELDON asked, What amount has been paid to the Caraqueet Railway Company on account of the subsidy granted by this Parliament? What is the estimated cost per mile of such railway?

Mr. POPE. The subsidy paid is \$105,200. From my recollection, the estimated cost is about \$12,500 per mile.

RICHIBUCTO AND ST. LOUIS RAILWAY SUBSIDY.

Mr. WELDON asked, What amount has been paid on account of the subsidy granted by this Parliament for the railway from Richibucto to St. Louis, in the county of Kent, N.B., and to whom paid; and what is the estimated cost per mile of the said railway?

Mr. POPE. The sum paid on that railway is \$22,400. A rough estimate of the cost is about \$8,000 per mile. The sum was paid to the St. Louis and Richibucto Railway Company.

PROTECTION OF SEA FISHERIES.

Mr. DAVIES asked, Whether any instructions have been issued to the officials charged with the protection of the Sea Fisheries under the Treaty of 1818? If so, what those instructions are, and will the Minister of Marine and Fisheries lay a copy of the same upon the Table of the House?

Mr. FOSTER. Instructions have been issued, but it is not considered advisable in the public interests to bring them down at present.

TREATY OF 1818—CO-OPERATION OF NEWFOUNDLAND.

Mr. DAVIES asked, Whether any, and what steps have been taken to obtain the co-operation of the Newfoundland Government in the carrying out of the provisions of the Treaty of 1818?

Mr. FOSTER. Certain negotiations have been going on or some time, but are not yet completed.

CANAL TOLLS.

Mr. CURRAN asked, Is it the intention of the Government to continue the canal tolls at the reduced rate fixed last season?

Mr. POPE. The Government have received some information about these tolls and are now considering the matter.

OBSTRUCTION IN THE ST. LAWRENCE CHANNEL NEAR THE BOUCHERVILLE ISLANDS.

Mr. BENOIT asked, Whether it is the intention of the Government to induce the Harbor Commissioners of Montreal to cease depositing the clay, &c., raised in deepening the Harbor of Montreal and the channel of the St. Lawrence, in the channels of the Boucherville Islands, and obstructing by so doing the flow of the waters of the St. Lawrence, and causing disastrous inundations from Boucherville upwards to Montreal?

Sir HECTOR LANGEVIN. In answer to the hon. member I must tell him that the attention of the Government having been called upon that question by the hon. member, we will communicate with the Harbor Commissioners of Montreal to induce them to cease obstructing the flow of the waters of the St. Lawrence, by depositing the clay and gravel which is raised from the bottom of the river and afterwards dumped near the Boucherville Islands.

CANADIAN PACIFIC RAILWAY BONDS.

Mr. JACKSON asked, Has the Government, in anticipation of the Canadian Pacific Railway Company paying them twenty millions of dollars within the next few months, given up to said company the twenty millions of bonds held by the Government as security for said twenty million dollars, to allow said railroad company to sell these same bonds to raise the money to pay to the Government? If so, did the Government endorse or guarantee the payment of said bonds? If not, do they intend to do so?

Mr. McLELAN. They have not given up the bonds, and they do not intend to endorse them.

IMPROVEMENTS ON ST. ANDREW'S RAPIDS, RED RIVER.

Mr. ROSS asked, Is it the intention of the Government to make improvements on St. Andrew's Rapids, Red River; and if so, what will be done this year?

Sir HECTOR LANGEVIN. During the past year an examination was made of the Red River between Winnipeg and Selkirk, of that portion known as the Rapids, relative to improving the channel to permit the boats plying on Lake Winnipeg to reach Winnipeg throughout the season of navigation. To dredge a channel one hundred feet in width to nine feet at low water the distance required, viz., ten miles, would require the removal of 905,000 cubic yards of material, to do which would be both tedious and expensive: first, because the current is very strong; second, boulders are very large and numerous; third, that solid rock may be met with; and fourth, the whole of the dredged stuff would have to be towed below the foot of the rapids and deposited in the deep holes of the river. The cost has been approximately estimated at \$600,000. This is the scheme proposed to me by Mr. Assistant Gouin, who made the examination. But I believe that by the creation of two locks and movable dams, known as the "Chaudiere Dam," the navigation can be maintained at the period of low water, and as during high water the dams can be thrown, the river would have a free and uninterrupted course, and that these improvements would cost less and be executed more speedily than dredging.

WHARF AT SELKIRK.

Mr. ROSS asked, Do the Government intend placing a sum in the Estimates this year to erect a wharf at Selkirk?

Sir HECTOR LANGEVIN. I am not in a position to answer that question, whether we will put a sum in the Estimates and ask Parliament to vote it, but the matter is

now receiving the attention of my Department. I understand the wharf would cost something like \$10,000 or \$15,000.

PRINCE EDWARD ISLAND MAILS.

Mr. McINTYRE (for Mr. YEO) asked, 1st. Whether the tender of Muncey Irvine for carrying the mails from the ice boats was accepted? 2nd. Whether such acceptance was subsequently cancelled, and if so, on what grounds?

Mr. FOSTER. The tender of Muncey Irvine for carrying the mails from the ice boats was not accepted.

PUBLIC DEBT OF CANADA.

Mr. CHARLTON asked, 1. The gross public debt of Canada on April 1st, 1886. 2. The net public debt of Canada on April 1st, 1886.

Mr. McLELAN. The gross public debt on the 1st April was \$280,837,812.84, being \$176,720 less than on the 1st March. The net public debt on the 1st April, 1886, is \$205,025,890, being \$3,496,805 less than on the 1st March.

DEPOSITS IN GOVERNMENT SAVINGS BANKS.

Mr. MULLOCK asked, What is the largest sum on deposit in any one person's name, at any time during the year 1885, in the Government Savings Bank or Post Office Savings Bank?

Mr. McLELAN. The largest sum received in any one person's name during the year 1885 in the Dominion Government Savings Banks was \$3,000.

Mr. MULLOCK. The question was what was the largest amount on deposit, not how much was received in any one person's name.

Mr. McLELAN. The largest sum on deposit, I think, is \$3,000. There may be some sums added for interest from the previous year, but this is the answer to the question as it appears.

Mr. MULLOCK. I see that the question is incorrectly printed "What is the largest sum or deposit?" instead of "What is the largest sum on deposit?" Perhaps the hon. gentleman might give the answer on a subsequent day.

Mr. McLELAN. I cannot give it at present.

BRITISH COLUMBIA DEEP-WATER FISHERIES.

Mr. SHAKESPEARE moved for:

Copies of all correspondence between the Government of British Columbia, or any person, and the Dominion Government, with regard to the deep-water fisheries on the coast of British Columbia.

He said: I think this subject is one of great importance to this Dominion. The developing of these fisheries means increase of trade, increase of revenue, and increased avenue of labor. I am bound to say that the Government have taken a deep interest in developing and fostering the fisheries in some parts of the Dominion, and we would desire that, as British Columbia is a part of the Dominion, the Government should give some attention in that direction. We have our unsurpassed salmon fisheries, the commercial value of which is at least \$1,500,000 a year, but I believe that if our deep-water fisheries were developed, they would prove as valuable, if not more so. This matter was brought to the notice of the Minister of Marine and Fisheries for the past two years, both by the Provincial Government and by some, if not all, of our representatives in this House; and the promise was made on the part of the Minister that some action would be taken; but I am not aware that, up to the present time, any action has been taken in that direction. I have no doubt whatever that we have valuable codfish banks, and other valuable fish deposits in those waters hitherto unknown. About a year ago, beauti-

ful specimens were brought down from the west coast of Queen Charlotte Islands, and I am told they were of excellent quality; but we have no knowledge whether they can be taken in large quantities or not. Captain Swan, of the United States, in a trip to the north coast of Vancouver Island, obtained a large quantity of this class of fish, and sent a large number to Washington and other places in the United States, and it is said that he received more letters of enquiry in reference to the locality in which this class of fish was caught than in reference to any other question raised by his trip. Beautiful specimens of this class of fish have been caught on other parts of the west coast of Vancouver Island. It is to be regretted that, though we have over a thousand miles of coast line, with bays, rivers, and rivulets innumerable, nothing has been done to search for fishing banks for deep-water fish. This is a matter of great importance, and one which, it seems to me, the Government ought to take a deep interest in. I sincerely trust that, the matter having been brought under the notice of the House and the Government, some means will be adopted by which the deep-water fisheries of our coast will be developed.

Mr. FOSTER. The papers that are in the possession of the Department will be brought down. I think the House will agree with my hon. friend as to the importance and necessity of developing those treasures of the sea of which he speaks. As to the promise given a year or two ago by the Department, I think it was conditional on private enterprise co-operating with the instruments that would be placed at their disposal by the Government; and private enterprise did not seem to be equal to the occasion. I am very glad my hon. friend has brought this question to the attention of the House and the Government, and whatever can be done will be done by the Department.

Motion agreed to.

SETTLEMENT OF LANDS IN BRITISH COLUMBIA.

Mr. SHAKESPEARE moved for:

Copies of all correspondence between the British Columbia Government and the Dominion Government respecting the fulfilment of agreement on the part of the Dominion Government in the matter of opening up the lands in British Columbia for settlement.

He said: It will be remembered that for some years previous to 1884 there were disputes between the Provincial Government of our Province and the Dominion Government. At length a settlement was arrived at, and the result was that an Act was passed in this House two years ago. I am sorry to say, however, that so far as the Dominion Government are concerned, I think they have failed to carry out their agreement; the Provincial Government, however, I think, have carried out their part to the very letter. I desire to call the attention of the House to a clause in the agreement as follows:—

“The Government of Canada shall, with all convenient speed, offer for sale the lands within the railway belt upon the mainland, upon liberal terms to actual settlers.”

Now, Sir, up to the present time little or nothing has been done in this direction towards carrying out this obligation on the part of this Government. The lands referred to are practically withheld from settlement, and actual settlers, who have located, some of them, on these lands in good faith, are still unable to obtain the patents to which they are justly entitled. I am informed that some 3,000 applications are on record in the office of the Agent of the Dominion Government in British Columbia, and not one, that I am aware of, has received any satisfaction. This, to my mind, is very unsatisfactory, and the result is that people are much dissatisfied. Nothing has tended to retard settlement in that Province more than the withholding of the patents to these lands from people who have located

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upon them. Many of these people became so discouraged that they left the Province. I will refer the House to the last report of the Agent of this Government which he sent to the Minister of the Interior, where he says:

“The statement made in my report to you of 10th December, 1884, that a large percentage of the applications then made would probably be abandoned or withdrawn, has been verified by the communications and applications received during the past twelve months, some of the applications then referred to having since been abandoned by letter, and in many instances the lands comprised in such previous applications have been re-applied for by other persons, who state that the previous applicants have left the country, or that the lands are unoccupied and unimproved.”

Now, Sir, such a fact is calculated to do an immense injury to the Province of British Columbia, a Province which, in reality, is just opening up, and where great inducements have been held out to people to go in and locate upon these lands, and to whom assurance was given at the time by the Dominion Government that these lands should be thrown open at one dollar an acre. That promise, I am sorry to say, has not been carried out. In calling for these papers I desire that the House should see what applications have been made, and what remonstrances have been made by the Provincial Government and other persons in reference to this matter. I sincerely trust the matter will receive immediate attention; in fact, I feel satisfied that while the Department is under the management of the present Minister of the Interior, greater justice will be done to that Province than has been done in the past.

Mr. WHITE (Cardwell). There is no objection whatever to the motion, and to the papers being brought down. I may say that I regret as much as the hon. gentleman does the delays that have taken place. I believe that immediately after the lands were handed over to the Dominion Government an officer, formerly in the employ of the Government of British Columbia, Mr. Aikman, was appointed as our agent at Vancouver to look after the lands on the mainland. He has been engaged in making copies of the pre-emption records and surveys in the offices of the Provincial Government in Victoria. Latterly some mistake, I believe, occurred in connection with these copies, but they were rectified, and the last information I have is that the local Minister specially charged with these matters, owing to the commencement of the session of the Provincial Legislature, was unable to find time to certify, as he required to do, these plans for the use of the agent. I may say, Mr. Speaker, that I have, within a short time past, about four weeks ago, given instructions to our agent at Victoria at once to remove to Westminster where he would be of more easy access to settlers who desired to get their patents, and that arrangements were made through the Department of Public Works for the use of a couple of rooms in one of the public buildings at that point. Communication with British Columbia, as you are aware, Mr. Speaker, is still not very rapid, and I have not yet an answer from Mr. Trutch or Mr. Aikman as to whether the latter has moved. I am in daily expectation of receiving an answer to my communication with Mr. Trutch on this subject. I regret much that I was not able last fall to have gone to British Columbia myself so as to make enquiry about these matters on the spot, where, I believe, more information can be obtained than is possible by letter. My intention is, if Parliament continues its confidence to us, and my life is spared, in addition to going to some other parts of the North-West, which I was not able to reach last year, to go to British Columbia, and on the spot try to make such arrangements as may facilitate the immediate settlement of all these matters in which settlers are interested, so that they may get their lands at once. I can assure the hon. gentleman that every effort will be made to accomplish that result at the earliest moment, and that the officer is now under instructions to remove to Westminster,

where he will be of more easy access to settlers who desire their land.

Mr. BAKER (Victoria). Who is really in charge of the lands out there, representing the Department of the Interior? Is it Mr. Trutch or Mr. Aikman? And who will be acting at Westminster?

Mr. WHITE (Cardwell). Mr. Aikman is the ordinary agent of the Department, but communications to him pass through Mr. Trutch as the general agent of the Government. I am going to ask Parliament this Session to transfer the management of the lands in British Columbia to our ordinary Land Board at Winnipeg, where we will be able very much more satisfactorily to settle all these matters, and I say that without the slightest reflection upon Mr. Trutch. Mr. Aikman is the agent who has been moved to Westminster.

Mr. HOMER. The policy pursued by the Government in relation to land in the railway belt of British Columbia has been, although one of delay, the means of placing those lands in the hands of actual settlers, a result which, I think, we all hope may be secured in other parts of the Dominion where a large quantity of public lands is now held by the Government. If a different policy, or a more hasty policy, had been pursued by which those lands would have been put on the market for sale, the probability is they would now have been in the hands of a few speculators, and that result would have proved very detrimental to the settlement of the Province. No doubt there are some grievances, and I would like to know where there are not some land grievances at the present time, and British Columbia cannot expect to be exempt; but, whatever those grievances are, I feel confident that under the energetic administration of the Minister of the Interior they will be speedily removed.

Motion agreed to.

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

After Recess.

THE NORTH-WEST REBELLION.

Mr. BLAKE. Mr. Speaker, I rise to move the motion of which I gave notice some time ago, as follows:—

That it is the duty of the Government without further delay to bring down further papers relating to North-West affairs, and throwing light on the situation prior to, during and subsequent to the late rebellion.

I do not think it is necessary for me at this stage to trespass at any length on the time of the House in support of this motion. I have already stated upon former occasions, I stated last Session and I have restated this Session, what I conceive to be the general aspects of this question, the principles upon which we ought to deal with it and the facts which are material to a judgment. We all know, to our sorrow, that a very serious revolt occurred in March of last year, involving the loss of millions of treasure, many sorrows and many lives and involving also consequences to the future of our country, material and moral, which it is difficult at this time to estimate. When in our age of the world and with our system of Government such an outbreak occurs, the *prima facie* presumption of mankind is that there must have been something wrong on the part of those who had control of the administration of affairs. The *prima facie* presumption is that there will be no rising, with all the risk and troubles which that involves, without some cause, inadequate it may be, but still without some cause or without some default on the part of those who govern. That presumption is, of course, capable of being rebutted; but nevertheless it exists; it is founded upon common sense; and it involves this consequence, that the Government which has the administration of affairs,

which has full control, is bound to vindicate itself under such circumstances; when the public peace has been broken, when public order has been disturbed, it becomes the bounden duty of the Government to set forth a vindication of itself and a rebuttal of that presumption which arises from those facts. Another material proposition is this: That the Government is in possession of all the evidence and the facts, and is bound from that circumstance to lay them before the House and the country as materials for its judgment. So much, Sir, for the general propositions which I have advanced, and which I restate to-night as applicable to the case of a rising in our times. But in the present case there are special reasons why these duties to which I have referred devolved upon the Government of the day. In the first place, there were long standing, unsettled claims and grievances; substantial or unsubstantial, there were yet long standing unsettled claims and grievances. Why, Sir, the leader of the Government last Session and members of the Government since have declared that there was culpable neglect on the part of the late Administration, which ceased to hold office in the fall of 1878, with respect to some of those North-West claims. That proposition is denied. But supposing it to be admitted, supposing the statement to be true, supposing the allegation of hon. gentlemen opposite which with a perversity which is almost ridiculous, they assert in their defence were true, does not that prove conclusively how aggravated is that guilt, how intense is that guilt, which left unsettled and undealt with claims in respect of which there had been culpable neglect so long ago as the fall of 1878? How are we to account for 1879, 1880, 1881, 1882, 1883, 1884 under those circumstances? Then, Sir, there was in this case also a long continued agitation which renders the neglect and delay the less excusable. Again, there was a serious warning and a crisis in the position when, in June, 1884, Riel came, after which time there were nine months for action before the actual outbreak, and the circumstance of his arrival and all the concomitant circumstances add enormously to the responsibility of the Government for diligence, promptness and liberality in their action. Again, there was in this case the special circumstances of danger arising from the large savage Indian population in the Territories, from the relation of the half-breeds to the Indians and from the isolated and defenceless position of the settlements in that country—circumstances known to the Government, circumstances so well known to the Government that the First Minister declared last Session that the wonder was there had not been an outbreak long before 1885, long before the outbreak last year, when he told the House that the Indians were desperate, starving and in a condition of irritation and discontent. Those were circumstances which certainly were calculated to heighten to an incalculable degree the responsibility of the Government, and therefore to call into display in the highest measure diligence and earnestness in the settlement of all grievances. Now, the Government acknowledges theoretically its duty of diligence and fair treatment. It acknowledges also its accountability to Parliament, and it has challenged and courted—I use the phrase of the First Minister himself—enquiry into these transactions. But it has alleged, first of all, that there were no complaints from the half-breeds before the rising. The First Minister stated on 26th March, 1885:

“Before Riel came in they (the half-breeds) had never sent in a bill of rights to us; they had never sent any complaints to the Government.”

Sir David Macpherson, the late Minister of the Interior, in the Senate during last Session said:

“No half-breed delegation came to Ottawa to complain of ill-treatment or to make complaints in relation to their land.”

Then the Government alleges by the mouth of the late Minister of the Interior—I quote again from his speech of last Session—that:

"There never was any reason to apprehend an outbreak; there was not the slightest apprehension of the discontent taking any form more serious than words until the outbreak took place."

So that having alleged there were no despatches embodying the grievances of the half-breeds before the rebellion, they allege there was no warning or apprehension of the outbreak until the outbreak occurred. Then they allege that there has been no negligence and no delay, neglect or mismanagement; that all things were done well, wisely, promptly, liberally, and that there were no grievances. The First Minister repeated during the course of last Session these statements, if not these words, their substance; and Sir David Macpherson stated in the Senate last Session:

"The half-breeds had no grievances whatever in relation to the lands or as to any other matters."

In truth the allegation of the Government is that there were no grievances connected with the half-breed Indian rights, with the rights of the unenumerated half-breeds of Manitoba, with the rights in connection with surveys, river fronts, patents, reserves, colonisation companies, wood rights, and other rights. Then, the Government alleges that white men were at the bottom of it all. The First Minister said last year in this House that there "was a deep laid conspiracy; that it is to white men, to men of our race and lineage, and not to the half-breeds, nor yet to the Indians, that we are to attribute the war, the loss of life and the loss of money." And Sir David Macpherson said in the Senate:

"I fear there will be found among them (the guilty parties) more than redskins. I fear that unfriendly whites, disloyal whites, men of the farmers' union class have had a good deal to do with precipitating the half-breed rebellion."

Then the Government alleges that until they came in, until the period at which they assumed office, in 1878, the half-breeds were happy, that they were contented and did not complain. What said the First Minister last Session? He said in substance:

The Government alleges that till they came in the half-breeds were happy, contented and did not complain; and it was after they came in that the half-breeds, taught by the Opposition in Parliament and by the Reform press that they were oppressed; and the Government charges on the Liberal party in this House and out of it, the responsibility and the consequences of the rebellion.

Now, Sir, the distance which exists between Ottawa and the North-West Territories rendered it necessary that the dealings of the Government with that country, and the communications between local officials and the governed parties of that country and Ottawa, should be almost entirely in writing. They have been almost entirely in writing and there are, therefore, records of the course of events. "What is written remains." And that evidence is in the hands of the incriminated Government. If it has been guilty of no neglect, delay, or mismanagement, the papers will show it. If there were no grievances, the documents will prove it. If there were no complaints, the production of the documents will show that. If there were no warnings of danger the papers will show that. If there was a conspiracy amongst the whites and they are the guilty people, the written evidence will establish it. And if the Liberal party in and out of the House fomented discontent and raised the rebellion, the evidence will doom them to the fate they deserve. It is then the duty of the Government to give us the full information. These papers are not their papers; they are the country's papers. The Government have been pressed to perform this duty in Parliament since the year 1883, in March of which year I moved my motion with reference to the grievances of the people of Prince Albert, and you heard this afternoon, a few moments before it was expected this motion would come on, a supplementary return to the order of 1883, brought down to Parliament. Since March, 1885, the pressure upon them has been constant and continuous;

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they have been asked time and again, from day to day, to produce the papers. They have acknowledged their liability to produce them. They have acknowledged their obligation to produce them, but they delayed last Session on these grounds: First, they said it was dangerous to the public interest during the rising to produce certain papers, the existence of which was acknowledged, the materiality of which was acknowledged, and they were detained for that reason. Secondly, they said it was dangerous to private interests during the rebellion to produce certain papers the existence of which was acknowledged, the materiality of which was acknowledged, but which were not to be produced while the uprising continued. Thirdly, they said that they had not clerks enough to copy them; that we asked for so many papers, that they could not possibly get the time; that they were embarrassed by these demands, that time must be given. And lastly, towards the close of the Session, they promised that these papers would be collated and laid on the Table of the House at the opening of this Session. I asked for them at the opening of the House this Session and was told that they were to be brought down. I asked when they were to be brought down, and I was told that they were in course of preparation, and here we are in the fifth or sixth week of the Session without these papers yet. I say it is time for this House to assert its dignity, and to teach the Government its duty by declaring that it is its duty—as I move that the House shall now declare it to be their duty—to bring down these papers.

Sir HECTOR LANGEVIN. The hon. gentleman has tried to do the best he could with his motion; he has tried to show that the Government had failed in their duty in bringing down papers to this House. The hon. gentleman will forgive me, I have no doubt, if I do not agree with him on that head. The Government have brought down, from time to time, the papers that were asked by the addresses of this House or the Orders of this House. We have, in certain cases, delayed bringing down papers, because it was not in the interests of the country that they should be brought down. That is a responsibility which the Government had to take, and which, as long as we occupy these benches, we intend taking. In the position we hold, of course there are matters which we know, and which hon. gentlemen around us and opposite us are not in a position to know, and we have to protect the public interests, even against the curiosity, the laudable curiosity, of hon. gentlemen on the opposite side. The hon. gentleman says that there were addresses passed by this House calling upon us, in 1883, for certain papers, and that they were not produced. We produced a number of papers from time to time—large numbers of papers—and I have no doubt that with the exception of the hon. gentleman, the leader of the Opposition, I do not suppose we could find another member of this House who has gone through those papers.

Some hon. MEMBERS. Yes, yes.

Sir HECTOR LANGEVIN. A few, but not all, I am sure. I am sure there is not one member that will say that, and I do not expect it either; nobody expects it from them. Those papers were so numerous that it was a task to go over them. But the leader of the Opposition thought it was his duty to do so and has done so, as he does I have no doubt with all other papers brought down to this House.

Mr. BLAKE. Oh, no.

Sir HECTOR LANGEVIN. Well, when I see the hon. gentleman so unwell at his seat, I begin to think that he is doing a little too much in that direction, and that if he did a little less the country would not suffer for it. The hon. gentleman says that even to day we brought down certain papers. Well, that shows how far we are disposed to go and how ready we were to bring these papers down. From

the beginning of the Session every day, every second or third day, we have brought down voluminous papers, large numbers of papers in accordance with the instructions of the House and others have been laid on the Table of the House without being asked for by the House. Our disposition has always been to bring down papers in accordance with the direction of the House. We have brought all the papers we thought we could bring consistently with our duty towards the country and saving the interests of the country; and the House may be assured that any further papers that the House may order or may require shall be brought down if they are of the same kind—if we can bring them down with safety to the country. But we cannot, and I have no doubt hon. gentlemen, when they think about it, cannot expect us to bring down papers that the interest of the country requires should not be brought down; but on the contrary will agree that we should not communicate them to the House or the country. We are here as custodians of these papers; we have been put here as the executive of the country for the purpose of guarding its interests; and if on our responsibility as Ministers of the Crown we think any of the papers asked by the House are such as we should keep, we must take that responsibility, and I have no doubt the House will sustain us in that course. I repeat that all the papers we could bring down, consistently with the interests of the country, have been brought down, and our intention is to continue in the same course.

Mr. BLAKE. If it is possible to be surprised, I am surprised at the line the hon. gentleman has taken. He has now made the declaration that the Government have brought down all the papers connected with this matter, which, consistently with the public interest, they could bring down—that there are no papers not before us except such as are retained in view of the public interests—

Sir HECTOR LANGÉVIN. I did not say that.

Mr. BLAKE,—secret interests, which we cannot learn. The hon. gentleman has said that they have brought down the papers which have been moved for. You have heard him speak of the diligence with which they have brought them down. It was but this afternoon that they brought down papers which were ordered three years ago; that is the diligence the hon. gentleman boasts of. In April, 1886, they bring down the papers setting forth the grievances complained of by the settlers in the year 1882, for which an order of this House was made in the spring of 1883; and the hon. gentleman says: "See how diligent we have been; and I ask that confidence should be reposed in us by the House and the country that we will promptly bring down what papers ought to be brought down." Now, after the hon. gentleman's statement, I am only going to refer some of the papers which I declare and believe to exist, as to many of them from information furnished in papers already brought down, as to others from the public journals and other sources, and as to others from statements made by hon. gentlemen opposite; and I will show you that the ground the hon. gentleman takes is entirely inconsistent with and contradictory of the statement of the leader of the Government made last Session on this subject. If that ground was to have been taken, we ought to have known it last Session; we ought to have known it at the beginning of this Session. But to-night we hear the Government declare that it has discharged the duty which the First Minister acknowledged last Session repeatedly was incumbent upon them—not to wait for an address or an order of the House under circumstances of this kind, because we had not the particulars; we cannot be expected to have the particulars; we are outside; hon. gentlemen are inside; the secrets of the prison house are with them; it is they who know the papers and the correspondence and the documents are which were to be

brought forward; and the First Minister, in recognition of the obligation of the Government, two or three times last Session brought down large numbers of papers which were not moved for or ordered, because he felt and admitted that it was his duty to bring down those papers spontaneously. So this Session I asked him: "Am I not to understand that the Government are going to bring down papers spontaneously?" "Yes," he said. "When?" I asked. He said: "They are in course of preparation." The duty was acknowledged last Session and this Session; but under the pretence of the public interest, documents, material to a judgment, are retained. Now, I repeat, as applicable to the condition of things, the statement I read at the opening of this Session made by a former colleague of hon. gentlemen who knew their methods of transacting business:

"I knew that you and the majority of your colleagues would not hesitate to garble or suppress important State papers, even when demanded by Parliament, if their production was likely to expose or embarrass the Government."

It is time, Sir, that this farce of treating the public interest and the interest of hon. gentlemen opposite as synonymous, of treating the defence of an incriminated Government as a public interest, should cease, or if it is not to cease, that it should be exposed; and I declare that I am informed and believe that there are, and that it can be proved that there are, under the control of this Government, material documents affecting the question of their neglect, delay and mismanagement of North-West matters prior to the late rebellion. That is my statement on this subject, and if this House will give us the opportunity of proving that, we shall be prepared to establish it. Sir, it has already been established by the discussions which have taken place and by the papers which have thus far been brought down, in the first place, and in the general, that there were a large number of papers brought down which were on the face of them imperfect, in that they did not disclose the answers of the Government to the demands made on them in correspondence and in petitions to them. I do not detail these demands; I state this to be the case—that there are numerous letters which appear to have been received, the receipt of which is admitted, but in respect of which there is nothing to show the action of the Government. I am to assume, I suppose, that there was no action taken, there being no further papers brought down. Now, I will go through a list, which I have hurriedly made, of some of these documents, the existence of which appear to have been established. The letter of Bishop Grandin to the Governor General in September, 1873; the reply to that letter sent to the Lieutenant Governor; the despatch to the Lieutenant Governor with that reply; the despatch to the Lieutenant Governor of the 2nd of April, 1884; a report of Colonel Dennis enclosed in the Lieutenant Governor's despatch; further despatches of Lieutenant Governor Morris, 50 N, 154 N, and 159 N; the instructions as to surveys, and correspondence about surveys, and reports of surveyors as to those districts relating to which questions have arisen—Prince Albert, St. Laurent, Carlton, Duck Lake, the scenes of the troubles, Edmonton, Battleford, St. Albert, and Qu'Appelle, orders approving of the surveys, and letters despatching surveys to land offices, &c., from 1875 down to 1886. There are the orders and regulations and correspondence as to the river lots and the system of surveys on rivers. There is Russell's report on the surveys and settlements of Prince Albert and neighborhood, about 1877 or 1878. There are the special reports of Aldous on surveys of 1878 and 1879. There are Russell's instructions for his visit to the district in 1878 or thereabouts, and report thereon. There is the petition of settlers east of the main settlement of Prince Albert, put into the Surveyor General's hands before 14th January, 1879; and the action taken thereon. There is Duck's report on the half-breed claims in Battleford of 1879. There are Ryan's and the other reports on the unenumerated half-

breed claims, the action on these reports and the correspondence. There is the information on Pearce's statement of 11th March, 1882, that the settlers on the south branch, near St. Laurent, took lands before the survey on river system, and that a resurvey was wanted. There are the reports showing how much land was surveyed when the change of system was adopted. There is Nolin's letter accompanying the petition of the half-breeds, of 11th September, 1882. There is the answer to Sir David Macpherson's letter of 23rd April, 1883. There is very important correspondence referred to in report of Mr. Pearce of 12th March, 1885. There is the copy of the resolutions of Prince Albert, of October, 1883, and of the letter enclosing those to Sir John Macdonald, which I saw in a newspaper, and to which I drew the attention of the Government. There is the petition of the residents of St. Louis de Langevin to the Minister of the Interior, in the fall of 1880. There are several further petitions from the same parties between that date and November, 1883. There are the correspondence and action of Messrs. Royal, Macdougall, Clark, Bishop Grandin, and Father Leduc, on the same subject. There are Mr. Duck's letters on the same subject referred to by him. There is the action of Mr. Walsh on the reference to him of Qu'Appelle half-breeds case of 6th July, 1882. There is the petition brought down by Father Leduc and Mr. Maloney; the papers submitted by them, the answers given and the action ordered and the action taken. There is the report of the President of the Council and the Minister of Interior on the Privy Council's reference to them of the memorandum of the North-West Council dated 9th October, 1883. There are the representations of the North-West Council not brought down, and correspondence with them. All the papers and full reports from all officers as to the Prince Albert Colonisation Company, up to date of rebellion. The petitions or resolutions and correspondence of the St. Catherines settlers, about the 21st January, 1884, which I showed, last Session, took place, by a reference to a newspaper. The petition and correspondence of settlers of Red Deer Hill, of January, 1884. The petition and correspondence of settlers of Halero Settlement, South Branch, in January, 1884. The petition and correspondence of settlers at Colleston, of February, 1884. The resolution of the North-West Council, of 21st July, 1884. The telegram to the Government of the Lieutenant-Governor thereupon, and the telegram in reply. The despatch of the Lieutenant-Governor and the reply, and the action taken thereupon. The petitions forwarded to Ottawa, prior to 1880, as mentioned by Mr. Montour at the meeting held by Father André, which was reported in a newspaper. The correspondence with Bishop Grandin referred to in his speech on the 5th February, 1884, which I read last Session. Bishop Grandin said:

"As to the other propositions, I have busied myself already for a long time with these in your special interest. I have put upon the Federal Government all possible pressure to obtain justice; I have even obtained promises, which I believed to be official, but which I have the pain of seeing to-day forgotten. I have felt the same discontent which you have also felt, and I have not failed to complain upon the subject at high quarters."

The report of Col. Houghton in the summer of 1884, referred to in the Militia report, a part of the facts contained in which were disclosed in the *Winnipeg Sun*. The letter of Bishop Grandin to the First Minister in the summer of 1884; that letter which I asked about last Session, and the existence of which has since been proved by the letter of Bishop Grandin to Archbishop Taché, which I read, in which the bishop says that learning the archbishop is desirous of getting copies of the letters he wrote to members of the Government, he sends to him copies. The letter of Bishop Grandin to the Minister of Public Works in the summer of 1884. The directions, and action thereon, as shown by Pearce, on 19th September, 1883,

MR. BLAKE.

as to the inspection of the half-breeds' lands. The letter from Mr. Deville, of 23rd, November 1883, as to rivers and river lots, and the correspondence on that. The petitions of settlers in St. Catherines, presented to Pearce early in 1884. The many letters sent to Ottawa, through Mr. Duck, before 1883, by Father Vegreville, as stated by him on the 19th January, 1884. The letters of which Mr. Duck speaks also in the same correspondence. The promise of a survey in the fall of 1883, made by Father Leduc and Mr. Maloney and shown Father Vegreville. The revocation of river lot order announced in the *Saskatchewan Herald* on 9th May, 1884, and all action thereon. The various orders and correspondence as to wood rights. The letter of Mr. Jackson to the Minister of Public Works, of 3rd September, 1884, shown in the telegram to the chairman of the Half-breed Commission to exist, and referred to by me as indicating what was required to be done. The report of the Minister of Public Works on his visit, and in pursuance of his pledge to the half-breeds of Qu'Appelle. On that occasion he is reported in *Le Manitoba* as follows:--

"After mass, Sir Hector Langevin addressed the Metis. They asked that the Government should give them scrip, as it did to those of Manitoba. Sir Hector considered the request reasonable, and promised to submit it to his colleagues."

There were other things stated in my speech on this subject last Session. I pointed out that not merely the Minister of Public Works, but also the Minister of Railways, the Minister of Marine and Fisheries, and the Postmaster General visited the North-West; that then there were the deputies who went there, the Deputy Minister of Interior, the Comptroller of the Mounted Police, and that year or the year before, the Deputy Superintendent of Indian Affairs. I referred also to the Lieutenant-Governor, the Indian agents, the farm instructors, the Crown land agents, the Crown timber agents, the registrars, the Land Board, the inspector of local colonization companies, the inspectors of agencies, the stipendiary magistrates, the Mounted Police, the militia, the school masters, the North-West council; and besides these, as pointed out, there were the non-officials, but men interested in the prosperity of the country, and to whom hon. gentlemen have frequently and properly appealed for advice, assistance and information, the officers of the Hudson Bay Company and the clergy of the country. Then I referred to another class of information which we also required to obtain; the information connected with the appointments to office of those who were taking an active part in the movements of 1884. There was Louis Schmidt, the secretary of the Riel invitation meeting, appointed an assistant land agent; Mr. Dumais was offered the position of Indian instructor; Mr. Isbester's case; and that of Gabriel Dumont. I also said that, during that summer, I had reason to believe that amongst the unofficial persons who yet were clothed with great authority and responsibility in this matter, and who communicated with the Government, was Bishop Grandin. I believed, he wrote more than once, saying, in substance, that the half-breeds were greatly dissatisfied; that he and his clergy were losing all influence with them; that they were no longer respected; that they were frequently accused of having no real sympathy with the half-breeds and their grievances; that it was said that, on the contrary, the clergy's sympathy was always sure to be with the Government; adding, that unless a prompt settlement of their just claims was affected, serious troubles were sure to come soon; and pointing out that the half-breeds being the link between the whites and the Indians, it was important that all cause of dissatisfaction should be removed, as if trouble should arise with the half-breeds, it would spread to the Indians, and the consequences would be terrible. I stated that I had reason to believe, also, from other information, that Archbishop Taché himself wrote, that Mr. McDowell wrote, that Father André and others wrote, and

I could hardly believe otherwise than that Mr. Duck and Mr. Pierce wrote. Then, there was Sheriff Chapleau, who was interviewed in the fall of 1884, and expressed his opinion of the condition of things. There was also Judge Rouleau, who wrote twice to Mr. Dewdney about the disaffection of the half-breeds, urging prompt redress, and Mr. Dewdney answered that he had forwarded his letters and urged prompt settlement. That in the latter part of 1884 Judge Rouleau wrote to the First Minister himself, directly and strongly on the question. I said that after the July sitting of the North-West Council, Judge Rouleau, Mr. Hayter Reed, and Mr. Forget went to Duck Lake. The ostensible mission of the first two was to select the site for a court, and that of Mr. Forget to inspect ferries and schools; but according to my information, their main object was to ascertain the feeling of the half-breeds on the situation, and certainly, if it was not, it ought to have been, after all the warnings the Government had received. A report of this mission was, I believed, made to Lieutenant-Governor Dewdney, and through him to the Government, that there existed considerable dissatisfaction, which might lead to serious consequences, unless promptly remedied, and the views of Bishop Grandin, and probably of Father André and others, were, as I believed, obtained. But none of these papers have been communicated to us. I had also been informed that Mr. Forget has stated that Mr. Dewdney had repeatedly warned the Government, and could clear himself from the heavy load of responsibility which unquestionably devolved upon him if he did not give any warning. Where are these warnings? Then there are the missing Mounted Police reports, some of which are proved to exist, by the statements I have made, and there is the missing report of Col. Houghton, the existence of which I have proved, and then, in the month of October, as I pointed out, Governor Dewdney himself visited St. Albert and various places near that country, perhaps, not in the immediate neighborhood of the disturbed region, but a neighborhood which would give him naturally the opportunity of communication with men of great importance, and I could hardly conceive that after that visit he should not have acquired and communicated much information. Then there is the report of Lieutenant-Governor Dewdney as to his evil reception by the half-breeds in this very district, which, I believe, is referred to by Bishop Grandin in one of the letters which the Government declines to bring down. There is the report of Lieutenant-Governor Dewdney on his visit to Edmonton and Stobart, in October, 1884. There is the correspondence with the resolutions of the meeting at Moosomin, in December, 1884, which I proved last Session by the authority of the local paper; there is the correspondence as to the memorial under signature in 1884 and 1885, of which a copy was sent down to the Government, it appears, though the original document had not reached them before the rebellion; there is the answer to Mr. Hall's letter to Mr. Deville in February, 1884, the answer of the Chief Inspector of Surveys to the Secretary of the Interior Department, and the letter of the latter to Mr. Pearce, indicated in his letter to Pearce of February, 1884; there is the communication of Lieutenant-Governor Dewdney on which the telegram of the Minister of the Interior of the 4th February, 1885, was sent; there are the orders to Governor Dewdney and others to inform the half-breeds, and the action thereon. There is the report of the Deputy Minister of the Interior of the 9th of May, 1884, on the settlement of the claims of the Manitoba half-breeds. I stated last Session, and it is established that, on the 9th May, 1884, the Deputy Minister of the Interior reported as to the proved claims of the Manitoba half-breeds, and recommended their settlement, but it was only on the 26th April, 1885, that action was taken on that report. There is the report of the same officer of March, 1885, on the same subject. There are the letters of Bishop Grandin referred to in Sir John Macdonald's reply to me on the 16th

July, 1885, and the answers thereto. On the 16th July, I asked:

"Whether the Government received any, and if so, how many communications, and at what dates, from Bishop Grandin, relating to North-West affairs, and not brought down?"

Sir John Macdonald said:

"There is no correspondence of record in the Department of the Interior from Bishop Grandin since that which he addressed to Mr. Laird, in 1876, already laid on the Table of the House, except a communication dated the 19th March, 1882, in which he asks for assistance in the construction of a hospital, a subsidy for the hospital, and help for the orphanages, and one (not dated) received on the 30th September, 1882."

Then he added:

"I may as well say there are a great many letters, I'dare say, addressed to individual members of the Government, which are not considered official"—

Mr. WHITE (Cardwell). Hear, hear.

Mr. BLAKE—

"but they will be collated as fast as they can be"—

Cheered too soon; quite too soon; better wait till the full stop comes before cheering—

"but they will be collated as fast as they can be, and laid on the Table of the House at the beginning of next Session."

The House has begun. The House has gone on. The collation, I presume, has taken place. But the collation, when it took place, was not to the taste of the hon. gentlemen before whom it was set, and they determined that they would not set it before us, as they did not like the taste of it themselves. So there were a great many letters addressed to individual members of the Government, which were to be collated as fast as possible and laid on the Table of the House at the beginning of this Session, not one of which has been brought forward. What is the meaning of a pledge made by the First Minister of the country to Parliament assembled, and violated in this fashion? What reason is there for it? What excuse is there for it? It is a sacred pledge which is thus violated. The hon. gentleman says it is not in the interest of the country to produce these letters. He dare not produce Bishop Grandin's letter to the First Minister—the public interest would forbid it, because it would prove that he had neglected his duty. He dare not produce Bishop Grandin's letter to himself or Mr. Jackson's letter. The public interests, forsooth, forbid it; it would damage the country, because it would damage the hon. gentleman's hold upon the country.

Mr. WHITE (Hastings). It will not benefit yours very much.

Some hon. MEMBERS. Order.

Mr. BLAKE. We must give every excuse to the prisoner on trial. Then I asked, on the same 6th July last:

"Whether the Government addressed any, and if so, how many communications, and at what date, to Bishop Grandin, relating to North-West affairs, and not brought down?"

Sir John Macdonald says that, in reply to his letter of 1882, the Bishop was informed that instructions had been given for the survey of lands in the settlement; but we did not get the letter, though Sir John Macdonald states that it is in existence and states, in some part, its purport. Then there are the letters referred to, in answer to my question, by the hon. Acting Minister of the Interior, the present Minister of Finance, I asked:

"Whether the Government received any, and if so, how many communications from inhabitants of St. Albert, Edmonton or Fort Saskatchewan, through Father Leduc and Mr. Maloney, in the winter of 1883, not brought down—whether the Government received any, and if so, how many communications from Father Leduc and Mr. Maloney, or either of them, on the same subjects, not brought down?"

The Minister gives an account of these letters and papers, which are intimately connected—though they concerned directly the district of St. Albert and that neighborhood—

with the general management and conduct of the Government in North-West affairs, and also had indirectly to do with the management of the business as to the river lots and surveys in the other districts. They are not brought down, although their existence is admitted. Then I asked:

"Whether any answers were given, not brought down, to any, and if so, to which of the letters or memorials on the subject of North-West grievances, which have been brought down? and at what date were such answers given?"

The hon. Minister answered:

"The answer to that question has not been prepared. Many of these questions involve a search in the whole Department for letters and papers, and they involve a great deal of time."

So that there is no allegation that there are no answers' though, mark you, this was a search in their own letter books, because what I was asking was what answers are there in your own books to papers you have received. The Department had not had time to find the answers which were given by the Government to papers which they had brought down to Parliament, so as to answer my question in July last. They have not since had the time—yes, they have had the time, but they find the public interests require that they should not bring down the answers. Then there is the reply of Mr. Deville to Father Vegreville of the 15th February, 1884, mentioned by the acting Minister of Interior on the 16th July, 1885, as existing; the details of the action on the petition of the 19th November, 1883, from St. Louis de Langevin; the answer of Mr. Burgess of the 6th May, 1885, to Mr. Schmidt, which the acting Minister of Interior stated had been sent on that day; the dates and correspondence connected with the transmission of the plans of the neighborhood of St. Laurent; the communications of Lieutenant-Governor Dewdney referred to by the First Minister on the 16th July, 1885. I then asked:

"Did the Government call on Governor Dewdney for any information as to the state of things with reference to the half-breeds in the Saskatchewan region, in 1884, or in January or in February or early March, 1885, and if so, when? Did the Government receive any communication from Governor Dewdney on the subject; and if so, when?"

The First Minister said:

"I do not know that there have been any special calls on Governor Dewdney on behalf of the Government for information. It is Governor Dewdney's duty to give full information on everything affecting affairs in his jurisdiction, and he has been in continual communication with the Government, or individual members of the Government, on this subject."

Now, one of the charges against the Government is, that they were warned and did not act. We know that Governor Dewdney, who ought to have had the information, has been in "continual communication" with them, but the public interest prevents these communications from being brought down! Then the papers referred to by the First Minister, in reply to my question on the same day:

"Did the Government call on any of the officials in the North-West, and if so, on which and when during 1884 or 1885, or information as to the state of things with reference to the half-breeds in the Saskatchewan region? Did the Government receive any communication from any of the officials in the North-West during 1884 or 1885 as to the state of things with reference to the half-breeds in the Saskatchewan region and if so from whom and when?"

"Sir JOHN A. MACDONALD. The Government and several of the Departments have been in active correspondence with the various officials in the North-West as to the state of affairs with reference to the half-breeds in the Saskatchewan regions, and other matters affecting the North-West. Some of these communications are in the Department, and some are not. They will be brought down."

But they are not brought down, and now we are told that the public interest prevents their being brought down, so that materials for a judgment are denied to us. Then, Sir, the answer of the First Minister to Father André's letter of the 16th January, 1883; I asked was any answer sent, and he replied:

"I am not quite prepared to answer that question, neither as to the receipt of the letter nor as to the answer."

Mr. BLAKE.

He did not know even that the letter had been sent, and I pointed out to him that he had brought the letter down and read it. He said that was all right, but as to the answer he was not prepared to say, and the public interest, I suppose, prevents the answer from being brought down. So with reference to the answer to his letter to Father Vegreville of about the same time. Then the report of Major Crozier mentioned in that of the 27th July, 1884, unless brought down, and I am not certain whether that is amongst the papers brought down, because it is not identified, but if it be not amongst them, that also ought to be brought down. Then the communications from various persons mentioned in reply to me on the same day by the Government. I asked:

"Had the Government received, before the outbreak, any communication as to the half-breed matter containing the views of Mr. Forget, Mr. Hayter Reed, Judge Rouleau, Father André, Mr. L. Clarke, Mr. McDowell, Bishop McLean, or any other prominent citizen of the North-West Territory."

Sir JOHN A. MACDONALD. Very probably communications have been received from some, if not all, of those gentlemen. Those received will be brought down."

But they are not brought down, and now we are told the public interest prevents their being brought down. Then there are other communications to the Minister of Public Works mentioned on the same day in his reply to me, in which he acknowledged the receipts of a communication from Mr. Jackson. Then there are required papers showing the facts asserted by the First Minister on the 26th March, 1885, in this House, relating to, 1, the plan of survey; 2, the information conveyed to the half-breeds that they would keep or get their lands according to their custom; 3, the frauds alleged to be attempted by the Metis; 4, the claims which had been settled at that date; 5, the small residue, about 50, which alone remained unsettled, for which this commission was appointed; 6, the attempts to get a sick gentleman to accept the commission and his name; 7, the action between January and March as to the commission; 8, the course taken by the Government to assure the people from door to door that their rights would be respected, that not an acre would be taken from them, and that their possession was as good as a deed; 9, the reports on the "litigated claims" between half-breed and half-breed. These are some of those papers which were called for last Session, their obligation to bring down the most important of which was admitted by the Government last Session, their intention to bring down which was stated last Session, their promise and pledge, to bring down which, at the opening of this Session, were given last Session, and now in the sixth week of the Session, we are told the duty has been fully performed, and that we are to have no more papers.

Mr. WHITE (Cardwell). For an hon. gentleman who declares that he does not know the secrets of the prison house and therefore cannot identify the papers he wants, I think his speech will rather astonish this House and the country. The hon. gentleman, after commencing by telling us that he had not a knowledge that would enable him to specify the particular papers he requires, has given us a long list of papers that he says ought to be before the House but which are not before the House. Now, Mr. Speaker, you will be rather astonished to learn that some of the most important of these, at any rate, are contained in this book, the Sessional Papers of 1885. I take, for instance, almost the last one to which he refers, the correspondence between Father Vegreville and Mr. Deville, and I find that the letter of Father Vegreville is here, dated at Prince Albert, 19th January, 1885, in reference to surveys. I find Mr. Deville's answer to that, in which he suggests the manner in which the surveys may be carried out; I find a letter of Mr. Hall to the commissioner at Winnipeg, indicating that the Minister approved of that mode of carrying

them out, and that instructions would be given accordingly. Now, that is one illustration of the manner in which the hon. gentleman has been dealing with the House in connection with this matter. Then he tells us that the report of the proceedings of the meeting at Battleford, sent by Mr. Lawrence Clarke, are not to be found.

Mr. BLAKE. No, I did not.

Mr. WHITE. Well, Mr. Speaker, I certainly would like to know what the hon. gentleman did say. If he meant the meeting at Prince Albert, then that report is here; if he meant the meeting at Battleford, that report is here. But, Sir, the remarkable thing about it is that in relation to that meeting at Prince Albert, one of the finest passages in the speech of his hon. colleague, the hon. member for Quebec East (Mr. Laurier), in a former debate—if I may be permitted to allude to a former debate—had relation to a return brought down regarding that very meeting at Prince Albert, which the hon. gentleman tells us we have not brought down. Now, Sir, the hon. gentleman, last year, made a statement, after a number of returns were brought down here, in which he gave a list of papers which he said were not included in them. I owe to the House an explanation of the reason why certain papers were laid upon the Table here to-day. As will appear from the papers themselves, if any one will look at them, they were prepared and signed by the Secretary of State in the month of June last. They were sent to the House here, and I believe they were in the Clerk's office for a while, but they never appeared to have been formally presented to Parliament. They were shown to me sometime ago, and I looked through them casually to compare them with the papers which were brought down and which are printed in this book. I found a good many of them—this very letter, for instance, of Father Vegreville, this correspondence of Mr. Deville and other matters of that kind, were precisely the same as had been brought down, and I assumed that the papers, as in fact was the case as to some of these papers brought down, were brought in the other returns, and that some mistake had occurred, by which these papers had not been laid upon the Table of the House. It was only to-day that the Deputy Minister informed me that a careful examination and comparison showed that all the papers contained in this return brought down to-day were not contained in former returns, and I therefore brought them down the earliest moment that I could after this information had been communicated to me. Now, Sir, I obtained from the Deputy Minister to-day a statement which was substantially prepared last year, and was on a paper attached to the papers which I submitted to the House to-day. As it was somewhat argumentative in its character I felt, and I am sure the House will agree with me, that it would hardly do to submit to Parliament an elaborate argument against a speech delivered in Parliament by the leader of the Opposition, from the Deputy Head of a Department, and I asked that there might be a simple statement made as to the papers which the hon. gentleman asked for last year, and which are not included in these returns. I find the result to be this :

PAPERS REFERRED TO BY MR. BLAKE
AS NOT BROUGHT DOWN.

Petition from the half-breeds early in 1878, that was sent through Governor Laird in the summer of 1879.

EXPLANATION.

Copy of petition from half-breed residents of St. Laurent, dated 1st February, 1878; copy of letter from Hon. Mr. Laird (then Lieutenant Governor of the North-West Territories), under cover of which such petition was transmitted to the Hon. Mr. Mills, then Minister of the Interior, and a copy of the reply to the said petition by Mr. Mills, are attached to supplementary return herewith.

I may say that so far as this Government is concerned we certainly had no interest whatever in withholding papers that passed between persons in the North-West and the late Government. I am inclined to think we were rather interested in bringing them down—as many of them as we possibly could bring—as many as we could find—and the probability is that some not asked for may perhaps come down yet, and I do not know that the hon. gentleman will maintain that we had any motive for holding them back. If the hon. gentleman will apply to one of his late colleagues in another place, and particularly read the letter of Father Lacombe addressed to him—perhaps if he got that letter read he would find that what I state is correct, that we, at all events, had no interest in keeping back letters of that kind. The return mentioned in the memorandum was prepared last year, and comes down now, and I do not think one hon. gentleman will find from it that we had any interest in keeping it back.

Statement not brought down as to the Order in Council of 19th of October, 1882.

Copy of the Order in Council of 19th of October, 1882, and copy of memorandum upon which such Order is based are attached to supplementary return herewith, although they do not relate to the claims of half-breeds or other settlers at Prince Albert.

Shown by report of Mr. Lindsay Russell of the 28th of April, 1883, that there had been urgent applications for speedy titles; these applications are not brought down.

There are no applications from settlers in Prince Albert District other than those of which copies have already been sent down in the said return.

They are already in the papers submitted to the House :

The assistant agent, it appears by letter of the 19th of September, 1883, was ordered to take evidence of French half-breed claims, no report of his action brought down.

Agent ordered to discontinue taking entries from French half-breeds until specially instructed. No paper as to such instructions ordered."

Letters of 17th July, and 25th of July, 1883, alluded to in letter of 16th October, 1883."

The instructions given by Mr. Pearce to the agent at Prince Albert, referred to in Mr. Pearce's letter of the 19th September, 1883, to the Commissioner of Dominion Lands, in reference to the settlement of claims of French half-breeds at St. Laurent, are embodied in his letters of the 10th and 16th of October, 1883, addressed to said agent. A copy of each of these two letters and a copy of the Secretary's letter of 19th November, 1883, to the Commissioner on the same subject were included in the return.

These two letters of the 17th July, and 25th (not 25th) contain no reference to claims to lands at Prince Albert or in its vicinity, copies of the same, however, and of letters in answer to which they are written are furnished herewith.

Order in Council, 7th June, 1883.

Copy of the Order in Council attached hereto. It is merely an Order appointing Mr. Lindsay Russell, Surveyor General, and a memorandum to that effect was contained in the return.

Then there is a statement that the date on the telegram is not given; but that is not a matter on which the fate of a Government should depend :

Date of telegram from Mr. Pearce, Prince Albert, to Deputy Minister not given.

The telegram referred to was not dated when received by Department, but in the Deputy Minister's reply, dated 12th of March, 1884, which is the letter immediately afterwards referred to by Mr. Blake. It is stated that it is received here on the 23rd of February.

Date of letter from Mr. Hall to Mr. Deville not given, and reply from Mr. Hall to Mr. Deville not brought down.

Letter from Mr. Hall to Mr. Deville also written on the 12th of March, 1884. Reply from Mr. Deville bears the same date. Copy attached herewith.

Mr. Pearce's report of March 12th, 1884—decision upon it not given.

No papers brought down in reference to resurvey or survey of lands at Stobart, Duck Lake and South Branch of Saskatchewan.

Letter from head office to agent, dated 14th January, 1879, as to survey of river lots.

Petition from settlers as to river frontage and Minister's reply thereto not brought down.

Agent's letter of 11th March, 1882, asking on behalf of settlers for a river lot survey not brought down; nor the reply thereto.

Letter to the agent at Prince Albert relative to opening of land office not brought down. (2nd August, 1881.)

Letter to agent covering instructions of January, 1882, not brought down.

Resolutions sent by Hon. Lawrence Clarke to Minister, of 8th October, 1881, not brought down, nor letter from Mr. Clarke.

Letter of 22nd November, 1881, in reply to Hon. Lawrence Clarke, not brought down.

Mr. Pearce's report did not appear to call for a solution of the question as to half-breeds and Indians therein raised.

An examination of the report shows that Mr. Pearce clearly set forth that equal or nearly equal privileges could be given as a result of subsequent occupation and residence.

That suggestion received the same approval from the Minister as did the other suggestions contained in said report.

Papers regarding the survey of the lands referred to were in use in connection with another return for Parliament at the time the Prince Albert papers were brought down.

A copy of a letter from the Rev. Père Vegreville, dated 19th January, 1884, addressed to the Chief Inspector of Surveys, Mr. Deville, a copy of a letter from Mr. Deville to the Deputy Minister, dated 14th February, 1884, enclosing copy of the said letter of the 19th January, 1884; a copy of the Secretary's letter to the Commissioner, and a copy of the Secretary's letter to Mr. Deville, acknowledging receipt of letter of 14th February are attached hereto.

The correspondence does not shew that the settlers at Duck Lake were expecting a resurvey.

This letter to agent at Prince Albert correctly embodied in Mr. Pearce's report, as is shown by copy of letter attached to supplementary return.

There is no trace of the petition said to have been handed Mr. Russell and referred to by Mr. Pearce.

The Deputy Minister is informed by Mr. Pearce that this petition is alleged to have asked for a rectangular survey, and not a river lot survey.

Mr. Pearce's report contains exactly what was stated in agent's letter of 11th March, 1882, and also contents of the reply from this Department.

A copy of each is attached to the supplementary return herewith.

A copy of Mr. Pearce's letter of the 17th January, 1884, is also attached to the supplementary return.

The other correspondence herewith between the Secretary, the Chief Inspector of surveys and the Commissioner of Dominion Lands shows the action upon Mr. Pearce's letter.

Mr. Pearce's report correctly states in effect the contents of the head office letter of the 2nd August, 1881. Copy of such letter attached herewith.

The circular containing the regulations of January, 1882, a copy of which is herewith attached, was sent to the agent at Prince Albert, as to all the other agents by parcel post. No letter of instructions was necessary.

Mr. Pearce's report contains a copy of the seven resolutions passed at Prince Albert on 8th October, 1881.

The said report also gives substance of the reply from this Department. (Copy attached to return herewith.) On comparing copy of resolutions (copy on return herewith) and copy of the reply, 22nd November of that year, the report will be found to be strictly accurate.

Letter of 14th April, 1882, not brought down.

Mr. Pearce's letter of 12th March, 1884, in reference to claims at Battleford and Edmonton not brought down.

I may say that the officers of the Department did not consider that matters at Edmonton were included in a motion for papers in regard to matters at Prince Albert.

Telegram from Mr. Burgess, 7th April, 1884: No information given as to approval of the schedules referred to.

Telegram from Mr. Hall to Mr. Walsh, to which latter replied 7th May, 1884, not brought down.

If that gentleman can find anything in this last which is of a character to have led the Government to withhold it, he will have succeeded in discovering a mare's nest such as no one else has possessed himself of.

Letter of 1st of August, 1884, from Mr. Walsh to the Minister, in which reference is made of a letter from Minister. This letter is not brought down.

A private letter from the Deputy Minister, dated the 22nd of May, a copy of which is in the return herewith, although it was a private letter, it is now brought down. Now, this explanation will show that so far as the complaints made by the hon. gentleman last year were concerned, in so far as this House could have any knowledge whatever of the papers which he desired, all those papers were either contained in the return brought down last year, and are to be found in the printed Sessional Papers of last year, or they are now on the Table of the House for the use of the hon. gentleman, and I can tell the hon. gentleman that if he will examine them carefully, he will find that there is in them nothing whatever that could add to the case against the Government, which the hon. gentleman made out of the papers which were brought down last year. What one is astonished at, Mr. Speaker, after his seven hours speech last year, based upon the papers that were brought down by the Government, a speech in which the Government were declared to have been responsible for the outbreak in the North-West, after the papers were brought down, which they themselves laid on the Table—that after all this, we should now have the hon. gentleman telling us that he has not "the secrets of the prison house," and therefore he is not able to tell us what papers he requires to have; and he follows that up with a list of papers, including even the private correspondence addressed by reverend gentlemen and others in the North-West, to members of the Government, which he declares have not been brought down, and declares are necessary for the information of the House. With regard to some of those papers, as, for instance, the correspondence with Father Leduc and Mr. Maloney, which he says would indicate that the Government had been remiss in their duty with regard to the requests of these gentlemen,—all I can say is, that, as I have already stated, the officers of the Department did not consider that matters which arose at Edmonton, and related entirely to surveys at Edmonton, could fairly come within the scope of a motion relating to affairs at St. Albert and the adjoining districts. There may be a difference of opinion on that point, but as there are two motions asking for that correspondence, if the House will consider those motions as passed, I have only to state that

Also fully stated in effect in Mr. Pearce's report. The material portion being word for word. (Copy on return herewith.) It was not however observed in transmitting the return that Mr. Pearce had not quoted Mr. Clarke's letter of the 25th January, to which that letter was in reply. The omission is now made good.

Nothing in Order from House calling for correspondence regarding claims at these places.

No approval necessary. Schedules were furnished to office here in order that patents due under each class mentioned might be duly prepared.

Telegram of Mr. Hall of 7th May and one from Deputy Minister of 1st of August following now forwarded.

The letter referred to was a private letter from the Minister to the Deputy Minister, dated 22nd of May, a copy of which is on return herewith.

they are being copied at this moment in anticipation of those motions, and I can assure the hon. gentleman that we will only be too glad to bring down that correspondence, and when it is brought down, it will be found that neither Father Leduc nor Mr. Maloney made any reference whatever to the surveys at St. Louis de Langevin, but that on the contrary, their mission had entire relation to land matters at Edmonton; and so far as their representations referred to land matters, they were every one yielded at once in accordance with the requests they made. These papers like other papers from the North-West, included a number of other matters—matters that are subjects of discussion in relation to public policy, questions of the bay privilege, questions of the wood dues, questions of the reserves, questions of grants to educational institutions, questions of seed grain, questions of grants of agricultural implements, and other matters of that kind, outside altogether of the question of scrip for the extinguishment of the Indian title and surveys of a particular class in regard to the lands. But in so far as they related to these particular matters in relation to which it may be said that these people in the North-West had claims which have since been recognised, the Government yielded every one of them, and the best proof of the statement is to be found in this fact that when the troubles arose in the North-West the half-breeds of St. Albert, in whose behalf Father Leduc and Mr. Maloney came to Ottawa—those half-breeds did not rise in rebellion against the Government, but on the contrary enlisted like loyal subjects on behalf of the Government to do battle for their Queen and country. Under these circumstances, I think we may fairly say that the Government is not open to the charge of concealing or keeping back correspondence which, if produced, would militate against their position, their character or their administrative policy and conduct in connection with the North-West, but that on the contrary the correspondence which the hon. gentleman in his seven hours' speech of last year contended would militate against the Government, has been brought down; and the complaint he now makes, forsooth, is that the answers of the Government which I think we may fairly assume would not incriminate the Government, have not been brought down. Why, Sir, the Government would have the greatest possible interest in bringing down its own side of the correspondence when it brought down the other side of which the hon. gentleman has made so much. I think that the hon. gentleman was hardly ingenuous—and I have to be very careful in my choice of words, because I remember that on one occasion, you, Sir, thought it was not quite right to say that an hon. gentleman was not dealing candidly with the House—I think the hon. gentleman was hardly ingenuous in his statement of the position which the Minister of Public Works has taken at this time. That hon. gentleman did not say, as I understood him, that we declined to bring down any other papers; he did not say that all the papers which were not brought down were necessarily of a confidential character. What he did say, and what everyone must admit he said properly and worthily, was that in connection with matters of this kind there must be in the very nature of things private correspondence. If we want to get information in relation to what is going on in that country, people who communicate with us in order that they may do so, with the greatest possible freedom and fullness, must know that they can write without fear that some day or other, in answer to an address in Parliament, their letters will be given to the public and their names exposed to the public. It is of the greatest importance—having regard to the character of that country, having regard to the elements of which it is composed; I mean the large Indian population there and the influences which are at work, sometimes unfortunately by white men who do no credit to their race and stir up difficulties among

those Indians—I say it is a matter of the greatest consequence that Government shall be able to have from its friends in the North-West such communications as the writers can feel sure are confidential and secret, and in relation to which their names and the matters upon which they write, shall never be publicly exposed. And what the Minister of Public Works said was, that he claimed that the Government had the right to determine what correspondence was confidential; to determine what correspondence in the interest of the public it was necessary should be withheld, and that he would take the responsibility of withholding it. I can only say now; after this additional statement of the hon. gentleman that this particular speech of his will be referred to the officers of my own Department, and if they can find any papers in the Department meeting any one of the requests he has put here, I will consider his speech as an order of the House, and those papers will be brought down immediately. We have certainly, at this stage of the proceedings, no reason to conceal anything which is in the public archives in relation to the affair of the North-West, and we are not open to the imputation which the hon. gentleman was good enough to cast on us by reading the passage from a pamphlet written by a former Minister of the Crown in a moment of irritation, that we would not hesitate, if our own interest was at stake, to destroy public documents in our possession. The documents in this book show that there is no disposition whatever to do that, and I can only assure the hon. gentleman and this House that his speech, so far as I am concerned, will be consider as an order of the House, and that every paper he asks for will be enquired for, and if it is found in the Department, will be brought down here for his information and for the information of the House at the very earliest moment at which the documents can be copied.

Mr. HALL. I believe I am correct in the statement that, since the first Session of this Parliament, nearly four years ago, no motion for papers has been made by any member of the minority of this House, which has not received the unanimous support of the House, although in granting that support I am sure the House must often have felt that the papers sought for were unnecessary, and the result has frequently shown that they were not only unnecessary, but that they entailed a large and useless expense on the country. In adopting that uniform course, however, I am sure the majority of this House have intended to convey and have conveyed the impression to the country that there was nothing in the administration of the Government, either in its ministerial or its departmental functions, which would not bear the closest scrutiny; and I am sure that if the motion now before the House were for any additional papers on any specified subject, the House would again give its concurrence to that motion. But the hon. leader of the Opposition comes before the House now in a new rôle. After having exercised his great ingenuity in preparing motions in every conceivable form on every conceivable subject and every sub-division of subject, he now asks the opinion of this House to be given adversely to the Government as to its compliance with motions made for papers, and the exercise of its discretion in withholding certain papers. In my opinion, there is no function of the Government in which greater delicacy and discretion should be exercised than in the selection or withholding of those papers which have come into its hands in a confidential manner in connection with such a subject as that of the North-West; and in the face of the liberality which has been uniformly shown by this House and by the Government in regard to motions for papers, I am sure that the sentiment of this House is that the Government has discharged its duty faithfully and well in this respect. Therefore I move in amendment to the motion:

That all the words after "that" be replaced by the following: "This House is satisfied with the declaration of the Government that all papers relating to North-West affairs throwing light on the situation prior to, during, and subsequent to the late rebellion, which have been asked for, and which can properly be produced, have been laid before the House, and the House accepts the assurance of the Government that all further papers of that character will be brought down when called for or required."

Mr. DAVIES. Before the amendment was moved by my hon. friend I was going to make a few remarks in reply to the speech made by the hon. member for Cardwell (Mr. White). Very few will question the liberality with which the Government in most cases assent to motions for papers made by members of this House. I do not understand that the complaint made by the leader of the Opposition is that he has moved for papers and that his motions have been rejected. His complaint is that while motions are made by members of the Opposition for important papers throwing light on one of the most important episodes of our history, while the House endorses those motions, and orders the departmental officers to make the returns, the orders of the House and the pledges made from time to time by Ministers have been wilfully violated. It is not a question of liberality in granting motions; it is a question whether the Government carry out the instructions of the House; and the complaint the leader of the Opposition makes to-day is in that regard, and in that regard almost alone. The hon. member for Cardwell attempted to show that his leader in the House did not express himself to the effect that all the papers which were deemed important should be brought down. I so understood him. But there is no use of cavilling now, because the Minister of the Interior has thrown him over, and has made a promise that the papers demanded by the leader of the Opposition will be brought down. But when we look at the conduct of the Government in this matter we cannot but come to the conclusion that that conduct deserves the severest reprehension, and why? Every one of these papers was mentioned by the leader of the Opposition before Parliament when he made his motion; the Government had notice then that he required these papers. They knew, moreover, that there was great anxiety felt in this House and throughout the country to ascertain what degree of responsibility rested on the Government for the outbreak in the North-West. They were charged with gross dereliction of duty and inattention to the wants and demands of the half-breeds, and with practically causing that rebellion which cost so much blood and treasure; and the country awaited with no small degree of interest the time when they would put themselves on their defence, and place the House and the country in possession of the records relating to the transactions which took place before the rebellion, but they did not do that. More than that, what the hon. gentleman complains of, and has a right to complain of, is not only that he made a demand for papers, but that the leader of the Government officially promised that they would be brought down, and they have not been brought down. We have been told that we have certain papers, which are put in the form of a blue book, relating to the North-West, and the hon. gentleman says he does not believe that any member of the House, except the leader of the Opposition, has read them. The hon. gentleman is greatly mistaken. Many members have read them with an anxious desire to come to some conclusion as to the conduct of the Government; and these papers, so far as one can judge, have been arranged, not chronologically or in such a way that the House can understand them, but they appear to have been arranged for the deliberate purpose of misleading.

Mr. WHITE (Cardwell). Hear, hear.

Mr. DAVIES. The hon. gentleman cheers ironically, but he will find returns in the first pages and at the end of
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the book, connected with each other, and between them are other papers that have nothing to do with them.

Mr. WHITE (Cardwell). The Parliament has nothing to do with the printing.

Mr. BLAKE. They are printed the way they are brought down.

Mr. WHITE (Cardwell). They were in the hon. gentleman's hands for weeks.

Mr. BLAKE. They were not; I got them copied.

Mr. DAVIES. Does the hon. gentleman say my hon. friend altered the date of the papers or the position in which they were? Was it his duty to arrange them?

Mr. WHITE. Not at all.

Mr. DAVIES. Anybody who takes up that book has to spend hours and hours to get an accurate or clear idea of the papers contained and their relation to each other.

Mr. WHITE (Cardwell). What I mean is this. When a Department brings down papers to the House, the papers go to the Journal office, and after they pass into the hands of the Journal clerks, who detach them and count them, they go to the printers and appear in the form in which they went to the printers, and the Department cannot be held responsible for that, because the papers have, since they left the Department, passed through a number of hands.

Mr. BLAKE. As the hon. gentleman has referred to me as having some share in disarranging the papers, I beg to tell him he is not aware of the practice. The first thing done with the returns is to send them to the Clerk's office in order that they may be paged in red, just in the order in which the Government brings them down, and it is under these pages they are arranged and printed.

Mr. WHITE (Cardwell). That is not so.

Mr. DAVIES. That being so, we have here the acknowledgment of the present head of the Department that the arrangement is simply disgraceful. The hon. gentleman nods his assent, and any hon. gentleman who spends hours trying to master these papers will find out my statement is not exaggerated.

Mr. WHITE (Cardwell). It is quite true.

Mr. DAVIES. The manner in which Parliament is treated is disgraceful. Do the blue books brought down to the Imperial Parliament appear with their contents arranged in such disorder, so that you cannot find out where the answer to a given letter is? Not at all, they are arranged in chronological order for the use of the House. These appear to have been brought down for the purpose of mystifying members in an important matter of this kind. In placing the record of facts before the House and the people, on which the people are asked to judge, not only have the Government deliberately withheld papers, not only have they violated the solemn promise their leader made last Session, but if the statement of the Minister of the Interior is correct, if he asks any man in this House or out of it to believe in the accuracy of his statement that the papers brought down would clear the Government, he takes a singular method of convincing them, by bringing down the papers and having them printed in such a manner that no one can understand them without taking an infinity of trouble. No Government in England would venture to take such a course.

Mr. WHITE (Cardwell). Have they got a printing committee in England?

Mr. DAVIES. I do not care whether they have or not. That does not alter the fact that these papers should have

been arranged, printed and brought down so that an ordinary member of the House could understand them. When they are brought down they are in manuscript, so that only one member can use them at a time. The manner in which those papers have been brought down and others deliberately withheld cannot but lead to the conclusion that it is not the intention of the Government to throw light on the question or to disclose the important facts; but as far as possible to hide them. The hon. gentleman has read a reply prepared in his Department to the demand made by the leader of the Opposition last year, and he has told us that this reply is a reply to the speech made by the leader of the Opposition to-day.

Mr. WHITE (Cardwell). Not at all.

Mr. DAVIES. Let it be understood that it is only a memorandum with reference to papers moved for in 1883, and does not touch the papers the leaders of the Opposition asks for, and which this House wants, in order to form its determination as to the culpability of the Government with respect to the rebellion. It does not touch one of the pledges made by the leader of the Government last Session, when he solemnly pledged his word that when this House opened this Session we would be placed in possession of all the papers. One would imagine, judging from the tone of the hon. gentleman, judging from the airy manner in which he addressed himself to the House, that he was completely answering the demands of the leader of the Opposition, whereas, in fact, he was referring to a particular motion made in 1883, by saying that the papers moved for then, and to which motion the House assented, had been brought down. What wonderful promptness in bringing down in 1886 papers moved for in 1883. Inasmuch as the hon. member for Sherbrooke (Mr. Hall) has moved a resolution expressive of the confidence of the House in the ministry, and that we are satisfied with all the papers brought down, let us refer to the facts. The reply of the hon. member for Cardwell does not touch the points in issue, as may be shown clearly. The leader of the Government said there were many letters addressed to individual members of the Government not strictly considered official, which would be collected as fast as possible and laid before the House this Session. The hon. member for Sherbrooke (Mr. Hall) is satisfied that pledge should not be kept, and that this House should proceed to determine the question of the responsibility of the Government with reference to this rebellion in the absence of official documents, which were promised from time to time to members of the Government in their official capacity. More than that, we have the most important documents of all missing, which the leader of the Opposition asked for last year, such as the official reports of the Lieutenant-Governor of the North-West, which cannot be considered in any sense private documents.

An hon. MEMBER. May be they are.

Mr. DAVIES. They were shown not to be private by the express declaration of the First Minister last Session that he would bring them down. Those documents are necessary for the formation of a proper judgment, if hon. gentlemen wish to form a proper judgment, and not desire to be dragged blindly, attached to the chariot wheels of the Government, and the House would stultify itself if it agree to the resolution expressive of satisfaction with the papers before the House, when we know most important official documents which were promised have not been and will not be brought down. The hon. gentleman is very hilarious. Perhaps he will not be quite so hilarious when I repeat the statement of his leader. Mr. Blake asked:

"Did the Government receive communication of the resolution of the North-West Council of 1884, as to the half-breed claims, and when? Did they answer that communication? If so, when?"

"Mr. McLELAN. Yes; on the 19th August, 1884, and since then the subjects referred to in the memorandum of the Council have been dealt with at various times by the Government."

Are we to have no return showing how, when and why they dealt with these important matters? Is the hon. member for Sherbrooke (Mr. Hall) satisfied to remain in ignorance, or had he a private peep at the papers? We are entitled to have those documents before us. There is a strong feeling throughout the country, not that the House should investigate and determine upon the question of the Government's responsibility with reference to the execution of Louis Riel alone, but that there should be a fair and impartial investigation of all the facts and causes of the rebellion. We have reason to believe that the Government are responsible for the rebellion, by their negligence, supineness and indifference. They now keep back the documents, and one of their supporters asks us to express confidence in them, and not only that, but gratification that they have kept back the documents. What is the other information like?

"Mr. BLAKE. Did the Government call on Governor Dewdney for any information as to the state of things with reference to the half-breeds in the Saskatchewan region in 1884, or in January, February, or early in March, 1885, and, if so, when?"

What is the answer?

"I do not know that there have been any special calls on Governor Dewdney on behalf of the Government for information. It is Governor Dewdney's duty to give full information on everything affecting affairs in his jurisdiction, and he has been in continual communication with the Government or individual members of the Government on this subject."

Continual communication during the whole year 1884, and during the important three months immediately preceding the outbreak. We have none of these communications before us, and the hon. gentleman asks us to express satisfaction with the action of the Government. I say the House will be derelict in its duty if it does anything of the kind, and, coming from one of the hon. gentleman's intelligence and shrewdness and general impartiality, I was no little surprised at his moving that resolution. Then, Sir John Macdonald goes further. He says:

"The Government and several of the Departments have been in active correspondence with the various officials in the North-West, as to the state of affairs in reference to the half-breeds in the Saskatchewan region and other matters affecting the North-West. Some of these communications are in the Department and some are not. They will be brought down."

They are not brought down. We have no knowledge of them. They are documents official in their character, and I suppose they are, therefore, at any rate, calculated to throw the most light, from an impartial source, upon the causes of the outbreak, upon the grievances which led to the outbreak; and yet we are asked to declare that we, as a Parliament, do not wish to have the information which is necessary in order to form a judgment, the information which the Government promised to bring down, information which has not been brought down, and which I venture to assert would throw a great deal of light upon this much vexed question. I will not weary the House by reading the answers to the other questions, because they have been read already by the hon. gentleman.

An hon. MEMBER. Hear, hear.

Mr. DAVIES. They do not appear to be palatable to the hon. gentleman. He does not want the information. He is prepared to vote blind. But we are not prepared to vote blind, and the country does not desire that we should vote blind. I believe the country from one end to the other is sincerely desirous that this matter should be probed to the bottom. I acknowledge that it is right for a Government at times to withhold certain documents from the public, but the Government have not claimed that right in regard to any of these important documents which, on the contrary, they have pledged themselves to bring down,

They have violated that pledge; they have not brought them down. Even now, in the sixth week of the Session, we had a declaration from the leader of the House which I think everyone understood to show an intention not to bring them down; and to endorse the action of the Government, to state our gratification at that state of things would be, I think, to make ourselves supremely ridiculous. I think, in this important matter, that some steps should be taken to have these documents, if there be any of them that are of a character which might damage the public interest, examined by an impartial committee. The Government have no right to shelter themselves behind that excuse, and to say: "We will give you only those papers that we choose to select." Can there be a fair and impartial trial of the Government, when they, by their own showing, withhold important documents? Is it to be expected that they will give us those documents which will tell against themselves? It is contrary to human nature to suppose anything of that sort. Hon. gentlemen may get a majority to whitewash the Government, and to back them up in their attempts to prevent an examination into this matter, but the people of the country will draw their own conclusions from that, and we can draw the logical conclusion that the documents which they withhold are those which will prove their culpability in this matter.

Mr. FOSTER. My hon. friend has spoken with his usual warmth, and, I may say with his usual lack of logic. Towards the closing part of his speech, in answer to some indications of dissent from him on this side of the House, he said that hon. gentlemen on this side of the House did not want any information, because they were willing to vote blindly. The hon. gentleman's whole complaint, if he had a complaint, during the whole speech which he has just finished, has been that the House—and his side of the House particularly—had been kept in utter ignorance, and yet, when he makes that assertion, in the same breath he declares that the Government have been culpable by their supineness, by their neglect, and by their acts, for causing this rebellion, and that they must be held guilty in regard to it. That is the hon. gentleman's logic. He is in blindness, he is in darkness, he wants more information, and yet he began by stating that the Government had caused this rebellion and he ended by stating more vehemently the same thing. I leave the House and the country to judge who it is that is willing to vote blindly, and who it is that is willing to act without further information. I think my hon. friend will admit that the Government must be in every case the judge as to what papers should be brought down and what should not be brought down. He will admit also that there are different kinds of papers, and they have been specified as this discussion has been advancing. There are papers which may be brought down in the public interest and others which may not, and both are public documents which come to the Government as a Government, and which are discussed by the Government, or which come into the Departments as public documents addressed to the Departments. The Government must be the sole judge of which of these should be brought down and which should not be brought down in the public interest of the country. Then, again, there are papers which come to members of the Government, but to them as private members of the Government, and, these being private communications, coming into the possession of members of the Government individually, may be brought down or may not be brought down; they are not necessarily public documents, and if the leader of the Government promised that any of these should be collated and brought down in due time it was rather a matter of grace than a matter of duty, and if some have been brought down, and others are being collated and will be brought down, he has fulfilled his pledge, and such papers as can be given have been or

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will be given. My hon. friend is strong in his assertions with regard to what is done by the Government. He declares that they have wilfully violated their pledges. He declares, or you would think, to listen to him, any spectator would believe, that of all the different requests which have been made, not one has been complied with, and no papers have been brought down. If hon. gentlemen will look over the list of papers ordered by the House, and will then look at those which have been brought down, they will find that a very large number of those orders have been complied with, and a very large number of papers have been brought down. He acknowledges, and the leader of the Opposition acknowledged, that large numbers of these papers had been brought down, that large number of these papers were brought even last year; but he finds fault that they are not collated in the printed document as well as they should be. Well, that may be a matter of blame to the Department or to those who get up those papers, or it may not, but if the papers are there I know my hon. friend has ingenuity enough to hunt them out and to place them where they will do the most good. I think the proposition embodied in the amendment of the hon. member for Sherbrooke (Mr. Hall) covers the whole case. The Government has brought down such papers as it considers can be brought down in the public interest, and it is willing to do the same, as has been stated over and over again. I do not think it is either fair or logical to suppose that because papers are not brought down they therefore incriminate the Government, and that the Government do not dare to bring them down. I may say that as this discussion goes on, as this matter with reference to the North-West is sifted more and more, as it will be, it will be found that the Government have not been derelict in its duty in bringing papers down, and that when these papers have been thoroughly examined they will be found not to incriminate the Government, but rather to vindicate the course it has taken.

Mr. CAMERON (Huron). The conduct of the Administration with reference to papers having relation to North-West affairs, has been consistent throughout. Last Session everybody will recollect that it was with the greatest possible difficulty we could extract from the Government any papers bearing upon that unfortunate outbreak and the conduct of the Administration with respect to the claims of the half-breeds. Day after day, week after week, month after month, the hon. member for West Durham pressed upon the First Minister the necessity of bringing papers down to Parliament to enable us to discuss the causes of the rebellion, and it was only in the closing hours of the Session that we were able to get any papers at all, and many of the papers with respect to the conduct of the Administration and the claims of the half-breeds, were not submitted to the House. We had last Session the extraordinary statements made in the other Chamber that have been made in this Chamber this Session; we had a late Minister of the Interior declaring in the Senate that the half-breeds had no grounds of complaint, had no grievances, and that there were no complaints made. Two days afterwards we had the late Minister of Justice admitting that between the 1st January, 1879, and the 15th March, 1885, a large number of complaints were received from the half-breeds and others in the North-West, setting forth their grievances, and these papers were promised to be brought down. We have this Session the same spectacle. We had one Minister of the Crown intimating there were no papers that had not been submitted to Parliament, and by-and-by verifying his argument by reading copious extracts from documents that had not been submitted to Parliament. We had another Minister of the Crown two or three nights afterwards, declaring that all the papers bearing upon the question had been submitted to Parlia-

ment, and still further reading copious extracts from a large number of documents, not a single one of which has yet been submitted to Parliament. We have the leader of the House substantially declaring that they do not intend to bring down any more papers to Parliament, and we have the present Minister of Interior declaring now that after hearing the speech of the hon. member for West Durham, he will instruct the officials in this Department to prepare all documents that they can bring down to Parliament.

Mr. WHITE (Cardwell). If there are any.

Mr. CAMERON (Huron). Are the papers there, or are they not? If they are, we surely ought to have them, unless they are of the particular character that the last speaker has referred to—confidential papers. Now, will any sensible man tell the House that the documents referred to by my hon. friend are confidential documents—documents that Parliament is not entitled to see, documents that the people of the country are not entitled to see. Why, Sir, we have only to state the proposition to see its absurdity. Are those resolutions confidential that were passed at a score of meetings held in the North-West, just about the spot where the outbreak took place, and where some of the battles were fought? Were those resolutions passed at Halcro's Settlement, at Lindsay's School House, at Prince Albert, and various other places—were they confidential documents? Were the resolutions passed at these meetings, the petitions signed by the half-breeds and transmitted to this Government, confidential documents? Why, Sir, they are public documents, they are documents that we ought to have in our possession before we are called upon to pronounce upon the misconduct of the Administration—if there was misconduct, as I verily believe there was. The Minister of Marine and Fisheries charges my hon. friend with being illogical, because, on a former occasion, both he and others in the House declared that the Administration deserved the censure of Parliament. Well, Sir, we believe from the documents that we have been able to extract from the Government, that there is sufficient to convince any reasonable man, open to conviction, that the whole conduct of the Administration with respect to the claims of the half-breeds for the last seven years has been such as to deserve the censure of this Parliament. But, Sir, we know perfectly well that there are other documents in the possession of this Government, and it is nonsense to tell us that these documents, if brought down, would exculpate the Government instead of incriminating them. Does anybody believe that even the Minister of the Interior, if he had such documents in his possession, would refrain half a minute from bringing them down? We believe that these documents are being withheld because they would prove the guilt of this Government. My hon. friend has read a list of over fifty of these documents. Anybody who sees fit to read the evidence given at the trial of Riel, and the papers published in the blue book for 1885, will see that there are documents not submitted to Parliament that have an important bearing upon the discussion that must take place in this Parliament, and yet these documents are withheld from us. Why are they withheld from us? Because they will exculpate the Government? No, Sir, but because the production of the documents would bring home to this Administration their guilt in the clearest possible way. Now, there are other documents my hon. friend has not mentioned. In fact, they are so numerous that they could hardly be mentioned in a speech of an hour, documents which we believe are in the possession of the Government, and that the Government, to this hour, have not submitted to Parliament. Now, will the hon. gentleman tell us that the report of Superintendent Crozier, of the 13th of July, 1884, with respect to the claims of the half-breeds, is a confidential document. It may be among the Sessional Papers, but it is like looking for a needle in a

hay-stack to look for a thing in that Sessional Paper. I have gone over that book half a dozen times, and it is very difficult to trace documents that may be there and which bear upon this question, or rather documents that are omitted from the Sessional Papers of 1885. Is the report of Sergeant Brooks before the House? No. There is the petition from half-breeds of St. Laurent and Batoche mentioned in the report of Superintendent Gagnon, and the letter sent prior to the petition, both of which are mentioned in the papers, but none of which can I find there. Is it maintained that these are confidential documents? Every subject has the right of petition. What were these petitions for? There were resolutions passed at public meetings to petition the Government respecting claims against the Government and regarding the treatment which the Government had meted out to them, and the misconduct of the Administration in dealing with their repeated demands to have their wrongs redressed. Yet we are told that every document, except those of a confidential character, has been brought down! Where is the telegram of 21st February, 1885, mentioned in the mounted police report for this year, and the telegram of Superintendent Gagnon, dated 13th March, 1885, also mentioned in that report? I have not been able to lay my hands on them, if they are among the papers submitted. Hon. members will find in the evidence given at the trial of Louis Riel by Father André that mention is made of several communications he had with the Government. I can only find one or two in the blue book, and I cannot find a single reply by the Government to a single one of the petitions, remonstrances and resolutions sent to them. Hon. members will find further mention of a petition sent to the Government in pursuance of a resolution passed at a meeting of the half-breeds at Duck Lake, held on 23rd February, 1880. I do not find that in the papers. Then we have a petition from the half-breeds at Prince Albert as the result of a meeting held there on the 8th of October, 1881. There is also another petition in 1883 from the half-breeds at Prince Albert; also a petition from half-breeds at St. Catherine's parish, the result of a meeting held on 21st January, 1884. These were referred to by the hon. member for West Durham. Resolutions were passed by the half-breeds at Lindsay's School House at Halcro's Settlement, in January, 1884. All these were sent to the Government; petitions were signed by the half-breeds in pursuance of the resolutions passed. These petitions, in some cases, and resolutions in some other cases, were transmitted to the Government, and yet, so far as I have been able to discover, very few have been brought down. We know that upon the notice paper there is a motion entered by a supporter of the Government, and we know perfectly well that before he did so that supporter of the Government must have ascertained that the documents for which he proposes to ask are not before Parliament. The hon. member for Lincoln (Mr. Rykert) proposes to move:

"For copies of petitions and letters from Rev. H. Leduc and Daniel Maloney, in relation to complaints of the people of Edmonton, Fort Saskatchewan and St. Albert, and all correspondence arising out of such petitions."

In the evidence at the trial Father André spoke of a communication sent to the Government in 1882, and a letter sent by him to the Government in 1884. Those letters, so far as I have been able to ascertain, are not among the papers submitted to Parliament. He also referred to another communication sent to the Minister of Public Works after the rebellion broke out. That letter, so far as I am able to find out, is not among the papers brought down. Why are these papers not brought down? Is it to be said that these are confidential communications directed to the Government, or members of the Government, with relation to complaints of the half-breeds, are privileged communications, and that the people shall know nothing about

them? The report of Colonel Irvine has been mutilated and is not submitted in its entirety. Why was it not brought down as it was sent by the official from the North-West? It ought to have been so submitted to Parliament. We, the Opposition, have as good a right to see what it contained as have hon. gentlemen opposite, and, therefore, we should be put in possession of it. I was perfectly amazed, although it takes a good deal to surprise me in regard to statements coming from the other side of the House, at what the Minister of Public Works said, that all the documents not brought down were documents which the Government propose to treat as confidential documents, which they would not submit to the House. I was more surprised at the Minister of the Interior, although I need not have been surprised, who, in an elaborate speech, undertook to lead the country to believe that the documents which the hon. member for West Durham wanted had been brought down already. The hon. gentleman read a list, and declared that he was perfectly satisfied that every order of the House and every pledge of the First Minister had been implemented. But the documents to which he referred were not the documents which the member for West Durham called for. They were documents regarding claims at Prince Albert, documents which were asked for last year; but the documents now brought down by the Government are documents to which the member for West Durham made no reference, and that is the answer we receive. Hon. gentlemen opposite know that there is still a mass of documents, comprising petitions, resolutions, remonstrances, communications from the clergy and bishops, scarcely one of which has been submitted up to this hour; yet, hon. gentlemen tell us we have got all the papers they propose to give us. I say there are other documents in the possession of the Government which should be submitted to this House. I say there are documents in the Department which have not yet seen the light of day, documents which would incriminate the Government, documents on file in the Department of the Interior which would bring home guilt to this Administration with respect to the management of the North-West as clear as the noon-day sun. Hon. gentlemen deny it. I offer them the only way in which to settle the dispute, and that is to have an independent investigation. This should take place. Are hon. gentlemen opposite afraid to have the records of the Departments investigated? If they are afraid, the conclusion is simply inevitable that the statement I make is correct, that the Government have documents which if produced would satisfy any reasonable and fair thinking man that the Government have been concealing and are now concealing from the people documents that would bring home guilt to them. In order that this matter may be placed beyond dispute and the Government have an opportunity—and I desire to afford it simply in the interest of the Government—to clean their own skirts from this charge, and if they do that the people will be satisfied—I will be satisfied—I propose giving them an opportunity of relieving themselves from the responsibility and from the odium that now attaches to the Administration by their not producing the documents of which the hon. member for West Durham has spoken, and the existence of which has not been denied by the Government. This is a challenge I throw out to hon. gentlemen opposite. Let me see whether they are prepared to accept it or not. I move in amendment to the amendment:

"That all the words after the word "that" be struck out, and the following inserted:

Mr. Blake a member of this House, having stated in his place that he is informed and believes he can prove that there are in the hands of the Government, documents affecting the question whether the Government was guilty of neglect, delay and mismanagement in North-West affairs before the rebellion; A Select Committee be appointed to enquire fully into the said allegations, with power to send for persons, papers and records, and that the witnesses be examined on oath or affirmation, and that the committee do report in full the evidence taken and the papers produced before them and their proceedings on the reference,
Mr. CAMERON (Huron).

and that Messrs. Bossé, Edgar, Coursol, Sriver, Ouimet, Casey, Shanly, Mulock and Patterson (Essex) do compose the said committee."

House divided on amendment to amendment of Mr. Cameron, Huron.

YEAH :

Messieurs

Allen,	Desjardins,	McIntyre,
Amyot,	Edgar,	McMullen,
Armstrong,	Fisher,	Mills,
Auger,	Gaudet,	Mitchell,
Bain (Wentworth),	Geoffrion,	Mulock,
Béchar,	Gigault,	Paterson (Brant),
Bergeron,	Gillmor,	Platt,
Blake,	Glen,	Ray,
Bourassa,	Gunn,	Rinfret,
Burpee,	Harley,	Robertson (Shelburne),
Cameron (Huron),	Holton,	Sriver,
Cameron (Middlesex),	Innes,	Somerville (Brant),
Campbell (Renfrew),	Irvine,	Somerville (Bruce),
Cartwright (Sir Richard),	Jackson,	Springer,
Casey,	King,	Sutherland (Oxford),
Casgrain,	Kirk,	Trow,
Charlton,	Landerkin,	Vail,
Cockburn,	Langelier,	Watson,
Cook,	Laurier,	Weldon,
Coursol,	Livingston,	Wilson.—62.
Davies,	McOraney,	

NAYS :

Messieurs

Allison,	Fortin,	Montplaisir,
Bain (Soulanges),	Foster,	O'Brien,
Baker (Missisquoi),	Gagné,	Orton,
Baker (Victoria),	Gault,	Ouimet,
Barnard,	Gordon,	Paint,
Beaty,	Grandbois,	Patterson (Essex),
Bell,	Guillet,	Pinsonneault,
Benoit,	Hackett,	Pope,
Bergin,	Haggart,	Pruyn,
Blondeau,	Hall,	Reid,
Bourbeau,	Hay,	Riopl,
Bowell,	Hesson,	Robertson (Hastings),
Bryson,	Hickey,	Ross,
Burnham,	Hilliard,	Royal,
Burns,	Homer,	Scott,
Cameron (Inverness),	Ives,	Shakespeare,
Campbell (Victoria),	Jamieson,	Shanly,
Carling,	Kaulbach,	Small,
Caron (Sir Adolphe),	Kilvert,	Sproule,
Chapleau,	Kinney,	Stairs,
Cimon,	Kranz,	Taschereau,
Cochrane,	Landry (Kent),	Tassé,
Colby,	Langevin (Sir Hector),	Taylor,
Costigan,	Lesage,	Temple,
Coughlin,	Macdonald (King's),	Thompson (Antigonish),
Curran,	Mackintosh,	Tupper,
Outhbert,	Macmaster,	Tyrwhitt,
Daly,	MacMillan (Middlesex),	Wallace (Albert),
Desaulniers (St. Maurice),	McMillan (Vaudreuil),	Wallace (York),
Dickinson,	McCallum,	Ward,
Dodd,	McCarthy,	White (Cardwell),
Dugas,	McDougald (Pictou),	White (Hastings),
Dundas,	McDougall (C. Breton),	White (Renfrew),
Dupont,	McGreavy,	Wigle,
Farrow,	McLelan,	Wood (Brockville),
Ferguson (Leeds & Gren),	Massue,	Wood (Westmoreland),
Ferguson (Welland),	Moffat,	Wright.—111.

Amendment to amendment negatived.

Mr. MITCHELL. I had not an opportunity of speaking to the amendment as I happened to come in only in time to give my vote; and I therefore feel it to be my duty now to justify the course I intend to pursue—

Some hon. MEMBERS. Order, order.

Mr. MITCHELL. Better wait till you see if I am out of order. Perhaps some of these hon. gentlemen would like to speak, and if so I will reply to them. I believe I am in order, Mr. Speaker?

Mr. SPEAKER. Certainly; the hon. gentleman is in order.

Mr. MITCHELL. I hope, these hon. gentlemen will keep quiet. I intend to justify the course which I have

pursued and which I intend to pursue in relation to these motions. Hon. gentlemen in this House will recollect the course which I took on a similar motion moved by the hon. member for West Durham when he moved for a committee to enquire into the administration of affairs in the North-West last Session. Sir, it will be recollected that he was followed and replied to by the right hon. Premier on that occasion, and that the third person who spoke in connection with that motion was myself. I stated then that while I believed that maladministration, arising out of the course pursued by the right hon. Premier, when Minister of Interior and by his successor, Sir David MacPherson, had led to a great deal of the trouble in the North-West, yet that in the presence of a rebellion I would not vote to put a Government on its trial until after the rebellion was quelled, but that, if the hon. gentleman would move his motion after the rebellion was over, or would move it the following Session, the principle of his motion would have my support, and it has received my support. It is a conviction with me that there has been maladministration in that country. I speak of it with regret that it should be so, and I do regret that with regard to hon. gentlemen with whom I have acted so frequently on this side of the House, I should find myself compelled from a sense of duty—

Some hon. MEMBERS. O! O! Hear, hear.

Mr. MITCHELL. "O! O!" these gentlemen say—men who are pulled up and down by a string. Sir, what I do I do from a sense of duty and not from a desire to sever my connection with gentlemen with whom I have been associated. It is from no desire to do that.

An hon. MEMBER. Good-bye.

Mr. MITCHELL. Well, I am ready to go if you are ready to have me go. I say I have pursued this course from a sense of duty, from a sense of what I owe to the country, from a sense of my sworn oath here to pursue that course according to my convictions and my judgment of what I think right, and it has been no feeling of to-day, no feeling of this Session. I have expressed once and again, and often during previous Sessions, my conviction of what I believe to be the neglect, the remissness of duty and the maladministration of the persons who presided over the Department of the Interior. Sir, I do not desire to include the present Minister of the Interior in that connection, because we are not dealing with his transactions or his administration of the office. But, Sir, I have a conviction that under the two previous administrations of that Department, delays and neglect and incapacity characterised the conduct of that branch of the public service, and that it was left largely to subordinates, to deputies, to officials who were comparatively irresponsible to the public, and they ran the North-West, and they have brought about a good deal of the trouble. That is my conviction. What do I find? Our Government opposing a motion to bring down papers.

Some hon. MEMBERS. No, no; yes, yes.

Mr. MITCHELL. I say yes. Is it not their duty when they are arraigned to bring down every paper? They talk of private communications. What right have they with private communications? Communications on public questions are public documents, and this Parliament of Canada, the masters of the Government, the men who keep them where they are, have the right to see these papers, so that when the arraignment is made they may have the opportunity of pronouncing whether that arraignment is correct or incorrect. I regret to have to say this, but notwithstanding the sneers of these hon. gentlemen, it is from a sense of public duty, and I regret to have to do it.

House divided on amendment of Mr. Hall.

YEAS :

Messieurs.

Allison,	Foster,	O'Brien,
Bain (Soulanges),	Gagné,	Orton,
Baker (Missisquoi),	Gault,	Quimet,
Baker (Victoria),	Gordon,	Paint,
Barnard,	Grandbois,	Patterson (Essex),
Beaty,	Guillet,	Pinsonneault,
Bell,	Hackett,	Pope,
Benoit,	Haggart,	Pruyn,
Bergin,	Hall,	Reid,
Blondeau,	Hay,	Riopel,
Bourbeau,	Hesson,	Robertson (Hastings),
Bowell,	Hickey,	Ross,
Bryson,	Hilliard,	Royal,
Burnham,	Homer,	Scott,
Burus,	Ives,	Shakespeare,
Cameron (Inverness),	Jamieson,	Shanly,
Campbell (Victoria),	Kaibach,	Small,
Carling,	Kilvert,	Sproule,
Caron (Sir Adolphe),	Kinney,	Stairs,
Chapleau,	Kranz,	Taschereau,
Cimon,	Landry (Kent),	Tassé,
Cochrane,	Langevin (Sir Hector),	Taylor,
Colby,	Lesage,	Temple,
Costigan,	Macdonald (King's),	Thompson (Antigonish),
Coughlin,	Mackintosh,	Tupper,
Curran,	Macmaster,	Tyrwhitt,
Outhbert,	Macmillan (Middlesex),	Wallace (Albert),
Daly,	McMillan (Yaudreuil),	Wallace (York),
Desaulniers (St. M'rice),	McCallum,	Ward,
Dickinson,	McCarthy,	White (Cardwell),
Dodd,	McDougald (Pictou),	White (Hastings),
Dugas,	McDougall (O. Breton),	White (Renfrew),
Dundas,	McGreevy,	Wigle,
Farrow,	McLelan,	Wood (Brookville),
Ferguson (Leeds & Gren),	Masane,	Wood (Westmoreland),
Ferguson (Welland),	Moffat,	Wright.—110.
Fortin,	Montplaisir,	

NAYS :

Messieurs.

Allen,	Desjardins,	McOraney,
Amyot,	Dupont,	McIntyre,
Armstrong,	Edgar,	McMullen,
Auger,	Fisher,	Mills,
Bain (Wentworth),	Gaudet,	Mitchell,
Béchar,	Geoffrion,	Mulock,
Bergeron,	Gigault,	Paterson (Brant),
Blake,	Gillmor,	Platt,
Bourassa,	Glen,	Ray,
Burpee,	Gunn,	Rinfret,
Cameron (Huron),	Harley,	Robertson (Shelburne),
Cameron (Middlesex),	Holton,	Scriver,
Campbell (Renfrew),	Innes,	Somerville (Brant),
Cartwright (Sir Richard),	Irvine,	Somerville (Bruce),
Casey,	Jackson,	Springer,
Casgrain,	King,	Sutherland (Oxford),
Charlton,	Kirk,	Trow,
Cockburn,	Landerkin,	Vail,
Cook,	Langelier,	Watson,
Coursol,	Laurier,	Weldon,
Davies,	Livingston,	Wilson.—63.

Amendment agreed to, and main motion, as amended, agreed to on same division.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to; and the House adjourned at 11:30 p.m.

HOUSE OF COMMONS.

TUESDAY, 6th April, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FIRST READING.

Bill (No. 83) to amend the Act incorporating the Board of Trade of the City of Ottawa.—(Mr. Mackintosh.)

CAPE RACE LIGHTHOUSE.

Mr. FOSTER moved that the House resolve itself into Committee on Friday next to consider the following Resolution:—

That it is expedient to accept the transfer of the lighthouse at Cape Race to Canada on the conditions mentioned in the despatch and papers laid before the House, by order of His Excellency the Governor General, and to provide for the maintenance thereof at the expense of the revenue of the Dominion after transfer.

Motion agreed to.

BUSINESS OF THE HOUSE.

Sir HECTOR LANGEVIN moved:

That Government business shall have precedence on Thursday during the remainder of this Session.

He said: We have thought that it would expedite the business of the Session if the Government took this third day in the week. The two other days will, of course, remain for business in the hands of private members—at all events, until the pressure becomes so great that we shall have to take some other day also for Government business, of course taking care that the measures in the hands of private members will not suffer.

Mr. MITCHELL. I expected a motion of this kind about four weeks ago, when the Government took up over three weeks of the time of private members by anticipating that resolution which excited so much interest. I stated then what now turns out true, that the Government would probably come down in a few weeks and take away from us one of our private days. We have only had four or five private days during the whole of this Session, and I consider it very unfair that the time allotted to private members should be absorbed by the Government to the exclusion of the free discussion of those questions which private members should have the opportunity of discussing. Of course, I am not at all disappointed in this motion; I foretold that it would occur; but I do think it is a little too early in the Session to move it, considering the amount of business on hand and how little business we have done. Scarcely any papers asked for this Session have come down yet, and we are going to be limited to two days in the week for private business. I think it is very unfair, and the House should not approve of it.

Mr. COOK. If the Government are bent upon taking Thursday, I think we should sit on Saturdays, so that private members would have three days still. This sitting only five days in the week is not exactly the thing, and by sitting on Saturdays we would get through more business, and the Government could have their extra day.

Mr. IVES. It may be that the motion of the Government does not please the third party; but from conversations I have had with members on the other side of the House as well as on this side, I am sure that both sides are practically unanimous in the desire that an additional day should be taken by the Government, and that the Session should, if possible, be expedited. There is a feeling that it is almost too much to ask members to sit here continuously, as is coming to be the case; for we only left here at midsummer. I am quite satisfied, from what I know of the sense of the House, that this motion exactly meets the desire of the large majority.

Mr. BLAKE. Of course I have not had the same opportunity of communicating with gentlemen on this side of the House as the hon. member for Richmond and Wolfe, and, therefore, I am unable to speak as he has spoken. I speak for myself, after his information, and notwithstanding his information, and I say, considering the circumstances to which the hon. member for Northumberland has alluded particularly, and the state of the notice paper, that

Mr. MITCHELL.

it is too early in the Session for the Government to take this additional day. We are all anxious to get the Session over, of course; but I suppose our anxiety to get the Session over is not to overcome our desire to do our duty during the Session, and that duty cannot be discharged if, after what has taken place this Session, we are so early precluded by the Government from dealing with the business of private members. The Government insisted, during the early days of the Session, that a particular matter should consume the whole time of the House. The result is that we have had particularly very few days this Session—fewer than I ever remember—for the discharge of private business, up to this time; and I certainly think we ought to have one day more at least; we ought to have next Thursday, at any rate.

Some hon. MEMBERS. No.

Mr. BLAKE. I quite understand that those hon. gentlemen who consider their sole duty to be to further the business of the Government, may object to that suggestion. I did not expect their sympathy for it. I am speaking contrary to my own feelings when I make a suggestion that may prolong the Session even a day; but if, in the state of public business, we are called on to give the majority of the days to the Government, and only two days out of the five in the week to private members, it is better to sit the whole six days in the week and get on with our duties. I ask the hon. gentleman, therefore, not to press this motion, at least for next Thursday; and when he does propose that it shall go into operation, to provide it shall after questions which take a very little time and which are a very convenient way of eliciting information that we will be almost precluded from eliciting by giving up so many days to the purposes of the Government.

Mr. DAVIES. No doubt it must be very convenient to those members of Parliament who reside near Ottawa to have Saturday as a holiday, so that they can return home, but there is a large percentage of members who do not live near enough to be able to return home Saturday, whose interests ought to be considered. If private members are to be deprived of the Thursdays, they should be given Saturdays as private days. The Government do not consider the interests of the Maritime members sufficiently, and I am sure I speak for the majority when I say that private members should be given Saturdays to replace Thursdays.

Sir HECTOR LANGEVIN. When I make this motion, asking the House to consent to give a third day to the Government during the week, hon. gentlemen must see that it is for them as well as for the Government we are asking it. The measures of the Government are the measures of the House as well; they are to be considered by the House; we are pressing them upon their consideration, and if we have not the necessary time every week the Session will have to be extended beyond its usual length. Two hon. gentlemen have suggested that we should sit on Saturdays as well. I am sure they forget that besides the business of the House, the Executive have to look after the general work of the Government, and the Departments have to be attended to as well; and if we have not Saturdays to dispose in Council of the business of the country, I do not know when that work will be done. It would not, therefore, be practicable to take Saturdays, at all events, for the whole Session. However, if the House wishes it, I have no objection that we should not take next Thursday for the special business of the Government; but I must say hon. gentlemen should not complain that we insisted on the motion of the hon. member for Montmagny (Mr. Landry) being debated from day to day, as it was not a motion on the Government notices, but on the notices of ordinary members of the House. I would ask to modify my motion, if agreeable to the House, by saying that the Government

business will take precedence every Thursday after next Thursday.

Mr. CHARLTON. I am sure the Government, after their great liberality to private members in permitting the motion of the hon. member for Montmagny being debated *de die in diem* for weeks, will agree to the suggestion of the leader of the Opposition that questions should be permitted on Thursdays.

Mr. BLAKE. We used to do it formerly. Sir John has several times consented to it.

Sir HECTOR LANGEVIN. I have no objection, provided the questions come immediately after routine.

Motion, as amended, that Government business shall have precedence on Thursdays on and after the 15th inst., after questions put by members, agreed to.

Mr. BLAKE. I congratulate the hon. member for Richmond and Wolfe on his accuracy of view.

CHIGNECTO MARINE TRANSPORT RAILWAY COMPANY.

Mr. POPE moved that the House resolve itself into Committee of the Whole on Friday next to consider the following Resolution:—

That it is expedient to amend the Act 45 Victoria, chapter 55, and to provide that the term during which a subsidy may be granted thereunder to the Chignecto Marine Transport Railway Company shall be twenty instead of twenty-five years, and that the amount of such subsidy shall be \$170,602 instead of \$150,000 a year.

Motion agreed to.

QUESTION OF PRIVILEGE.

Mr. ORTON. Before the Orders of the Day are called, I would like to draw attention to a paragraph of the *Globe* of April 2nd:

"Mr. Orton was almost as conspicuous as Capt. Scott on Tuesday, and in the same way. This is a case in which a pair are better than three of a kind, and three of a kind better than a full four."

We have seen, during this Session, several instances in which the press have taken the liberty of traducing and slandering hon. members of this House. It is time some steps should be taken by the House to protect its members from such slanders. There is not an hon. member who will not agree with me that the paragraph I have read is utterly without foundation, that it is a wanton slander circulated against me. We have enough to suffer in public life without having such slanderous statements given to the public. Personally, perhaps, we may care very little about them, and I am sure my constituents, to whom I have been known for twenty-five years, will take no notice of this slander, but it is painful that one's family and friends should have such paragraphs as that put before them. If the House does not preserve its dignity in matters of this kind, if the press are allowed to abuse their privilege, what will be the final result? Hon. members will have to take the law into their own hands, and punish, in the way in which it should be punished, such slanderous attacks, and it will result in bringing into this country the same condition of affairs that we see occasionally occurring across the border, where peremptory steps are taken to punish attacks upon private persons.

THE REVISED STATUTES.

Mr. THOMPSON (Antigonish) moved the second reading of Bill (No. 9) respecting the Revised Statutes of Canada.

Motion agreed to, Bill read the second time, and the House resolved itself into Committee.

(In the Committee.)

Mr. WELDON. Are the Statutes passed last year embodied in this Bill?

Mr. THOMPSON (Antigonish). Yes.

Mr. WELDON. Then, this is not exactly the report which came from the committee last year?

Mr. THOMPSON (Antigonish). The volumes which have been distributed this Session embody the Statutes of last Session, and the amendments suggested by the committee, with the exception of the one I mentioned in introducing the Bill, as to the preambles of the different chapters.

Mr. BLAKE. Is it the intention of the Minister that this Bill shall not be referred to a select committee?

Mr. THOMPSON (Antigonish). It was my view that it need not be referred to a special committee this year, inasmuch as it has already been before a committee, and that committee has reported and made suggestions which will be found running through the whole volume. I certainly thought that the House in Committee of the Whole would be now prepared to deal with the matter.

Mr. BLAKE. I could quite understand the propriety—although, of course, the unfinished proceedings of one year are not considered to be of any value in the next—of dealing differently with a matter of this kind, where a committee did examine into the subject last year; but this is not the same Bill; the Acts of last Session have, as I understand, been consolidated, so that there will be no opportunity of examining the work done by the commissioners since the report of the committee last Session, because that examination cannot take place in Committee of the Whole House—it has only been examined to the extent of the work done last Session—and I alluded, when the hon. gentleman introduced the Bill, to one important measure which was included in the Bill last Session, but, I presume, has been eliminated from it before this Session. The work of last Session was to a great extent an emendatory work, and I think that the suggestions embraced in the report as presented by the committee to the House, as well as the difficulties which have arisen since last Session, would require a certain work of consolidation still further. According to my recollection, all the consolidations which have taken place in the old Province of Canada have never been passed through the House without being submitted to a select committee for revision. The House is always asked to take the consolidation on trust, because it is always so vast a work that it is impossible for the House to go over it clause by clause, or even Bill by Bill. I may say that even the committee is required, to a great extent, to take it on trust, because the committee could not possibly deal with the matter exhaustively, and, therefore, has to deal with the general principles, and the more obvious blemishes, rather than to deal with the measure in detail. To understand the measure even to that extent, there should be, at any rate, that amount of scrutiny involved in a reference to a committee, and I hope the hon. gentleman will go so far as to agree to that, and that we shall have the report of a select committee in regard to the consolidation.

Mr. THOMPSON (Antigonish). I think the committee of last Session, though, of course, I have no personal knowledge of it, did more than take on trust the report of the commissioners.

Mr. BLAKE. Certainly they did.

Mr. THOMPSON (Antigonish). Some of them, as I am informed, went with great pains through the whole volume, and examined with great particularity the whole work of revision. I should take it for granted, then, that it would not be the desire of any hon. member that the work of the committee of last year should be revised. My idea was that the work of including the Acts of last Session could have been examined between the time when I introduced

the Bill and this stage of the measure. I supposed that, before the Bill reached its second reading, members would have examined the revision made since last Session, and would have been prepared to call attention to any defects which might have occurred in that revision. If hon. members are not in a position to do so to-day, I will defer it to a later date, but it does not seem to me to be such a work as to require a select committee.

Mr. BLAKE. Of course, when there has been an invariable practice of referring a consolidation to a select committee, it could hardly be expected that the rule would be departed from in this case. I think the hon. gentleman, upon consideration, will see that it will be inconvenient to take a committee composed of the whole House upon a Bill respecting the Revised Statutes, and to take up two volumes and go over them clause by clause, with a view of having a general discussion of that kind. I admit it is competent to us in a Committee of the Whole to do so, when we have got the printed rolls marked A to be made law—it is competent to engage in a general discussion, even without the report of a select committee; but I do not suppose any of us thinks that much business will be accomplished in that way. Now, my hon. friend behind me tells me that the important Act of last Session, called the Franchise Act, in the preparation of which the hon. gentleman was, fortunately, spared from taking part, while it was passing through this House so laboriously, has been altered and one section has been entirely re-drafted, I am told, and the whole numbering of the Act is altered. I have not myself verified it, but I think we certainly ought to have a sifting process by a select committee. I do not say that if I were upon a select committee I would propose to go over again the work which was done by the committee last Session, except in so far as that work may be affected by the alterations we made in the laws last Session, and that would be a matter for the committee itself to consider. I submit to the hon. gentleman that, in that sense, the labors of a select committee are really the proper and the only efficient guarantee for the work being such as that which ought to take it upon trust. Now, I did not intend to say that the select committee of last Session took the work upon trust. I declared it was impossible for the committee to make a thorough scrutiny of the Acts. The hon. gentleman is under the impression that several members of the committee went over the whole volume. I was on the committee, and I differ from him in that impression. I understand that the committee divided itself into sections and that some of them took up one part and some another, but that no portion of the committee even grappled with the task of going over the whole, and if they did go over the whole I am very sure it would have been in such a cursory manner as that the work could not have been well done. I think, upon the whole, it would really tend to expedition if the hon. gentleman would re-strike that committee or that portion of the committee which belonged to this House last Session, who are familiar with the work of the committee, and who may be able to tell us that the roll as now proposed to us is the work of last Session with the additions properly incorporated of the legislation of last Session, and then let us deal with the Act.

Mr. WELDON. It seems to me that the volume now before us differs, in some respects, very much from the volume before the committee last year. I had the honor of being on that committee, and, of course, we had to divide it up into sub-committees, on one of which I served and did a certain portion of the work. Of course, it was impossible, except to a very few, to go through the whole volume, and we had to take it up in sections; and even in going through the work of the sub-committee we had, to a large extent, to take the statement of the commissioner. To illustrate the

Mr. THOMPSON (Antigonish).

difficulty of the work, I may mention that after we had gone through with it I found, during the course of business last summer, a great blunder, which might have had serious consequences. If the hon. member will turn to page 1085, respecting the navigation laws, he will see the following:—

“A steamship shall be provided with a steam whistle or other efficient sound signal, so placed that the sound may not be intercepted by any obstruction, and also with an efficient bell. A sailing ship shall be provided with a similar fog-horn and fog-bell.”

Now, that section of the Bill requires a sailing vessel to have a steam fog-horn. I would call the hon. Minister's attention to the English rule, which is to this effect:

“A steamship shall be provided with a steam whistle or other efficient sound signal, and an efficient fog-horn, to be sounded by a bellows or other mechanical means, and a sailing ship shall be provided with a similar fog-horn or bell.”

The most important part of the section is therefore entirely left out in this article. My attention was called to it last summer, when I found this great blunder had been committed. Now, it seems to me that where other matters are put in, as, for instance, the Electoral Franchise Act of last Session, which was not before the committee at all last Session, and which we found has been altered in the numbering of the sections, it is very desirable to submit the whole volume to the scrutiny of a select committee. I find, for instance, in the interpretation clause transferred to section 16 is the following:—

“Said assessment roll shall, for the purposes of said revision, be taken by the revising officers as *prima facie* evidence of the value of the property.”

Now, that is marked altogether differently upon the draft, and I think the volume ought to be referred to a select committee to see whether this consolidation is the same as the previous legislation of the country.

Mr. DAVIES. I think the hon. member will see that it would be very injudicious to proceed with this Bill in Committee of the Whole. Last year I had the honor of being one of a select committee to consider the Bill upon the consolidation of the Statutes. It was quite impossible for that committee to have gone entirely through the Consolidated Statutes and examine every section to see whether it was proper or not. The only course open was to appoint sub-committees, to each of whom were allotted certain chapters of the Statutes, with instructions, so far as they could, to go through those Statutes and report to the general committee whether amendments were desirable, whether the sections which had been consolidated were fairly consolidated, and whether any great changes had been made in the existing law. We did our work as well as could be expected, but it was impossible, under the peculiar circumstances of last Session, when we were in the House from one o'clock in the afternoon until two, or three, or four o'clock in the morning, and sometimes all night—to do more than we did do. But when the work was completed and the several reports were made to the general committee, a great many suggestions were made, and it was thought—and I myself fully believed—that the committee would meet to consider in a body the different suggestions made by the sub-committees. I am informed that a majority or a quorum of the general committee did so meet, but it was towards the close of the Session after a large number of members had been obliged to go home, and I and the hon. member for St. John (Mr. Weldon) had not an opportunity of considering the suggestions made by the other sub-committees. I, therefore, take no responsibility for the work done by the other sub-committees, either as to approving or disapproving the suggestions made by them. I was quite satisfied when the hon. gentleman incorporated in the volume he submitted to the House this Session—I think he acted very wisely—a consolidation of the Statutes of last year; and a sub-committee should be charged with the duty of examining the work done since

the committee reported last year, and report as to how far the work has been done, well or ill. We should then have an opportunity of considering more carefully the reports of the other sub-committees. Altogether there were six sub-committees, and the general committee never took all their reports into consideration, for although a formal report was made by a section, or by a quorum, perhaps, of all, still, substantially and practically, it was not the report of the whole committee. Under these circumstances it would be very desirable that this Bill should be referred to a select committee, because it is quite apparent to the House that it is utterly impossible that we should consider it here. Believing such a course would be taken, I did not examine the consolidation of the Acts of last Session with the report of the previous committee on the consolidation of the general laws, and I am not, therefore, in a position to say whether it is accurate or not. The work is a very important one, and it would be very lamentable if, after we passed in a most perfunctory way the work done in the committee, a grievous error should be found to exist.

Mr. THOMPSON (Antigonish). I had no idea that a committee could possibly have given the revision that amount of attention and particular care which the revisers themselves must be considered to have given it. When I spoke of having done their work with particularity, I meant so far as it is possible for a committee to revise the work of consolidation, and I think, with the hon. member for West Durham (Mr. Blake), that that is all we can expect from any committee, and unless the House does eventually take upon credit the work of the committee and the revisers, it will never be able to adopt a consolidation at all. It seems, however, I have been moving in the matter with a misunderstanding as to the position of some of my hon. friends opposite. I was under the impression that, during the interval that elapsed between the first and second reading of the Bill, those hon. members would be good enough to consider the revision and call attention at this stage to any defect they wished to have removed. They seem, on the other hand, to have been under the belief that the Bill would be referred to a special committee. I do not wish, under these circumstances, to proceed with the Bill to-day. I therefore move that the committee rise and report progress and ask leave to sit again, and between this and to-morrow I will consider what course I will follow to meet the suggestions of hon. gentlemen opposite. I will do one of two things: either refer the consolidation to a special committee with instructions to examine the work done since last Session, or I will allow time to elapse until hon. gentlemen interested in the revision shall have an opportunity to closely examine it.

Mr. BLAKE. The suggestion is one which will, no doubt, meet with universal acceptance. I hope, if it be only for the sake of the precedent, the hon. gentleman will cause the consolidation to be referred to a select committee, for Parliament should not be asked to say that the revision is accurate without having the guarantee of a committee of its own on the work of consolidation.

Committee rose and reported progress.

RAILWAY FROM ESQUIMALT TO NANAIMO.

Mr. POPE moved the second reading of Bill (No. 47) respecting the railway from Esquimalt to Nanaimo, in British Columbia. He said: The object of this Bill is simply this: The curvature on this particular road was fixed by Statute, and it could not be changed except by this House. For some reason or other this seems to have been misunderstood by Mr. Dunsmuir, who was building the road. He did not seem to understand that he could not change the curvature, but he did so. He changed it from a fixed minimum of 7 degrees very largely indeed; for I

find from $4\frac{1}{2}$ to $5\frac{1}{2}$, two curves of 8 degrees; also from 5 to $8\frac{1}{2}$, two curves of 8 degrees; from 37 to 39, two curves of 8 degrees; from 39 to 46—which was a very difficult section—six curves of 8 degrees; 46 to 48, one curve of 8 degrees; 48 to 49, three curves of 9 degrees; 49 to 52, three curves of 8 degrees; 52 to 58, one curve of 8 degrees; 58 to 63, four of 9 degrees, and five of 10 degrees—this being a very difficult portion of the work; from 67 to 68, four curves of 8 degrees; so that we find there are 45 curves exceeding the minimum curve that was fixed by Statute. But in the report of the Chief Engineer it appears that after an examination of the road he states that he thinks there was no fraud intended, and that the road will be more substantial than it would have been if built on the original location, and, upon the whole, he advises the changed curvature. Besides, the work is getting pretty well advanced; some 30 miles are completed, and up to this time the contractors have not received one dollar in any form. It was understood by this House when the contract was entered into that the Government should pay the contractors \$750,000 for the road besides the grant of land which they would get from the Local Legislature. There was joint legislation by the Legislature of British Columbia and this Parliament. In making this change I have asked that the necessary authority be given by the British Columbia Legislature. The Government of that Province sent us, in the first place, a despatch saying that the curvature had been changed by the Governor in Council. Since that time I have had a telegram from Mr. Smith, Premier of the Province, stating that a resolution of the House had been passed agreeing to the proposed change of curvature. These, Sir, are my reasons for introducing this Bill, the second reading of which I now move.

Mr. BLAKE. I have read the papers which the hon. gentleman laid on the Table, and I am not prepared to say—assuming the authority of the British Columbia Legislature properly obtained, which I think to be of very material importance in order to avoid future difficulty—that the Government is, on the whole, wrong in proposing this measure of relief. But I must say that the circumstances appear to me to be very extraordinary. A railway company enter into a contract to construct a railway with two provisions as to the characteristics. One was that the character of the road should be equal to that of the Canadian Pacific Railway in British Columbia, but another one was that there was an express limitation as to the curvature and grades which would not be accepted. Well, it is true, I suppose, that at that time—it is certainly true that at one time—it was not contemplated that the curves and grades of the Canadian Pacific Railway in British Columbia should be so severe as they now are. They are now more severe, in many instances, than the grades and curves which actually exist on this line; but, of course, the idea that because more severe grades and curves obtain on the Canadian Pacific Railway in British Columbia, that was to be an absolution of the company from their specific engagement that they would not exceed certain grades, or have curves of a radius of less than a particular standard, is absurd. No one could seriously argue that that was the construction to be placed on the contract. It did not require a lawyer to inform the hon. gentleman that those were the governing clauses and that they should not have grades and curves inferior to those which were specified. And yet that is the only pretence the company make. They say that they had a right to make any grade or curve in excess of those which were specified in the contract, if only they were not in excess of those which the Government, in its kindly feeling towards the Canadian Pacific Railway, allowed for that company in British Columbia. No application was made to the Government; they were to send down plans and surveys and

descriptions showing a certain alignment and showing the grades and curves. They approved of those grades and curves, and they presume that that road was being constructed according to them, but now they find that different grades and curves were substituted.

Mr. POPE. Not the grades.

Mr. BLAKE. Well, that different curves were substituted, and in some cases, I think, inferior grades, though not beyond the maximum, so that, at any rate, the plans which were laid before the Government were not complied with by the company. Mr. Trutch reports, however, that he is convinced that their action in this respect was not actuated by disingenuous motives; that it was simply the result of a misunderstanding of the conditions of their agreement with the Government, though he correctly characterises their conduct as unwarrantable. He says:

"I desire, however, to remark on the subject generally, that it is, of course, clear that the company have acted wrongly in altering the alignment of their railway without obtaining, or even asking, the approval of the Government, and they are certainly blameable for having so done. It is much to be regretted that they have acted so unwarrantably."

Then I observe that in certain places it is pointed out that alterations were made, and they were made, as it seems to me, without sufficient cause. I think it necessary to say that, because it is that which created the greatest doubt in my mind as to whether we should comply with the hon. gentleman's views. For instance, at page 14 it is said:

"8½ to 11 miles. The only change in line on this portion is at the ninth mile, where two 8 degree curves have been put in with the object of reducing heavy rock cutting."

There it is simply to save a little expense, and you find that curves inferior to those which were prescribed have been put in. Again:

"67 to 68 miles. Considerable changes have been made on this portion and the curvature increased. From station 195 to 213 an alteration was made in order to leave sufficient space between the stream and line to form an embankment and dispense with a very large amount of trestle work. One 8 degree and one 9° 30' curve were put in here, but the latter is now being changed to an 8 degree. From station 160 to 180 two 8 degree curves have been substituted for a 5 degree and a 7 degree curve, with the object of reducing trestle work, but the saving effected is so slight that I do not consider the change was advisable."

There you have a degrading change in the curve, simply for the purpose of effecting a very light saving. Again:

"69 to about 71 miles at Esquimalt. From station 33 to 100 on this portion a deviation has been made from the original line and the curvature considerably increased. The alignment is fair for the locality, but does not compare favorably with the original line. The company's engineer states that this alteration was a necessity in order to enable them to prosecute the rest of the work, as the land owners along this part of the line refused right of way unless this deviation was made and the line carried along the water front to Dead Man's River, as now built; and that arbitration was impossible owing to the retention in Ottawa of the company's land plans."

Well, of course, the land owners could not refuse arbitration except for the reason which is here stated, and which I would like the hon. gentleman to explain—that is, the retention in Ottawa of the company's land plans. In that instance the hon. gentleman appears to be at fault.

Mr. POPE. No; I will explain that. It was the fault of themselves in not sending proper plans that we could accept, and we had to send them back.

Mr. BLAKE. The complaint that is made here is not that the difficulty was created by the hon. gentleman sending back the plans, but that it was created by his not sending them back.

Mr. POPE. In the first place, they sent down only one, and we are obliged to have them in triplicate. This took considerable correspondence, and consequently delayed the matter, no doubt.

Mr. BLAKE. But, of course, the hon. gentleman could not get them in triplicate until the original plan was sent back.

Mr. BLAKE.

Mr. POPE. Oh, yes.

Mr. BLAKE. Oh, I see; the hon. gentleman holds on to what he gets and expects something more. It seems to me, however, to be somewhat an extraordinary course for them to take. But the railway is not to be owned by us; it has been a concession to the Province of British Columbia in settlement of the difficulties between the Dominion and the Province, which was accepted by the Province, and as I stated on the occasion of that acceptance, when the same question was raised as to its propriety, I was disposed to attach great weight to the decision of the Provincial Legislature upon that question. Now, I do not want that we should get into further entanglements. The hon. gentleman stated that his Bill shows that this requires, in his view, concurrent legislation. He now tells us that he has the resolution of the Legislative Assembly of British Columbia, or, rather, a telegraphic advice of such a resolution. That is all we have now. I think the hon. gentleman had better consider before he takes the Bill into Committee of the Whole, with the assistance of the Minister of Justice, whether if it be correct, as the Bill itself declares it is, that we should proceed only on the authority of legislation by the Legislature of British Columbia, it would do to alter the Bill as I understand the hon. gentleman proposes, so that we may assume that legislation has taken place. I think not. Legislation has not taken place. A resolution of the Assembly is not an Act of the Legislature, and, therefore, there is not that complete and final decision on the part of the Legislature of British Columbia, which is necessary in order to our avoiding the possibility of future complications. On the Bill, as it stands, there is no objection, because it says: "May when the Legislature of the Province has passed an Act." To that there is no objection; but if in lieu of that Statute you are about to accept a telegraphic despatch, declaring that a resolution of the Assembly has been passed, you are certainly opening the door to some difficulty in the future. Therefore, I throw out that suggestion for the hon. gentleman's consideration before he takes the next stage of the Bill.

Mr. POPE. Of course, it is quite impossible to get an Act passed in the Legislature of British Columbia this Session. We have received a telegram from the Premier of the Province stating that a resolution has been passed by the House; the Order in Council passed by the Provincial Government has been sent by the Lieutenant-Governor of British Columbia; and to-day I understand my hon. friend the Secretary of State has received a telegram from the Lieutenant-Governor, also stating that a resolution has passed the Assembly, agreeing to this proposition. We cannot expect more this Session; and I cannot see how we could pass this Bill depending upon the Legislature of British Columbia—for I understand that to be the hon. gentleman's proposition—passing an Act to give effect to this measure, because the whole thing would be delayed until the meeting of the Legislature next year. Almost all the work has been done, and I think we may regard the resolution of the Legislature as a pretty strong indication of its intention, and sufficient to justify us in proceeding with this measure.

Mr. BLAKE. That does not arise on the second reading, at any rate. The Bill as it now stands is all right.

Mr. CHARLTON. If my memory serves me, the company organised for the construction of this road is, practically, the Central Pacific Railway Company of California, one of the wealthiest railway corporations in America—a corporation which, from small beginnings, has amassed a property valued recently at nearly \$200,000,000. The company organised for the construction of this road secured unusually favorable terms. It was to receive a bonus

of \$750,000 and a valuable land grant, while the road was to be only about 75 miles long, together with the concessions which practically gave it a monopoly of the entire coal business of Vancouver Island. It actually received for the construction of this road three or four times the aid which it ought to have received. Therefore it strikes me, considering what has been granted to these American railway speculators, that the Government should not be in haste to modify the contract made with them. I do not see why we should not require the conditions of that contract to be strictly adhered to, and if it is impossible to obtain the necessary Provincial legislation this year, I cannot see why the Government should anticipate the action of the Legislature of British Columbia. I voted against the grant to this company when it was made. I believed it was too much; I believed that the interests of the people of British Columbia were being sacrificed—by themselves, of course, yet this House should exercise supervision over them; and I think when the company apply for relief, they should be held strictly and literally to the conditions of contract without any abatement. This Bill is premature, and the concessions proposed in it are such as the House should not grant under any consideration whatever.

Mr. SHAKESPEARE. It is not strictly correct that this road is owned by American capitalists. The principal portion of the stock is owned by residents of the Province of British Columbia. True, there are American capitalists in the company, and I fail to see any objection in that. I think it is an advantage if we can induce foreign capitalists to come in and expend their money in building our public works, if we have not men in our country who will do so. Neither is it true that the people of British Columbia have sacrificed their interests. This railway is a direct benefit to the Province of British Columbia, especially to Vancouver Island. Since the Settlement Bill passed this House two years ago, more settlers have gone in and located on the lands along the line of this road than went in during thirty years before, which certainly cannot be detrimental to the interests of the Province; and they were induced to go there by the fact that this road was commenced for the opening up of the country. I can say from personal observation, having travelled over that road, last year, for the purpose of seeing the nature of the work, that there is not a better road in the Dominion of Canada to-day than that railway. There will be no difficulty in running trains over a large portion of that road thirty miles an hour. With regard to the curves, I am satisfied that the company have expended a larger amount of money in making them sharper than they would have done if they had complied strictly with the specifications. Of course, as the leader of the Opposition has just remarked, this road is to be worked, not by the Government, but by the men who have undertaken to build it, and they naturally desired to build the best road possible. That is the reason why they have deviated somewhat from the specifications. The specifications called for a large amount of trestle work, which would cost less in the construction of the road, but in the long run would cost a great deal more than what they have done. Instead of building trestle work, they have blasted out the mountains, and have made a solid roadbed. I am satisfied that when it is completed there will not be a more substantial railway in any part of the Dominion of Canada.

Mr. CHARLTON. If the House will allow me, I will state the names of the projectors and owners of this road. They are Robert Dunsmuir, John Bryden, James Dunsmuir, Charles Crocker, one of the magnates of the Pacific; Charles F. Crocker, Leland Stanford and Collis P. Huntington. Four of these individuals out of the seven are railway kings, interested in the Southern and Central Pacific Railways of

California. They are the moving spirits in this enterprise; and I repeat, whether this road is advantageous to British Columbia or not, the people of that Province are paying vastly more than that advantage is worth; and it is necessary that this House should insist on the company carrying out the conditions of the contract.

Mr. SHAKESPEARE. Though the gentlemen the hon. gentleman has named are Americans, they do not own the principal interests of this road; the principal interests in it are owned by residents of the Province.

Mr. BAKER. I may state, for the information of the hon. gentlemen opposite who have just spoken, that three-fifths of the stock is owned by Dunsmuir & Son, of British Columbia, and two-fifths by the California stockholders. That I know from Mr. Dunsmuir himself, so that the control of the company is in the hands of Messrs. Dunsmuir & Son entirely.

Sir RICHARD CARTWRIGHT. And also the coal lands, I see.

Mr. BLAKE. I have no objection to the House going into committee without changing the Bill, but I think the hon. gentleman would do well to consult his colleagues as to whether the resolution of the Assembly is to be taken as an authority for this Act, and whether that authority is sufficient.

Mr. THOMPSON (Antigonish). The hon. gentleman is under a misapprehension as to the nature of the legislation existing on this subject in British Columbia. I regard this as a matter in which the two Governments are principally interested, and that the concession now being made is made on the motion of the Government of British Columbia, in respect of a matter which concerns them very much more than it concerns us. The necessity for adopting the Act here arises from the fact that the terms of the contract are embodied in a statute of Canada. That, however, is not the case in British Columbia. If it were, of course it would be necessary to get much more than a mere resolution of the Legislature, but not being embodied in the terms of a statute there, we can properly act on the motion of the Government of British Columbia, as representing the interests which they have in charge. It would not be desirable that our Orders in Council should be based on a telegram; but on receipt of a proper Order in Council of that Government, it would be proper for us to give consent under the authority of the Statute we are passing.

Mr. BLAKE. I did not investigate the question, whether an Act of the Legislature of British Columbia was necessary or not, but I assumed it was because the Bill mentioned it as a necessary preliminary, and I took it for granted the Bill did not contain any unnecessary condition. I stated that if that condition was correctly put in the Bill, it had not been fulfilled by a resolution. I may say to the Minister of Justice that upon the information he gives to the House that the Legislature of British Columbia have naught to do with this and that the Executive alone has to do with it, that if he consults his colleague he will find the Executive of British Columbia have already acted, and their authority is here, as they have sent us a copy of the Minute in Council. Under these circumstances, I think any change made should be, not to refer to the resolution of the Assembly of British Columbia, but simply to the Order in Council of the British Columbia Government.

Mr. THOMPSON. The amendment of the Minister of Railways is simply to alter the clause so as to give the Governor in Council power to adopt the terms of this contract.

Motion agreed to, Bill read the second time, considered in committee, amended, and reported as amended.

UNION SUSPENSION BRIDGE.

Sir HECTOR LANGEVIN moved the second reading of Bill (No. 72) respecting the Union Suspension Bridge. He said: The object of the Bill is simply to make the bridge a free bridge, so that the intercourse between the two Provinces, Ontario and Quebec, at that point, will not meet with any restriction.

Mr. BLAKE. Something has been said in the papers of the arrangements between Ottawa and the Government, whereby, in some sort of rough adjustment of its share of municipal taxation, the Government are to give some sort of public conveniences.

Sir HECTOR LANGEVIN. Yes. The city of Ottawa for a long time has been complaining that the Government having such large properties in the centre of the city and contributing nothing to the municipality in any way, either to the fire department or road department or the police or anything else connected with the city, it is only just that some compensation should be made, as the city was unable to provide for all these matters in so far as public buildings were concerned. Under these circumstances, it was thought proper that the two bridges here, opposite the Public Buildings, the Sappers' Bridge as well as the Wellington Street Bridge, and the approach to the latter by the street opposite the Public Buildings, should be under the charge of the Government. It was also thought that the Maria Bridge and the two bridges that were built over the slides at the Chaudière, leading to the Union Suspension Bridge, should be under the care of the Government as well. Under those circumstances, we thought that, inasmuch as the Major's Hill Park was put in the hands of the city as a trust, they were not really the proprietors, but only the administrators of the property; that as it was only a burden to them, and a property that the Government believed should remain as a portion of the Government property and under the care of the Government, it should revert to the Crown so as to be in the same position as it was previous to the arrangement with the city; and the city asked that the bridge between the two sides of the river, the Union Suspension Bridge, between Ontario and Quebec, might be made free. That was the only communication by land between the two Provinces here, and they therefore asked that the bridge should be made free, which is the reason why this Bill is brought forward.

Mr. BLAKE. I have always considered it a very proper thing that the Government should not be wholly exempt from a contribution to the local burdens of the places in which their buildings are situated, and in England we know that the Government, though not agreeing to pay taxes to the community in which their buildings are situated, place a lump sum in the Estimates for the purpose of making a contribution to the local rates in those places. Therefore, to the general principle that the city should receive some relief from the Government whose buildings are situated here, I have no objection; nor do I desire to say anything as to the exact plan which the hon. gentleman has adopted. What I have to say is that, inasmuch as it now appears that this is a measure of relief to the city of Ottawa, which is based on the recognition of the general principle that there should be some contribution by the general Government towards the local expenditures, what would seem to be reasonable to my mind is that, when an agreement was entered into, some statement should have been made by which we could understand approximately what obligations we are assuming and what burdens we are undertaking by reason of this equitable arrangement on our part. The hon. gentleman does not supply us with any such statement. We do not know what the repair and renewal fund of this bridge may amount to. It appears to be a pretty old bridge.

Mr. THOMPSON (Antigonish).

Sir HECTOR LANGEVIN. It is in a very good state

Mr. BLAKE. I dare say it is; but I am very glad to know that the toll is to be taken off. So, with reference to the other bridges and the other works which we are undertaking, I think a reasonable method of dealing with the matter would have been to lay before the House a statement of what it was supposed by the Government would be a fair compensation for the city of Ottawa, and what the reliefs granted and the burdens assumed by us would represent, so that we might judge whether they were reasonable or not. Upon that question it is utterly impossible, at any rate, for me to form any opinion from the statement of the hon. gentleman.

Motion agreed to, Bill read the second time, and the House resolved itself into Committee.

(In the Committee.)

Sir HECTOR LANGEVIN. My intention is to have a statement of the kind referred to produced when we get to the item in the Estimates.

Mr. BLAKE. Involving this point as well?

Sir HECTOR LANGEVIN. Yes; I will explain the whole thing.

Mr. LANDERKIN. I would ask the Minister of Public Works if the Government have received the tolls hitherto collected on this bridge?

Sir HECTOR LANGEVIN. The tolls were small. The tolls have varied from \$2,900 to a little over \$3,000. Then we had to pay the gatekeeper and the repairs out of that, so that the profits were not very great. I have an estimate of the revenue of the bridge from 1852, which, I think, is the time when the bridge was built, to 1885. In thirty-three and a half years we have received \$57,500, which would make about \$1,700 a year.

Bill reported.

THE BURLINGTON CANAL.

Sir HECTOR LANGEVIN moved second reading of Bill (No. 76) respecting the Burlington Canal. He said: This work has the big name of a canal, but it is a mere passage from one water to another, without any lock. It is an open canal, if I may call it so, and the tolls have been reduced very much in order to encourage the trade; and we thought that, under the circumstances, it was only fair that the tolls should be abolished altogether. The tolls are small. They vary from \$1,700 to \$4,000.

Mr. BLAKE. Is that close?

Sir HECTOR LANGEVIN. Yes, \$4,051. The gross revenue during the last five years, 1881, 1882, 1883, 1884, 1885, was \$14,720, and the net revenue was \$11,791. The repairs were very small during those five years, amounting to only \$668. We had also to provide a carriage way. The hon. gentleman knows that before the opening of that canal there was a road, and the canal having had to cut the road, the Government were obliged to make a new one.

Mr. GAULT. I think if the hon. Minister of Public Works would include all the canals on the St. Lawrence, it would meet with the approbation of the people of Canada.

Mr. BLAKE. I think the reason the hon. gentleman gave for that portion of this Bill would apply. He said the tolls would be reduced very much so that they ought to be abolished. I think that is the condition of the hon. gentleman's canals, too.

Mr. CURRAN. No doubt that is a symptom of what is going to take place.

Mr. VAIL. While the Government are considering the canals in the Upper Provinces and the tolls levied, I think

they should take into consideration the wharfage paid on the public piers and breakwaters in Nova Scotia.

Motion agreed to, Bill read the second time, considered in committee and reported.

FIRST READINGS.

Bill (No. 84) respecting summary proceedings before Justices of the Peace and other Magistrates—(from the Senate).—(Mr. Thompson, Antigonish.)

Bill (No. 85) to amend the several Acts relating to the Board of Trade in the city of Toronto—(from the Senate).—(Mr. Small.)

AMENDMENTS TO THE POST OFFICE ACT.

Sir HECTOR LANGEVIN, in moving the second reading of Bill (No. 77) to amend the Post Office Act of 1875, said: I understand this Bill is simply to give more time for the depositors in the Post Office Savings Banks before the receipt of the acknowledgment. The ordinary limit is now 10 days; that is found too short, and the limit is extended to 16 days. It applies to Manitoba and British Columbia.

Motion agreed to, Bill read the second time, considered in committee and reported.

AMENDMENTS TO THE INTERPRETATION ACT.

Sir HECTOR LANGEVIN moved the second reading of Bill (No. 80) further to amend the Interpretation Act.

Mr. BLAKE. This is rather an important Bill.

Sir HECTOR LANGEVIN. I understand it was only distributed this morning. If the hon. gentleman wishes it to be delayed, we can do so.

Mr. BLAKE. This is a Bill to legalise a whole lot of illegal things, got up by the Minister of Railways.

Sir HECTOR LANGEVIN. No doubt we can make it to apply back for eleven years.

Mr. BLAKE. Perhaps you can. We will deal with the Acts of the present Administration. The others have paid their penalty.

SUPPLY.

House resolved itself into Committee of Supply.

(In the Committee.)

Mr. PATERSON. I suppose it is too late to bring up the matter now, but I desire to say that I understood when we closed on Friday night that the business which would come up to-day would be a motion to go into Committee of Ways and Means. I thought I understood the hon. gentleman to say that. When the House adjourned on Friday we had been in committee and were considering some of the items, and the Finance Minister, when his attention was drawn to certain matters, stated that they would stand over till Tuesday.

Sir HECTOR LANGEVIN. The hon. gentleman is so far right, that it was stated that the matter would not be gone on with that evening for the reasons given. I think the leader of the Opposition stated, either openly or across the floor, that it would be a proper thing that time should be given, as the public had not had time to consider well the different changes or additions proposed to the tariff; and under those circumstances it was thought desirable that a little more time should be given. On that suggestion, we stated that the matter would stand over till Tuesday. I did not understand that we were bound to

bring it up to-day. We give more time, and, no doubt, later on we may go on with it, though I cannot promise to do so on Tuesday.

Sir RICHARD CARTWRIGHT. I do not think it was expressly stated that the matter would be postponed to Tuesday. I will not take upon myself to say that a positive engagement was made, but that was my understanding of the remark made by the Finance Minister that he proposed to go on to-day; and it would have been more convenient, when the matter was fresh on our minds, to have proceeded with it than to have taken up other work in Committee of Supply.

Mr. BLAKE. The statement of the Minister, according to the official report, is this: In reply to a remark by the hon. member for South Huron, he said:

"I understood that some other hon. gentlemen wished to continue the debate on Tuesday. If it be the wish of the House, I will refer to a few of the items to-night."

Mr. McLELAN. I was out of the House when the understanding was reached between the leader of the Opposition and the leader of the House. When I came into the Chamber the Minister of Public Works informed me that it was desired by hon. gentlemen opposite that the matter should stand over till Tuesday, and I should make some explanation respecting the changes proposed, in order that we might hear from the country in the meantime. I may say that some communications have been had with parties interested, and I think, perhaps, it is not desirable that we should proceed to-day. I do not know that we were under any obligation or engagement that the matter should be taken up to-day.

Mr. BLAKE. I would be the last to suggest that if communications are being had with the trade, and the hon. gentleman thinks it possible that some modifications may be made, the discussion should not be postponed; but what I think is a reasonable observation is that there was certainly an understanding that the matter was to proceed on Tuesday; and if the hon. gentleman found last night that the public interest would be better served by taking up something else, the hon. gentleman should have told us that it was their intention to go into Supply. We assumed that the course taken would be that indicated on Friday, and the arrangements made on our side were based on that assumption. We had a right to assume on the basis of the statement of the Minister, that the matter was going to be taken up to-day, and the hon. gentleman should have informed us that the Government intended to take up Supply instead of Ways and Means.

Mr. CHARLTON. The agreement, if not expressed, was implied, that we should go on with the business referred to to-day. There is great force in what the leader of the Opposition has stated, that we were entitled, at least, to notice from the Government last night of their intention not to go on with the ordinary business, but to go into Committee of Supply. It is hardly treating the Opposition fairly to take up business for which we are not prepared and which was not expected.

Mr. McLELAN. I understood subsequently, not being in the House and having a full knowledge of all that occurred, that the debate had reached a close on the general subject and that only remarks on the different items would be made. The result of the postponement has been that we have had several communications from the trade, and I thought it was undesirable that we should to-day take up and conclude a matter, when we might afterwards see some modifications that might be desirable and necessary to make in order to render it as harmonious and acceptable to the general trade as possible. I did not know that we were under any particular obligation to go on with the matter to-day, I not having, as I have said, a full knowledge of all that occurred.

Mr. PATERSON. I should be sorry if Ministers understood me to charge them with breach of faith in this matter. My remarks did not go to that extent; but I simply stated the impression that was so strong on my mind and on the minds of others, and we prepared ourselves accordingly. I do not charge a breach of faith; I say that the impression left was so clear on my mind that we prepared in that direction.

Mr. MILLS. The Minister will see that his own statement was calculated to leave that impression—and it did make that impression on my mind. The hon. gentleman was out of the House and was sent for, and when he arrived he made the statement which has been read by the leader of the Opposition. I understood that some other hon. members wished to continue the debate on Tuesday. Continue what debate? Certainly that in which we were then engaged.

Assistant Financial Inspector..... \$1,700

Sir RICHARD CARTWRIGHT. What is the meaning of this change? If I understand the matter, this gentleman is to be transferred, as the foot note intimates, from the Department of Finance, and I see he is created Assistant Finance Inspector. I do not remember that we had any such officer under that name in the Finance Department. Probably the hon. gentleman will explain who is going to be appointed, and what his precise duties are going to be.

Mr. McLELAN. I understand the practice has been for several years to send out one of the clerks in the Department to assist the inspector, as owing to the growth of business one officer is unable to undertake the whole work; and that it has been the custom to send out trusty men, such as the chief clerks of the Department, to assist in that business. The deputy reported, however, that it would be better to take a gentleman from the Department and give him that special duty, assigning him the office of Assistant Inspector; and it is proposed to transfer him with the same salary he has been receiving in the Department. The business has very largely increased, extending from British Columbia to the extreme east, so that it often happens that we have occasion to send one inspector east and another west at the same time.

Mr. VAIL. Is this a transfer from one office to another? Is it intended to fill up the other place?

Mr. McLELAN. No. There is a considerable reduction in the Department, part of which arises from this transfer.

Sir RICHARD CARTWRIGHT. Whom does the hon. gentleman propose to appoint?

Mr. McLELAN. Mr. Crookshank, who is reported to be able to do the work very efficiently.

Sir RICHARD CARTWRIGHT. What position did he fill before? I notice that there is the same number of first-class clerks.

Mr. McLELAN. He was clerk and private secretary to the late Minister.

Sir RICHARD CARTWRIGHT. This gentleman becomes Mr. Tims' assistant, in fact?

Mr. McLELAN. Yes.

Sir RICHARD CARTWRIGHT. Well, you add a little. He appears to have been receiving \$1,400.

Mr. McLELAN. Yes, \$1,400, and \$400 as private secretary.

Sir RICHARD CARTWRIGHT. Yes; but, of course, you will want a private secretary.

Mr. McLELAN. Yes.

Mr. McLELAN.

Sir RICHARD CARTWRIGHT. What travelling allowances do you propose to give? What is the rule with regard to travelling allowances for these gentlemen, and travelling allowances generally. There was some discussion, when the Estimates were passing before, as to what the Treasury Board proposed to do in the matter of travelling allowances.

Mr. McLELAN. The allowance for travelling has been \$3.50 per day, except when travelling in British Columbia and the North-West, when an increased sum is paid.

Mr. MITCHELL. Does that include railway expenses?

Mr. McLELAN. No; that is for board and hotel expenses.

Sir RICHARD CARTWRIGHT. To what classes of officers does that allowance of \$3.50 apply? Have the Treasury Board laid down the rule that when any officer is despatched he is to be allowed that amount?

Mr. McLELAN. No. In some of the Departments there are officers who are very frequently on the move, and in these cases the allowance is regulated by the head of the Department, but in no case must it exceed \$3.50 per day.

Sir RICHARD CARTWRIGHT. Although in certain cases that allowance will not be excessive, still the Minister will see very clearly that these maximum allowances are constantly tending to slide into ordinary allowances, and there are many errands which can be made by officers in the Department at a lower rate for allowances than \$3.50. That sum is more than would be allowed by banks and other offices for despatching junior clerks on similar errands. I think that the Treasury Board might better grade them on some fixed standard.

Mr. VAIL. Do they ever send in a bill at a lower rate of allowance than \$3.50?

Mr. McLELAN. I do not know as to that, but where the Department as a rule regulate the amount paid to these officers for a particular service, they send in their accounts at that sum.

Sir RICHARD CARTWRIGHT. What is the rule, for instance, in the Public Works Department, where, no doubt, there are a great many occasions of that kind?

Sir HECTOR LANGEVIN. The allowance varies, the maximum being \$3.50. If an officer of a certain grade, of a higher position has to travel, he may be allowed the full amount, while a minor officer may receive less—say \$1.50 or \$2. It is determined by the work performed and the position of the officer.

Mr. VAIL. What is allowed engineers in the Maritime Provinces, for instance?

Sir HECTOR LANGEVIN. Well, they are officers of position and they get sometimes \$3.50 and sometimes \$3. The chief engineer in the Department, or the chief architect or an officer of that kind, if he travels for the Department, is, of course, allowed the maximum amount.

Mr. VAIL. What I would object to would be to allow well-paid officers to supplement their salaries out of allowances for expenses. It is well known that, as a rule, in the country it does not cost these gentlemen \$3.50 per day for hotel expenses, and I think they should be allowed just about what covers their expenses, and no more.

Mr. McLELAN. I may say, with respect to the Department of Marine and Fisheries, in which I was for some years, the rule was that officers whose business it was to travel, and who were expected to be on the road very frequently, were allowed the actual expenses of travelling—I mean such officers as inspectors of hulls or inspectors of steamboats, whose business called them out frequently. We

pay them their expenses; but when we send a man out for a day or two we grant him an allowance of \$3.50 per day, when he is an officer of rank.

Mr. CAMERON (Middlesex). In some of the Departments there are men whose time is largely at their own disposal, and who could charge expenses for time when they are practically not engaged in departmental work. I should like to ask the Minister if there is any check provided, by which the Department may know that such officials are drawing nothing more than their expenses while actually attending to departmental work outside of their offices?

Mr. McLELAN. The officer has to render an account for each day; and to make a statement of the duties he was performing during each day's absence. Upon the good faith of the officer, and the knowledge of the business he had to transact, the account is accepted.

Office of Auditor and Receiver-General, Halifax..... \$11,000

Sir RICHARD CARTWRIGHT. I perceive a year's rent charged for this. I thought there were Dominion buildings at Halifax where these officers could be put.

Mr. McLELAN. No, there are not sufficient Government buildings there for all the Government departments, and some have to be rented.

Office of Auditor and Receiver General, Winnipeg.... \$6,000
do Board allowance..... 900

Sir RICHARD CARTWRIGHT. There was, no doubt, a time when it was perfectly reasonable that an additional allowance for board should be made to officers residing in Manitoba; but, if I am correctly informed, the prices of all articles there have fallen to such a point that there is very little or no additional expense now incurred by residents of Winnipeg, unless in the articles of fuel, than is incurred by residents of other places; and I do not see that a board allowance which was made while things were at boom prices should continue. If the salaries of the officers were below the salaries of officers in other places, that would be a ground for a distinction. As far as my observation goes—and I paid a visit to Manitoba within the last few months—I should say that in all but one item, living is as cheap there as anywhere else.

Mr. COSTIGAN. Some years ago the rule was adopted of making a special allowance for officers appointed in Manitoba and the North-West at salaries equivalent to those paid in the older Provinces, on account of the additional cost of living in that part of the Dominion. It is quite true, as the hon. gentleman states, that the cost of living has diminished from that time to a considerable extent, and in Winnipeg it has diminished, perhaps, to a greater extent than farther west. It is the intention of the Government to act on that information. In the case of new appointments the information is conveyed to the officers that this will not be continued, and it is intended to remove it entirely at a very early day.

Sir RICHARD CARTWRIGHT. What percentage does this represent? What principle is it made on?

Mr. McLELAN. The percentage in this case seems to have been 15 per cent. There is no doubt that some years ago the expense of living there was very much more than it was in other places; but perhaps with the exception of rent and fuel, the expenses are now more generally equalised. As has been stated by the Minister of Inland Revenue, the Government have been considering this question with a view to a reduction of this allowance. In some cases the reduction has been made. I have not had an opportunity to ascertain what reduction could be made, if any, this year; but I have no doubt this allowance will be gradually wiped out, and the officers there placed on the same footing as those in other parts of the Dominion.

Mr. ARMSTRONG. I can easily understand that at the time the allowance was first made it was perfectly right and proper. At that time rents were very high in the North-West and the cost of living was almost at famine point. But now the conditions are entirely reversed; rents there are just as low as they are in other parts of the Dominion, and the price of farm produce and everything that goes to make up the cost of living, is lower there than almost anywhere else in the Dominion. It is wrong, therefore, that that charge should be continued when the necessity for it has altogether ceased to exist.

Mr. BOWELL. I do not think the reasons for a reduction have altogether ceased to exist, but I know that some of the Departments have already reduced the extra allowances which have been paid heretofore in consideration of the high price of living—particularly the high cost of fuel and house rent. House rent, I think, has not gone down materially.

Sir RICHARD CARTWRIGHT. It has gone down very much.

Mr. BOWELL. I am speaking only of what I know as to one or two houses rented, of which the rents have not been materially reduced. I believe, however, rent is rapidly going down and that living will soon be as cheap in Winnipeg, apart from house rent and fuel, as elsewhere. Steps have been taken by my hon. friend, the Minister of Inland Revenue, to reduce the allowances which have been made in the past. As Minister of Customs I never make any allowance, so it does not apply to my Department. True, the salaries paid to the appointees who were named at a time when everything was higher, were higher in proportion than those paid to officials of the same grade elsewhere, but when an officer is placed on the list at a certain salary, it is difficult to reduce it.

Mr. WATSON. I believe living is as cheap in Manitoba as in any other portion. So far as house rent is concerned, it is reduced over 50 per cent. since the last three years in Winnipeg, and all other necessaries of life can be procured as cheaply as in any portion of the Dominion. Fuel may be a little more expensive, but with that exception living ought to be as cheap as anywhere else.

Mr. McMULLEN. I can fully endorse that statement. I am satisfied the reduction in house rent is very serious, and I think it is time some reduction should be made in the Civil Service. When an item is passed year after year, those in charge will find some excuse for drawing the money. The Government should undoubtedly look into the matter, and report to the House the facts, for there is no reason now why this item should be continued as it is from year to year. I am cognisant of the reduction in expenses of living, for I have friends out there, and I know that the necessaries of life in Winnipeg can be had as cheaply as in the city of Toronto.

Auditor and Receiver-General of Victoria..... \$8,200

Sir RICHARD CARTWRIGHT. What is the rule the Minister proposes to adopt with respect to these Receiver-Generals. One man gets one salary in one place, and another a salary 30 per cent. lower in another place. Is there any scale laid out according to the business done, &c., or what is the principle?

Mr. McLELAN. The salaries are generally regulated by the amount of business done at each place.

Mr. VAIL. I do not see why a man in British Columbia should receive \$8,000 when those in Halifax and St. John, N.B., receive only \$2,200, and in Winnipeg only \$2,000. The salaries should be equalised. Is there more work done in British Columbia so as to entitle a man to receive 50 per

cent. more salary than one in the same position in Halifax or St. John?

Sir RICHARD CARTWRIGHT. What is the amount of deposits in Victoria and in Halifax and St. John?

Mr. McLELAN. I have not here the papers giving the particulars, as by some accident they did not reach me, but in British Columbia there is a pretty large business done.

Sir RICHARD CARTWRIGHT. Is Victoria the only office?

Mr. McLELAN. Yes, except that there are country savings banks at different points.

Sir RICHARD CARTWRIGHT. Of course, the Estimates do not show us that, but simply give the total amount received in each Province, so that it is not easy to form an opinion. I should be under the impression that both in Halifax and St. John, the amount of business decidedly exceeds that of Victoria.

Mr. McLELAN. It does.

Sir RICHARD CARTWRIGHT. And naturally the officers in those ports will have some ground of complaint, when they see that a man elsewhere, doing the same work, gets 50 per cent. more pay.

Mr. BAKER (Victoria). At the time of Confederation the Receiver-General got \$3,000, and it is the same man who has been in the office ever since.

Mr. BOWELL. One of the terms of Confederation with British Columbia was that all the Imperial officers should be taken over by the Dominion Government at the salaries they then had. In some of the Customs districts men there get \$1,700 or \$1,800 for doing what men in old Canada get only \$500 for. There would be no saving in discharging these men, because they would have to be superannuated under full salary.

Sir RICHARD CARTWRIGHT. If, as the hon. member for Victoria states, Mr. Graham is the same gentleman as was there before, it would make a difference. Does the hon. gentleman know whether the subordinates are also parties who were there before Confederation?

Mr. BAKER. There have been some recent appointments.

Sir RICHARD CARTWRIGHT. Apparently the same rule seems to apply to the other favored individuals as well.

Mr. BAKER. Allowance must be made for the increased cost of living.

Sir RICHARD CARTWRIGHT. After Confederation?

Mr. BAKER. \$1,200 a year in Ontario would be about equivalent to \$1,600 in British Columbia.

Sir RICHARD CARTWRIGHT. Does my hon. friend mean that the adoption of the Canadian tariff adds 25 per cent. to the cost of living in British Columbia?

Mr. VAIL. The expenditure of last year was \$7,759, this year it is \$8,200.

Mr. McLELAN. In some years it is absolutely necessary that the estimates should be larger than in other years. All the money may not be expended, or perhaps expended and go into the following year. We have placed the estimates at the sum the proper officers estimated as required to carry on that branch of the service.

Mr. VAIL. I am speaking in the interests of the Government. Very often they are pressed to make appointments because a vote has been taken by the House, when otherwise they might have relieved themselves from that necessity.

Sir RICHARD CARTWRIGHT. I would just mention to the Minister of Finance that, if he conveniently can, it

Mr. VAIL.

would be as well to bring with him, when the House meets after recess, the details which were laid on the Table as to the number of depositors, and so forth, in these various savings banks. There are copies of the returns which were moved for and brought down, some last Session and some this, but it would be desirable to have them for the assistance of the House in the discussion which will probably take place under that head.

Mr. McLELAN. I will bring them if I can get them; if not the item may be left over.

It being six o'clock the Committee rose, and Mr Speaker left the Chair.

After Recess.

House again resolved itself into Committee of Supply.

Mr. McLELAN. The item referred to before recess will stand for the present.

Governor General's Secretary's Office..... \$9,750

Mr. McLELAN. There is a decrease in the salary of one third-class clerk, and the statutory increase brings the amount within \$140 of last year.

Sir RICHARD CARTWRIGHT. Who is the person appointed?

Mr. McLELAN. I cannot give the name.

Sir HECTOR LANGEVIN. There must have been a promotion of a clerk that was a third-class clerk to the second-class, and that must cause the difference.

Sir RICHARD CARTWRIGHT. No; apparently some one has left, and a new man has been brought in. Who is he?

Mr. WHITE (Cardwell). Mr. Lawrence.

Privy Council Office..... \$20,677 50

Sir RICHARD CARTWRIGHT. Now, here there seems to have been a considerable increase. I see that four clerks have their salaries collectively raised by \$500, which is considerably more than the statutory increase would warrant; and I see also that five messengers appear to be required for the Privy Council Office. I do not know what extra duties have devolved on the Privy Council of late, but I think five messengers would be rather in each other's way in connection with that particular Department.

Sir HECTOR LANGEVIN. The chief clerk has the ordinary increase of \$50. Then for the first-class clerks there is an increase of \$100 for the two, that is \$50 each. That is the usual increase. Then, for the second-class clerks there is an increase of \$150. That is, for three of them—at the usual rate of \$50 each. Then there is the ordinary increase of \$50 for the draughtsman and accountant. Then there is the allowance for private secretary as usual. Then for the third-class clerks there is an increase of \$500. There are \$200 of that for four clerks at the ordinary rate of \$50 a year for each clerk, so that there are \$300 that I cannot account for now. Then the doorkeeper and messenger is the old doorkeeper who is also now to be a messenger. I suppose the hon. gentleman will remember him. He has been here for a number of years, and the late messenger having died, we thought under the circumstances this man should have \$100 increase for the few years he has to live, as a reward for his good and faithful services. As to the messengers, it is perfectly true that there is a messenger more than usual; but the services of the Council required an extra messenger. We found very often that we could not get along. The messengers were sent to different offices, and from one block to another, and

we could not get along with the messengers in that office, and we therefore had to take one more at \$300. As to the \$300 increase for the third-class clerks, I am not in a position to state anything about it now, but I will give it on concurrence.

Sir RICHARD CARTWRIGHT. Well, the hon. gentleman ought to have had these items prepared.

Sir HECTOR LANGEVIN. I did not expect that would come up.

Sir RICHARD CARTWRIGHT. Any more than ourselves on this side. The Minister of Public Works was under the same delusion that we were that supply was not to come up to-day. You can easily let the item stand.

Sir HECTOR LANGEVIN. Very well.

Department of Justice \$17,815

Sir RICHARD CARTWRIGHT. I see you have saved \$15 on this Department. That is such a departure from usual custom and precedent that it ought to be explained. Does the Minister of Justice know that he is departing from all precedent in his Department in thus reducing expenses?

Mr. THOMPSON (Antigonish). I shall endeavor not to do it again.

Mr. McMULLEN. I hope the hon. gentleman will continue in that direction. That is the direction we want things to go in.

Militia Department..... \$41,200

Sir RICHARD CARTWRIGHT. There have been some changes in this Department apparently. Probably the Minister will explain to us exactly what has been done. I see one or two new names.

Sir ADOLPHE CARON. The reduction which appears in the estimates has been caused by the decease of Mr. Sherwood, who was receiving a salary of \$1,300, and who is replaced by Mr. Davidson, a third class clerk, at \$750. Mr. Davidson was employed temporarily in the Department of Agriculture and was transferred to my Department two years ago, and was paid out of contingencies. Now I mean to appoint him as a permanent third-class clerk, receiving the amount he was receiving in the Department of Agriculture, and, if the hon. gentleman looks at the statutory increases, he will find that the reduction is caused by the change I have referred to from \$1,300 to \$750.

Sir RICHARD CARTWRIGHT. What is the present maximum of a third class clerk under recent Civil Service regulations?

Sir ADOLPHE CARON. \$1,000.

Sir RICHARD CARTWRIGHT. I see that a very large proportion of these gentlemen are put down as third-class clerks at \$1,000 each.

Sir ADOLPHE CARON. They have all been growing up to it.

Mr. BOWELL. Under the present Civil Service Act there are no junior second-class clerks; the minimum of the second-class is \$1,100.

Sir RICHARD CARTWRIGHT. That is a very good illustration of the working of the rules which we have laid down. Practically it resolves itself into this, that these gentlemen, a great many of whom must be doing simply clerical work, are exceedingly highly paid for it. We have thirty-one in all, of whom four are messengers and may be struck out, so that we practically have twenty-seven gentlemen drawing among them a sum of \$40,000 or thereabouts; so that the practical result is that pretty nearly every one in the Department of Militia and Defence ranges from about \$1,000 to \$1,400. I do not think there is any

particular difference between the Department of Militia and most of the other Departments, and in all the others there are a considerable number of clerks who are doing simply clerical work, which, in the case of a bank or mercantile establishment, would never entitle them to these large salaries.

Sir ADOLPHE CARON. I would draw the attention of the hon. gentleman to the fact that since these clerks were appointed the work of the Department of Militia has very much increased, and the staff of the Department has not increased in the same proportion; and these different clerks have been merely getting the statutory increase, which they were entitled to, the same as any other clerk; and while the law remains as it is there is no reason why that Department should be different from any other. All the increases are statutory increases, and there is a reduction caused by the replacing of a salary of \$1,300 by one of \$750.

Sir RICHARD CARTWRIGHT. That is quite true. I was not speaking of it so much with regard to the hon. gentleman's Department in particular as to the system we have drifted into, which means that we pay exceedingly high for inferior work, while superior work, for which we require men of high calibre is, according to the statements of Ministers themselves, imperfectly paid. We had an illustration of that the other day. The question came up in another place in reference to the junior officer of the Minister of Justice. We found that gentleman had been receiving a very considerable sum of money in addition to his official salary, and the reason given for that was that it was not possible to obtain a lawyer of good standing for the sum assigned. Here you have practically an illustration of the same thing. We have the inferior officers much more highly paid than their services would demand in a mercantile institution, and we find that some of the higher officers are paid below their real value. I call attention to this because it is becoming, and will continue to become a growing evil. You will have the lower and inferior officers at a maximum of \$1,000 or perhaps more, while at the same time have the superior officers very indifferently paid.

Mr. BOWELL. That has been the system ever since Confederation.

Sir RICHARD CARTWRIGHT. No. The junior clerks, until this recent alteration in the Civil Service Act, were kept at a much lower figure than the maximum of \$1,000. I do not remember exactly, but I think \$700 or \$750 used to be the maximum.

Mr. BOWELL. The hon. gentleman is quite correct, but he forgets that there was another class not now recognised in the Civil Service Act. Formerly there were third-class, the junior second-class, the senior second-class, the first-class, and the chief clerks. The junior second-class has been abolished, and the third-class clerk now goes on to \$1,000 as the maximum instead of being promoted from that class at \$750 or \$800—and like the hon. gentleman I forget the exact sum—to the second class, where he could rise, I think, to \$1,200, and then would be promoted again to the senior second-class until the maximum of that class was reached, and then to first-class and chief clerk and so on. So practically there is no difference in the operation of the Act.

Sir RICHARD CARTWRIGHT. Well, it makes a considerable difference when there is no occasion for promoting them to another class, that is in practice. Theoretically, I will not dispute what the Minister of Customs says. Who is the gentleman at present employed as the architect, engineers' branch?

Sir ADOLPHE CARON. The architect is Mr. James, who was selected from the Department of Public Works

two years ago, and I must say that he has proved to be a most efficient officer.

Department of the Secretary of State..... \$45,630

Sir RICHARD CARTWRIGHT. Here are some considerable increases. We want to know what they are about? And there have been some apparent alterations and promotions.

Mr. CHAPLEAU. The increases are, I think, \$1,732.50, and there are thirty-five officers, who are, on the average, entitled to \$50 statutory increase, which makes a little more than the increase of the year. I daresay the House will not object to the statutory increases. The House knows that for the last three years the expenditure of the Department has been decreasing every year by a few hundred dollars. I might add that for the ordinary work of the Department the increase has been considerable. In 1876 the letters received in the Department numbered 5,800; in 1885, 31,013. In 1884 the number was 18,588, as compared with 31,013 in 1885. The number of letters sent increased from 2,600, in 1876, to 12,646 in 1885. The increase as compared between 1884 and 1885 was from 10,000 to 12,646. Documents engrossed in 1884, 1,445; 1885, 1,980. The increased amount asked is \$1,732, and increases to 35 employés at \$50 a year would amount to more than that sum.

Sir RICHARD CARTWRIGHT. I see there were some alterations and promotions. What were they?

Mr. CHAPLEAU. I have managed the Department in such a manner as to do away with some of the superior officers and replace them by third-class clerks. I think there are four third-class clerks added and two first-class clerks less than last year.

Mr. VAIL. How many chief clerks are there?

Mr. CHAPLEAU. Four or five. In the correspondence department, Mr. Morgan; in the registry department, Mr. Catellier; the Queen's Printer, the Keeper of the Records, and Mr. Young, chief of the stationery branch, who is now on leave of absence from sickness.

Mr. McMULLEN. Who receives \$600 as private secretary?

Mr. CHAPLEAU. The private secretary is Mr. Taché, who is a temporary clerk.

Mr. LANDERKIN. In 1878 there were twenty-seven clerks in this Department. In 1874 there were twenty-six, an increase of one during that period. Now we have forty-two, an increase of sixteen. I remember the Minister of Customs told us at that time that it was impossible to get through the Departments because of the crowding of the officials into the corridors.

Mr. BOWELL. I never said so. It was the hon. gentleman's late leader who used that expression.

Mr. LANDERKIN. The condition of the public business and the difficulty of obtaining returns would indicate that all these officials are not employed, except perhaps to draw their salaries.

Mr. CHAPLEAU. The hon. gentleman is mistaken, and his conclusion is not logical. I have given a comparison as between 1878 and to-day; the number of letters written in the Department in 1878 was 6,000, as against 12,346 last year, that being a measure of the routine business of the Department. Those letters have to be written by some persons, they have to be clerks. There is an immense increase of business in the Department on account of the Scott Act, which is assigned to the Secretary of State's Department, and the Franchise Act has also imposed increased business on the Department.

Mr. MULLOCK. As the hon. gentleman refers to additional work cast on his office by the Franchise Act, would Sir ADOLPHE CARON.

he tell the committee what cost will be incurred to the Department by that work.

Mr. CHAPLEAU. It will probably add to the expense of the Department this year about \$3,000, all counted, which amount is put to contingencies.

Sir RICHARD CARTWRIGHT. What is the cost of the Scott Act to the Department?

Mr. CHAPLEAU. It is included with the routine business of the Department.

Department of the Interior..... \$110,875

Mr. WHITE (Cardwell). There is an increase in the Department proper of \$1,970. The ordinary statutory increases amount to \$2,120; the difference is made by some vacancies which have been created, and the places filled at smaller salaries.

Sir RICHARD CARTWRIGHT. Were there any promotions, or are the officers the same as heretofore?

Mr. WHITE (Cardwell). The officers are the same as heretofore.

Sir RICHARD CARTWRIGHT. What is the meaning of this foot note touching Mr. King, the Chief Inspector of Surveys?

Mr. WHITE (Cardwell). Mr. King was formerly paid out of the ordinary appropriations for land. He is now put upon the permanent list. That makes an apparent increase in the civil list, but does not increase the expenditure, because formerly he was paid out of the land appropriation.

Mr. VAIL. There are only sixty-two clerks apparently now as against sixty-four the year previous. But there is an increase in the aggregate salaries.

Mr. WHITE (Cardwell). I must explain that the statutory increases alone are more than the aggregate increase of the entire appropriation for the civil list. In the Geological Survey, in which the increase is \$2,350, the statutory increases are \$1,050. Mr. Lamb, the artist of the branch, has been promoted to the second class with an increase of \$100. Mr. Lowe has been promoted to the second class for special services in connection with some surveys at Lake Mistassini. Mr. Lawson and Mr. Chalmers were put upon the civil list at the same time. This involved an apparent increase of \$2,200, but as provision was made in the supplementary last year for one officer at \$1,100, the actual increase to the civil list is \$1,100, making altogether \$2,450, which is \$100 more than the entire increase, which is thus accounted for: There were votes provided by the estimates last year of \$1,200 each for Mr. Coste and Mr. Ingall, who were connected with the mining branch. They each received \$1,150, making an apparent saving over the estimates of \$100, which accounts for the \$2,350 of apparent increase in the Geological Survey branch.

Sir RICHARD CARTWRIGHT. Which Department at present takes charge of the issuing of patents for lands in the North-West?

Mr. WHITE (Cardwell). The Interior Department. I may mention as an illustration of the growth of work that for the months of November, December, January, February and March of 1884-85, the correspondence was 8,423 letters, while for the same months ending the 1st of April of this year, the correspondence was 17,287 letters.

Mr. McMULLEN. When was the office of Chief Inspector of Surveys created?

Mr. WHITE (Cardwell). It was created during the year. He was simply transferred from being paid out of the lands appropriation to the permanent list. There is no actual increase in the charge upon the public.

Mr. LANDERKIN. The correspondence, I notice, is very voluminous. About a year ago I had occasion, on behalf of a man who owned a farm in the District of Algoma, and who was anxious to take out his patent, to enquire of the Department as to the amount of arrears due on his lot. It is over a year since I wrote, and the Department, through pressure of work, has not been able to reply to that letter, and the man does not know the position that he occupies or the amount that he owes, and he has not yet got his patent. I am sorry that the pressure from correspondence is so great in that Department that it takes them about a year and a half to reply to a letter.

Mr. MULOCK. I received a communication a couple of days ago from a gentleman saying that he had the pleasure of meeting the Minister in the North-West, and there had a conference with him in regard to a certain coal mine. He laid his grievances before him and the Minister undertook to investigate the matter and to advise him of his decision. The communication which I have received, and which I shall be happy to show the Minister, states that he has not had any communication from the Minister since, and that is five or six months ago.

Mr. WHITE (Cardwell). I may say to the hon. gentleman that I met a great many people in the North-West and in every case my secretary took a memorandum of what they expected to have done, and the particular matter to which they wished my attention drawn. In every case I asked them to write to me as soon as I got back to Ottawa, because it was quite possible, in such a great number of cases, that some might be overlooked. I have no doubt that the same request was made to the gentleman to whom my hon. friend refers.

Mr. MULOCK. No doubt he made that request, but it is possible that he did not. But I may tell the hon. member that this suitor has not received any communication from the Minister. He claims that he was entitled to a patent to certain lands on the ground that he was the first discoverer of a coal mine. The mine in question, I think, is known as the Cascade mine, and perhaps the hon. gentleman is familiar with the title. At all events, I received a communication from the Department only this day with regard to the land, which states that the land has been patented to a third party within the month of February, and now it is beyond the power of the Department even to consider his case, and I do not know that he will ever get satisfaction.

Mr. WHITE (Cardwell). I think I remember something about the case, and I can assure the hon. gentleman that there is another side to it. I will not state the facts from memory, but I do not think the gentleman to whom he refers has very much to complain of.

Sir RICHARD CARTWRIGHT. The hon. Minister must recollect that a question was raised last Session, touching certain frauds alleged to have taken place in the patent office, and an investigation was promised. Has that investigation been made, and what conclusion has been arrived at?

Mr. WHITE (Cardwell). The investigation has made some progress and some proceedings have been taken to annul some of the patents; in other cases, persons who obtained those patents under that fraud have voluntarily surrendered them. The Department is engaged at this moment, in Winnipeg, in the adjustment of claims arising out of these frauds.

Sir RICHARD CARTWRIGHT. I believe those frauds involved several officers of the Department.

Mr. WHITE (Cardwell). I think Mr. Lang was the only one, and he has disappeared.

Sir RICHARD CARTWRIGHT. Where has he gone?

Mr. WHITE (Cardwell). I would like to know.

Sir RICHARD CARTWRIGHT. Does the hon. member propose to lay on the Table information about this? The amount of property involved was considerable, and, as a matter of course, those parties who have property imperilled by those frauds should be secured.

Mr. WHITE (Cardwell). If the hon. gentleman moves for the papers, no doubt they will be brought down, but I think that is one of the cases where the Department might very well ask for an order.

Mr. BLAKE. There is a question as to the management of the Department under which these frauds became possible. Has any alteration been made, any check devised, to prevent a recurrence of such transactions?

Mr. WHITE (Cardwell). Yes; checks have been devised. Mr. Lang had charge of certain half-breed claims, these patents issued in connection with certain half-breed claims, and all communications in reference to them, went straight to his office. He had charge of the correspondence connected with them, and also with the issue of patents themselves. He was in the habit of concealing that correspondence, so that patents went out without anybody knowing anything of the correspondence at all. The Deputy Minister assures me, that under the present arrangements it will be almost impossible that these difficulties should occur again.

Mr. BLAKE. I would like to ask the hon. gentleman how he is going to prevent patents to issue in advance of performance of the conditions, or to persons who are not entitled to them, by alterations in the correspondence branch of the Department. It is a very serious matter for the whole country, engaged as we are in alienating a large extent of territory, that there should be such a defect in the system, as that grants from the Crown could issue to persons not entitled to them, and I think it is a legitimate subject of enquiry, particularly as those frauds were discovered some time ago, to enquire what the old system was and what the present system is.

Mr. WHITE (Cardwell). If the hon. gentleman will defer his enquiry until we come to the second item below, I will promise him to bring down absolutely accurate details as to both the present and the past system.

Mr. DAVIES. According to the report of the Auditor-General, the expenditure on the civil service of this Department was \$62,961.

Mr. WHITE (Cardwell). The expenditure was considerably less than the estimate we took, and the Deputy Minister hopes that we will be able to get on this year with somewhat less, though he does not feel at liberty to ask for less, in view of the large increase of correspondence.

Mr. DAVIES. But was the increase from \$62,000 to \$71,000?

Mr. WHITE (Cardwell). That is for 1884-85. We are now dealing with 1886-87, and comparing the amount for that year with the amount for 1885-86.

Mr. DAVIES. Yes, I know; but was that the increase?

Mr. WHITE (Cardwell). Well, we expect it to be up to the amount we asked for last year.

Sir RICHARD CARTWRIGHT. There has been about \$9,000 added in two years as between 1885 and 1887?

Mr. WHITE (Cardwell). Yes.

Sir RICHARD CARTWRIGHT. I dare say the business of the Department has increased but the sales have rather decreased, and it is only too clear that the number of settlers with whom business has to be done in the North-West, has very slightly increased. The white population of the

North-West including Manitoba, is hardly more than 150,000 people, and it seems to me that the additional increase ought not to be called for under existing circumstances. I notice that, so far as I have been able to see, there is no reference in the Minister's report to this erroneous issue of patents, and it seems to me that it is a matter that should be referred to, inasmuch as these troubles were known to exist and there was a good deal of uneasiness in the public mind with regard to them.

Mr. DAVIES. I am not quite satisfied yet with the explanation of the hon. gentleman. The Auditor-General, in his report for the only completed year we have before us—the year 1884-85—shows the expenditure to be \$62,961. Now, without referring to the current year, the hon. gentleman proposes for the ensuing year to spend \$71,000, or \$9,000 more than for the last completed year. Now, as I understand, the business of the Department is not increasing. I understand the sales are decreasing instead of increasing, and although the Minister of Customs thinks it is rather unfair to draw the inference that the business will be less because the sales are decreasing, it certainly appears to me that it ought to be so.

Mr. BOWELL. How does the hon. gentleman come to that conclusion? I said nothing about it.

Mr. DAVIES. The hon. gentleman remarked, "ergo the business decreased."

Mr. BOWELL. I said that to the Minister—reasoning from your remarks.

Mr. DAVIES. I would like to know in what particular branch the increase is, and why there is an increase.

Mr. WHITE (Cardwell). The estimate in 1884-85 was \$67,050, but the Department got on with about \$5,000 less. The expenditure last year was \$69,305, and I believe the Department will get on with less, though, of course, there is no certainty on that point. As to the question of the work of the Department as arising out of the increased number of entries in the North-West, I think the hon. gentleman ought to know that the number of entries may increase very much the work of the agents at different points in the North-West. The three years of homestead duties, which entitle settlers to patents, are now expiring in a great many cases, and the correspondence with regard to them, and as to whether parties have properly fulfilled their duties, involves an enormous increase of correspondence and business connected with the Department, although the actual number of entries may not have increased. As I have pointed out, the correspondence of the Department in five months of this year, as compared with the corresponding five months of last year, has more than doubled, and that certainly involves the necessity of a larger clerical staff for the Department. It cannot at all be inferred from the fact that a smaller number of entries has been made, that the work of the Department has in any way decreased. On the contrary, the correspondence shows that it has not.

Mr. DAVIES. I must say that it hardly satisfies my mind that it requires an increase of \$9,000 over that of the last completed year simply to attend to the additional correspondence. It seems to me there must be some other reason for this enormous increase.

Mr. BLAKE. Can the hon. gentleman give us some general explanation of how this correspondence has doubled during these five months, as compared with the corresponding five months of the previous year? Was it because too few letters were written during the previous five months? If the correspondence has doubled, although all the work during the former period has been done that ought to have been done, it would be gratifying to understand it; but if it is because the business was neglected, and the new broom is sweeping clean, let us know it.

Sir RICHARD CARTWRIGHT.

Mr. WHITE (Cardwell). It is no question of the new broom. I do not desire any credit whatever at the expense of my predecessors. I have seen enough in the Department to convince me that both of my predecessors performed their duties well. I know that my immediate predecessor lost his health in the efforts he made, and made successfully, to keep up with the work of the Department; I know that he was engaged at his own house with his private secretary up to 12 and 1 o'clock at night, striving to overcome the work of that Department. What I have to say is that the correspondence has enormously increased, and in the nature of things it must increase as the time approaches when the settlers are looking for their patents. The great proportion of the correspondence refers to the cases of individual settlers. If every settler fulfilled his settlement duties as to residence and other conditions, the work would be easy; but I have seen enough of the Department to know that that is not the case, but that a large number of settlers have been unable for some reason technically to complete all their duties, and a large portion of the correspondence has arisen in connection with that. Then, the large ranching business which has sprung up in the North-West has necessarily caused a large amount of correspondence. In addition to this, many settlers in the Province of Manitoba claim that they should get their land at \$1 an acre because they came in just about the time when the price was increased to \$2, and an enormous correspondence has taken place in regard to that. All these matters have tended to increase the business of the Department.

Mr. BLAKE. I suppose that the large portion of the business connected with claims of individual settlers was being transacted under the improved system adopted sometime ago to avoid acknowledged delays and neglects that took place under the old system, viz., by the Land Board at Winnipeg. I recollect, not his immediate predecessor, but his penultimate predecessor, acknowledging that there were very obvious delays which were about to be avoided by the establishment of a land board which would deal with the settlers nearer the spot than Ottawa. But now, from what the hon. gentleman states, it would appear that there is direct communication between the settlers and Ottawa.

Mr. WHITE (Cardwell). I am sorry to say there is. Although the Land Board at Winnipeg does an enormous amount of work, and although my desire is to throw on that board the responsibility of settling these matters, still the settler often comes to headquarters, where he thinks he will get a better chance; we cannot avoid that; and when the settler applies to us here, we are anxious to do the best we can for him, and if we cannot do more, to give him a courteous answer. In answer to the hon. member for Queen's (Mr. Davies), I wish to point out that the expenditure in 1884-85 was \$63,000; the estimate for 1886-87 is \$71,225. Mr. King's salary is \$1,650; the statutory increases for 1885-86 amounted to something over \$2,000; and the statutory increases for next year will be over \$2,000; all of which amount to over \$6,000, which I think will show the hon. gentleman that the increase instead of being between \$7,000 and \$9,000, is only about \$2,000.

Mr. DAVIES. I do not think the statutory increases amount to as much as the hon. gentleman states. But even allowing the statement he makes, there is yet \$3,000 which he does not explain.

Sir RICHARD CARTWRIGHT. I think the House will do well to consider the total amounts that are being demanded for the Department of the Interior, I am leaving out the Geological Survey branch and the North-West Mounted Police. On page 101 we find \$30,000 more for extra clerks at head office, Ottawa, advertising and similar expenses; under the head of contingencies we find \$18,000; taken altogether, these make very nearly \$120,000. The House will see that this item is an extremely heavy one.

Mr. WHITE (Cardwell). No doubt of it.

Sir RICHARD CARTWRIGHT. Very nearly \$120,000. We can well understand that men who have been applying to the Land Board, under present regulations, and who find that that board, being strictly responsible to headquarters here, cannot give them satisfaction, will, as a matter of course, go to the Department at Ottawa, more particularly as a very large number of them are Ontario people, who think they can bring influence through their friends there. The fact that we have to spend about \$125,000 on that Department, is proof enough that the attempt to work our North-West lands at Ottawa is a huge mistake, and that the whole cumbersome machinery we have established at headquarters at Ottawa, costs us two or three times as much as would a board in the North-West, vested with much more full plenary powers. It will be found that the attempt to conduct the affairs of a great country like that, at a distance of 1,200 and in some cases of 1,500 or 2,000 miles, is inherently a vicious system. Without blaming the present Minister or perhaps his immediate predecessor, I think the attempt made to concentrate the whole control of the North-West in one office at Ottawa, has been a mistake from the first, and is daily growing more a mistake.

Mr. HESSON. As a member who has had a good deal of correspondence with the Government on behalf of parties who have gone to the North-West, I have been obliged to correspond with headquarters here, although I did think the business had better be dealt with by the Land Board. Parties who went in 1880, when they supposed they could get land at \$1 an acre, have written to me complaining that they could not get their land at that price, because that was cancelled by the Order in Council of 1880. But they claim they had, properly speaking, taken up lands before the Order in Council was passed, or had given notice and were qualified to get their entries on the best terms. The Department, I must say, has always been very courteous in their replies, but the system involved a great deal of correspondence, and I am sure other hon. gentlemen have experienced the same trouble and inconvenience as myself.

Mr. WATSON. If more powers were granted the Land Board at Winnipeg, the difficulties mentioned by the hon. gentleman would not arise. In most cases when letters are written to the deputy at Ottawa they are referred to the land board, and then referred back to Ottawa by the board. I believe a great many parties are under the impression that everything has to be referred to Ottawa. If it was understood that the Land Board had to deal definitely with the cases, people would be satisfied with the reports they received from the board. From what I know of the commissioners, I believe they could well be entrusted with further powers, and be allowed to decide definitely on cases which are now referred to Ottawa, and causing consequently much correspondence and loss of time.

Mr. BLAKE. The question of expenditure connected with our North-West lands is one of considerable consequence. I looked the other day at the result of some of the items of five years operations in North-West lands. During one or two of those years we received very considerable sums, unexampled before or since, for lands. In one year we received as much as \$1,700,000, in another year \$700,000 or \$800,000, and in the five years \$3,000,000 or \$4,000,000; but the expenditure, including the extra expense in the Department of the Interior, absorbed every shilling we received, with the exception of some \$300,000 or \$400,000. The expenditure on surveys, capital account, income account, and the expenditure of the Department of the Interior properly attributable to the lands, absorbed the \$3,000,000 or \$4,000,000, with the exception of \$300,000; so that really with all the advantage of a large surplus during two years, and with the larger price we receive now, there is really nothing left to us out of the lands. I

am quite aware of the force of the observation that during that period we surveyed an immense quantity of land and were prepared for futurity in that respect, but I am afraid a good deal of that survey, which was conducted with such extreme energy that it left no time to perform some surveying which would have been much more advantageous, has been thrown away and will have to be done over again. In fact, a good deal has been surveyed the second time, and, having regard to the general results, I believe you will find we are getting nothing whatever out of the North-West lands now.

Mr. WHITE (Cardwell). It is hardly fair to take the expenditure for surveys and charge it all against the receipts of the year up to this time. Whether the surveys have been well or ill performed I cannot say, but my impression is that they have been well performed. It is my misfortune to know nothing about surveying, but I am told that they have been well performed. No doubt in some cases, monuments disappear and may have to be replaced, when somewhere approaching 60,000,000 acres of land have been surveyed and made ready for settlement. Then as to the large amount we received, and which the hon. gentleman states we ought still to be receiving, he ought to remember that a considerable portion received during one year was the result of large quantities of land being sold by auction during the boom, when they realised nearly three dollars an acre. Those lands to-day are not nearly so valuable as when they were sold. They are in the hands of private holders who bought them. Then the hon. gentleman will remember that there were sales at that time of town sites which realised a considerable sum of money, which were also sold during the boom, and I have no doubt many of the purchasers now regret their purchase. The same feeling of exaltation, the prospect of enormous fortunes which prevailed in 1856 through the whole of Canada, when the Grand Trunk was being built, prevailed there, and indeed all over the continent. All these sums of money came in at that time, not from ordinary settlers at all, but from an exceptional state of things, which is not likely to be repeated, and which I hope will not be repeated. The hon. gentleman, I think, ought to remember that there has been 25,000 people placed in the North-West, outside of Manitoba, in consequence of the surveys and the opening up of the country in one way or another—not in consequence of the conduct of this Government or of another Government—but as the natural result of opening up the country. These settlers ought to count for something, and we have received money enough to meet the outlays that we have made, a large part of that outlay being on capital account, and we have a money basis for future settlement which ought to be worth something to us. I know the hon. gentleman will say that a large number of these settlers went from Ontario, and consequently Ontario loses what the North-West gains, but they were people who wanted to go West, and the chances are that if they had not gone to our North-West they would have gone somewhere else. Then as to the Land Board, I may say that I am giving larger power to the Land Board than it has had before. They will settle every question that comes before them, and their decisions are usually approved without coming here at all. In the vast majority of cases their decisions do not require to come to us in any way whatever, but the misfortune is that if they are not decided in the sense in which the settler thinks they ought to be decided, he thinks that by coming to headquarters he may get a better settlement. The Department is consequently regarded, to a certain extent, as a court of appeal, inasmuch as the Minister of the Interior and the Government must be held responsible for all these things, and it does seem to me that we cannot shirk that responsibility, nor do we wish to shirk it. In Calgary, when I was up there,

among the propositions that were made by gentlemen who were kind enough to offer a number of suggestions to improve the land laws, one was that all these disputes should go to the ordinary courts, and that, in fact, the power of the Land Board should be decreased. I get more letters from persons in the North-West asking that the powers of the Land Board be decreased than that they should be increased, and from parties who profess to have a good knowledge of the wants of the settlers. A proposal was made in Calgary at a dinner the people were kind enough to give me, that the Land Board should be abolished altogether, and all these matters left to the ordinary tribunals to decide. I pointed out that that would be a matter of great consequence to the lawyers, but rather a bad proposition to the settlers, and that the very object of referring cases of that kind is not that the settler may be dealt with by the hard and fast rule of the law, with the cold severity of the law, but that the equity of the case may be considered so that we may give him a fair opportunity to continue in the home which he sought for himself when he went into the North-West. Personally, as I have said, my earnest object has been to give as much power as possible to the Land Board, and throw upon it as far as possible the responsibility for the settlement of all questions. In referring cases back to the Land Board, I have written to the parties that I did so with the view of creating the impression among the settlers that the lands must be managed from Winnipeg rather than from Ottawa, although we cannot get rid of the ultimate responsibility of their management here. Experience has shown that the Land Board is steadily increasing in importance, and in the labor connected with it. In the months of November and December last the correspondence of the Department of the Interior was greater than the correspondence of the Department of the Interior in 1877, with the Indian Department added to it at that time. I can assure the hon. gentleman that as regards the transferring of the management of the details of the land system to Winnipeg, I heartily concur in his opinion, and my earnest wish is that it may be so transferred, so far as we can do so considering our ultimate responsibility to Parliament.

Mr. BLAKE. The hon. gentleman says that it is unfair to count against the receipts from North-West lands the expenses of the surveys. But the hon. gentleman has answered his own argument, because he told me, when I came to compare the present receipts with the past receipts, that the past receipts were altogether exceptional in their character, that they were the result of the boom and the sale of town sites, and he says I am not to charge the exceptional expenditure for surveys against the exceptional receipts, but must strike the latter out of the account altogether. Then, I ask, what becomes of \$58,500,000 which we were told, three years ago, we would receive from the North-West lands before the year 1891? If we are told now that this was all a delusion, that even the modest \$1,700,000 was an inflated receipt, where is that vast sum which that hon. gentleman's deputy certified to the Minister, and which the Minister of Railways told us solemnly we were to receive? The fact of the matter is that the receipts have diminished, even if you strike off the Birtle sales, and the odd section sales. I believe there are \$1,200 from colonisation companies during the last year, and I remember, upon some occasion, the Minister of Railways stating that we would get \$1,000,000 from the colonisation companies alone, that he could not take all the applications that were pressed upon him, but he did not intend to sell the whole North-West to the colonisation companies. The amount received, my hon. friend informs me, was \$1,214.22 from the grand colonisation company scheme, which was to give us ten millions, besides creating uncalled blessings for the North-West. The hon. Minister says:

Mr. WHITE (Cardwell).

"But you must consider that by a survey of those 60,000,000 acres we have got in the few immigrants we have obtained." But we know perfectly well that the immigrants we have got in are far below what the hon. gentleman promised he would secure, what he declared we would have, and what the Government told us we actually had in the country. We know, as a matter of fact, if the accounts of the year's immigration to the North-West, adding a small amount for the natural increase, be correct, there are more than 100,000 people, who, they say, must have gone in. Either they did not go in, and so the accounts of the annual immigration are totally false; or, if they went in, they have left the country—somewhere about 115,000 or 120,000, if you make allowance for the natural increase, is the discrepancy in the figures. Under those circumstances I little expected he would boast of a survey of 60,000,000 of acres as being something which was necessary in order that we might get in this small number of immigrants that have, it turns out, either been got in or arranged to remain in the country. No, the fact of the matter is, we require to consider what the scale of our expenditure is on the North-West lands with reference to the results. A few years ago the hon. gentleman who then presided over the office excused the enormous and growing increase in the departmental expenditure here and at Winnipeg, because the latter is a branch of the same office discharging part of the functions which in their entirety used to be discharged at Ottawa, on the ground of the vast and growing transactions and the necessity of dealing promptly with the settlers and so avoid all complaints and troubles. Now we are face to face with an entirely different state of things in the present and in the future. I quite agree that we must have such a staff as may be necessary in order that the business may be properly done, for we cannot expect to keep settlers in the country if their business is not attended to with reasonable promptness; but I say also that the scale of expenditure which has swollen to its present proportions here and at Winnipeg is not applicable to the present state of things nor to any immediate prospective future that we can count upon. The hon. gentleman has told us, and it is a very reasonable statement, that the correspondence has largely increased, and of course the business of the office has increased by reason of the maturing of a number of the claims for homesteads. I suppose those are the homesteads of the "boom," the results of the large immigration. We are now at the last five months of 1885, carrying us back to the period of 1882 as the period at which most of those people would have come and taken up their lands, thus their claims are about maturing for homesteads and there is a period of activity in the Department on that account; but if immigration has decreased from year to year the number of maturing claims for homesteads will also lessen, and as we are taking a vote not only for the present, but up to July, 1887, the spasm of energy and correspondence is hardly likely to represent the continuous energy of the Department.

Mr. WATSON. The people of Calgary, it appears, have requested that the Land Board be abandoned altogether and that disputes be decided in the usual way. This shows that the people have no confidence in the tribunal at Ottawa as a court to decide disputes. That is probably due to the fact that it is so far away from the people who are directly interested and because influences are liable to be used which are not just to the settlers. In regard to the land at Birtle, where a large quantity of land was sold in the spring of 1882, the Minister says that he hopes such a course will not again be taken, and states that the land, which was sold at \$2.50 an acre, is not worth that amount to-day. If they are good lands, and I believe there is no reason to doubt that they are such, the fact mentioned by the Minister is simply due to the policy pursued by the Government of lock-

ing up so much land from settlement. The lands are very sparsely settled and a very large quantity is held by speculators. When the Minister says those lands are actually not worth so much to-day as they were when they were sold, that fact is due entirely to the country being very sparsely settled and to the Government pursuing a wrong policy in selling those lands. If the lands were settled they would be worth from \$5 to \$10 an acre instead of not being worth so much as they were sold for in the spring of 1882. I hope the hon. Minister after his trip to the North-West will see the folly of exposing lands for sale in preference to settlement. If they are open to settlement they are worth more to the country as a whole, and the country derives a revenue from the settlers who occupy them. I hope when the hon. Minister has occasion to dispose of any other lands they will be open entirely for settlement.

Mr. McMULLEN. The arrangement in the Department of the Interior is a double barrelled one, with one Department in Ottawa and another in Winnipeg. If they are to be worked successfully and so far apart, the duties of the Winnipeg Board must be clearly defined as well as the duties of the Department here. If the people of the North-West are to be led to believe that every matter taken up by the Winnipeg Board is subject to an appeal to the Department here, there will be a large increase in the work to be performed here. If that is the case it would be very much better if the Winnipeg Board were abolished or those composing the Board brought here and placed in a room adjoining that of the Minister of the Interior, so that the enormous amount of correspondence that has taken place could be reduced, because the Board could then submit cases of appeal direct to the Minister. Under the present system an application is made to the Minister of the Interior, it is forwarded to the Land Board at Winnipeg for their consideration, that Board acts upon it and notifies the party in the North-West what they have done, and that party, not being satisfied, writes back to the Department at Ottawa and the whole business is to be done over again. The duties of the Winnipeg Land Board should be clearly defined and questions decided by them should not be again raised. The Winnipeg Board costs \$30,000, and the Department of the Interior here \$90,000 making a total of \$120,000. There is no necessity for this double barrel arrangement. I think we should either abolish the Board here and let the Board at Winnipeg do the entire business, or else let the hon. Minister of the Interior go up there and superintend the work or they might be brought down here so that they could be utilised. The hon. Minister paid quite a tribute of respect to his predecessors and spoke of the very efficient manner in which they discharged their duties. The hon. Minister a few days ago told us that he had no less than 2,300 applications with regard to timber limits, to dispose of within, I think, the last two years. Now, that must very largely have increased the correspondence of the Department—also the different representatives communicating with the Department in the interests of themselves and their friends, must have largely increased the volume of business in the Department. I would like to know if anything of that kind is going on now, and if the large increase in correspondence which he says has taken place is in connection with matters of that kind. The Minister was up in that country some time in November or December, and it is very strange that on his return the correspondence should have so largely increased. He must have been holding out inducements to the people there, of some kind, that favors would be granted them; I do not know that they were, but certainly it seems the correspondence has increased. It seems to me that this arrangement between the two Boards is a great

farce, and I think it is time that we should see the propriety of cutting down instead of increasing. In connection with the granting of patents, I say there should be some fixed rule by which parties in the North-West should be guided when they make application for patents, for if not, we will find all sorts of influence with the Department, if individual cases are to be dealt with by the Minister. We will hear of cases where perhaps the conditions have not been fully complied with, but it will be said: "O this man has complied with them so nearly that the Minister ought to overlook any incompleteness or defects and grant the patent." If that is going on there will be an enormous amount of work, and you will require many more clerks. That work should be conferred completely on the Board at Winnipeg, if you are going to keep them, instead of being appealed to the Minister; and unless you allow the Board to do that work you had better obliterate the Board altogether and let the Minister and his clerks do it here, because they will have to do it in the end. There is no necessity for all this round-about correspondence. Letters from the Board at Winnipeg to the Department here, and letters back again to the Board, and then letters again to the Department. If that is going on it is no wonder the expenses are increasing, and we may expect the increases to go on. It is evident that hon. gentlemen are not desirous of curtailing the expenses, if things are going on in that shape; on the contrary, we will have continuous increases. I believe the Minister of the Interior is possessed of sufficient ability to do credit to any Department, if he brought these abilities to bear on his Department properly. I hope he will apply his abilities to his Department next year, so that he will be able to tell us, that instead of increasing the expenses, he has decided to obliterate this Board at Winnipeg, and have the work done in his own office, and let the people of the North-West understand that there will be no appeals. I do not think it is necessary that this enormous volume of correspondence should take place, and I can understand after what the Minister has said, that under the present arrangement, the correspondence will continue to increase. There will be a continued going round and round from here to the Board at Winnipeg, and then back again, up and down, and there will be no end of it. I am surprised that the Minister should have found it necessary to make such an admission with regard to the position of things in the Department of the Interior as he has made to-night. I think he should have been able to report that the business has been so adjusted between the Board and the Department, that each will have its specific duties to perform, and that this continuous, everlasting correspondence should be put a stop to. I certainly hope this thing will not be continued.

Mr. O'BRIEN. The hon. gentlemen who last spoke evidently understands very little of the state of things in the North-West, because if he knew anything about it, he would know that the great complaint that has been made there for years back—and under similar circumstances will be made again—is that the settlers found fault because they were dealt with by hard and fast rules; that there was no sympathy evinced for special circumstances. That has been the great cause of trouble, so far as I have had an opportunity of learning the state of affairs in the North-West, and if his rule were carried out, we should have a state of discontent far greater than it has been in the past. I think everything else the hon. gentleman said has been answered in advance by the Minister of the Interior. I would like to ask the Minister if it is necessary that the salary and the allowance for expenses of the inspector of colonisation companies should be continued. His office costs \$4,000. Those companies are certainly diminishing and they will continue to diminish, because there never can be money made out of them, as anybody of common

sense must have foreseen at the outset, there will be nothing but loss connected with them. I see that the inspectors of homesteads cost the country far less than this officer, and I would ask the Minister if, under the diminished business remaining for the inspector of colonisation companies, his work could not be done by the other inspectors, who, I think, are fully competent to do it.

Mr. WHITE (Cardwell). I may say in reply to the hon. gentleman, that at this moment negotiations are going on—and indeed they have been going on for some time—with the colonisation companies, with a view to the settlement of their contracts with the Government. The Department recently issued a circular to each company, stating the general terms upon which they were disposed to close the contracts, or if the companies were anxious to go on, to allow them to continue their operations. In most cases, the proposal is to close the contracts, which will release immediately a very large area of land that was set aside, not for sale absolutely, but as part of the contract with the companies for colonisation purposes. These arrangements will involve a careful inspection of each of the companies tracts, which was included in the general appropriation for colonisation purposes, and the inspector of colonisation companies will require to perform that work. I have no doubt whatever that when that is done, as I believe it will be done—I hope this spring, because the companies are sending in at this moment these statements, which will have to be verified on the ground—as soon as that is done, that office will, as far as I can see at this moment, be less necessary at any rate than it is at present. The question of the abolition of the office altogether, will then come up for consideration. But until the close of these matters with the colonisation companies, I do not think it is desirable to change the officer, who has had some experience of the work and who knows the ground. At the close of the Session I hope to give two or three weeks, before leaving for the North-West, to the settlement of these questions.

Mr. BLAKE. The hon. member for Muskoka (Mr. O'Brien) must remember that the officer is Mr. Rufus Stephenson.

Sir RICHARD CARTWRIGHT. This is a somewhat important statement which has been made by the Minister of the Interior. I recollect how, three or four years ago, we were informed by the then Minister of the Interior that he had discovered a wonderful means of accomplishing the colonisation of the North-West; how tens of thousands of valuable yeomanry were to be settled there; how capitalists were to come forward and to supply large funds out of their private resources for the purpose of aiding in this colonisation; how from various parts of England and the continent gentlemen, interested in settling this country, were to come forward as members of colonisation companies; and how—what he did not tell us—he had tried to secure some 5,000 or 6,000 assistants in the election of 1882 by distributing promises of grants of land to colonisation companies in which they were interested. I recollect that in the county of Lennox, which the then Minister of the Interior was contesting, I found on one occasion, on examining the names of a certain committee in his interest, that out of 21 gentlemen 15 had shares in some colonisation companies. I found to my still greater disgust that a considerable number of gentlemen on the committee of Mr. Allison, who opposed him, had also shares in colonisation companies; and when information was given to us afterwards of some remarkable transactions which led to the election of the hon. gentleman for Lennox, I myself was approached by a considerable number of gentlemen interested in colonisation companies, some on my side, and some on the other side, who intimated to me that it was a great pity to disturb the Minister of the Interior in the representation of Lennox, because they did not know how, if he was dis-

Mr. O'BRIEN.

turbed, they would get on with their colonisation companies. But these matters having run their course, we find, according to the statement of the hon. Minister of the Interior—and I think he is right—that all of these colonisation companies are to be wound up, and the whole thing is acknowledged to be an utter and inexcusable failure. That is the only conclusion to be drawn from the statement of the hon. the Minister of the Interior. Now, with respect to the cost of this Department, over and above the \$90,000 required for the Department of the Interior, and the \$30,000 to which I called attention, there is \$120,000 more wanted under the head of outside service, together with \$100,000 for Dominion lands, chargeable to capital; so that about \$340,000 is to be expended for the ordinary service of this Department. Now, I see that for the half year we received \$101,664. It may be that we shall get a little more during the ensuing year, but I think it is very unlikely that we shall receive more than \$200,000 or \$300,000 from the sales of lands in the North-West for a considerable time to come; and I am not sure that the country would not be better served by throwing settlers in there, even at some trouble and expense, than by endeavoring to get money from them. It is only too clear that, whereas we were led to expect that a very large amount of money would be obtained from the proceeds of sales in the North-West, the case is even worse than my hon. friend stated, and that there will probably be a deficit between receipts and expenditure for a considerable number of years to come. That is a serious thing, and it seems to me we are not justified in maintaining this enormous expenditure in the present state of the revenue, and under the present prospects of receiving returns from the North-West. \$340,000 is a very large amount of money, and we seem to be getting very little for it.

Mr. CHARLTON. I would like to enquire of the Minister of the Interior—if it is compatible with the public interest to inform us at this time—on what terms it is proposed to cancel the contracts with these colonisation companies. I am curious to know whether these gentlemen, who have invested in North-West lands and paid one or more instalments, who have been unable to settle their lands, and who find that the speculation is likely to prove a disastrous one, are to be refunded the payments they have made, or whether they will be made to forfeit the moneys they have paid. While on my feet I wish to say a few words as to the general policy of the Government in reference to the management of our public domain in the North-West. We were informed by the Minister of the Interior that 61,000,000 acres of land had been surveyed there. Now it strikes me that is rather an excessive quantity when we consider that the 4,700,000 inhabitants of Canada occupy only about 22,000,000 acres of cultivated land; the census of 1881 gave the quantity as a fraction less than 22,000,000 acres. Yet a sum of money has been expended in surveying the lands of the North-West sufficient to survey nearly three times the quantity of land occupied by all the inhabitants of this Dominion, that seems to be an extravagant and useless expenditure. We have in the North-West about 23,000 inhabitants, which is equivalent, taking five persons to each family, to 4,600 families. If we assume that they are all agriculturists, which they are not, and that they occupy farms of 100 acres each, they would require 460,000 acres of the 61,000,000 acres surveyed. That needs but to be stated to show the absurdity of spending an enormous sum of money to survey that quantity of lands. Then the hon. gentleman made a statement with reference to the magnitude of his correspondence. Among other things, he stated that 2,500 applications had been received for timber limits, and to show the Government had not been guilty of any great extravagance in parcelling out the timber resources of the Domin-

ion, he said that only forty-seven timber licenses had been granted. Now, the fact that 2,500 applications have been made, that a great number of Orders in Council had been passed, and yet only 47 licenses have been granted, shows to what an excess of the requirements of the country the business of granting timber licenses has been carried. The wants of the country have induced but 47 men to take out licenses for the purpose of manufacturing lumber, and yet the department has been flooded by 2,500 applications, and Orders in Council granting licenses have been issued in hundreds, in almost every instance to friends of the Government. All these applications were made by investors, who were not *bond fide* but speculative investors, and who, in the majority of cases, in which the Orders in Council granting the licenses were passed, have not paid the \$5 rental per square mile. There the Orders in Council stand for these gentlemen to avail themselves of when they choose, as the Government have performed their part as far as their functions go. Nothing could illustrate more strikingly the mismanagement by the Government of public affairs in the North-West. Then we have the pasture land leases, which amount, according to a return of three years ago, to 2,700,000 acres.

Mr. DEPUTY SPEAKER. I think the hon. gentleman is wandering from the point under discussion. We are engaged on a discussion of the duties the officials have to perform.

Mr. CHARLTON. That has connection with the question of which I am talking, the granting of timber limits and pasture leases and coal lands, and the general land policy of the Government. With reference to the pasture lands alone 2,700,000 acres were leased, three years ago, at leases of 1 cent an acre being the interest of 7 per cent., at 15 cents an acre. The hon. gentleman says the Government have doubled the rental, and now it is an interest on 30 cents an acre, and he says no partiality is shown in the matter; that the Government are issuing leases every day, and if anybody, not a Conservative, wishes to apply, let him send in his application. This is a nice time to give this invitation, when there is nothing more to go round, when the Government have issued these leases for pasture land covering the whole North-West from the boundary line to the Peace River district. But the point I wish to refer to more particularly is the general land policy of the Government of the North-West.

Mr. DEPUTY SPEAKER. I do not think that is the question; we are now discussing civil government.

Mr. CHARLTON. I bow to your ruling, Sir, and will only discuss a few items pertaining to that policy. I will only refer to the first regulations issued by the Government with reference to the disposal of public lands. The Government, in the management of our public domain, ought to have been struck by the fact, which would be obvious to any observer of public events, that in our attempts to secure the settlement of that country, we are competing with the United States, who have also a great public domain to settle, and who are endeavoring, like ourselves, to induce settlements of the public lands for the purpose of bringing them under cultivation. That being the case, it seems to me it required but a small modicum even of common sense to see that it was necessary we should at least offer as favorable terms to settlers as the United States. That has not been done by the Government, and the fruits of our short sightedness are apparent in the fact that we have only 23,000 settlers in that vast region—not one-half the Canadian population settled in Minnesota, and not one half the Canadian population settled in Dakota. That is all due to the fact that the Government have pursued a policy to repel rather than to attract settlement; it is due to the fact that they have pursued a policy calculated to

keep people from going to that country rather than to draw them to it, people living in Canada and people from Europe seeking homes in the North-West. I may have trespassed on your good nature, Sir, but it strikes me this is a question pertinent to the subject under discussion. To go back to what you might consider more pertinent to the question, I desire to reiterate the enquiry I made to the Minister of the Interior as to what will be the general policy the Government intend pursuing with regard to the defunct or semi-defunct colonisation companies which acquired grants of land under the policy that was to make all men rich who went into the North-West, and who, having failed in their objects, wish to retire from their investment. Will the Government require them to forfeit all sums of money paid? or will the Government refund all or any of the sums of money invested by these companies in our lands?

Mr. WHITE (Cardwell). I think this is hardly the time to venture into an elaborate discussion of the general land policy of the Government, nor will the hon. gentleman, on reflection, consider he was quite fair in endeavoring to get in some shots on that subject, when he knows it is impossible, at this particular time, to enter into an elaborate defence of the policy. We will have an opportunity to discuss that question at length before the Session is over, and then I will endeavor to make such a defence as I can make of the policy of the Government. The hon. member for Huron (Sir R. Cartwright) referred to the colonisation companies as being, as he said, a source of corruption used by the First Minister in the elections of 1832. And he illustrated that statement by the fact, that upon the committees of both the Liberal and Conservative candidates in Lennox, were to be found shareholders in colonisation companies. Now, if he had been able to state that the gentlemen on Mr. Allison's committees had all come over and voted for Mr. Prun or for Sir John Macdonald, I could understand that there might be something in it, but certainly the statement that there were gentlemen on both sides of politics who were shareholders in these companies rather implies that the companies were regarded at that time as a good investment by business men, and not that there was any corrupt arrangement with the Government. However, it is not quite accurate to say—and I think this is due to the colonisation companies—that no possible advantage has been derived from the operation of these companies. I had the privilege last summer, and I daresay the hon. gentleman has had the privilege also—at any rate he had the opportunity if he had chosen to take advantage of it when he was in the North-West—of visiting the lands of three of these companies. The Binscarth Company, for instance, has established an excellent settlement. I forget the exact name of the company, but Binscarth is the name of their town. That company has fulfilled, I believe, all its engagements; I mean that it has accomplished all, or nearly all, that it undertook to accomplish when it entered into the contract with the Government. Then I saw the lands of the Saskatchewan Homestead Company. After passing from the Qu'Appelle River some thirty miles without meeting a single settler, I came upon an admirable settlement, altogether the result of the operations of that company. Then there were the lands of the York Farmer's Colonisation Company at Yorkton, and there I found an admirable settlement, with a number of excellent farmers looking forward to homes in the North-West which they were making for themselves, altogether the results of that colonisation company. You can find in other parts of the North-West settlements that would not have been in those localities—though they might possibly, for anything I can tell, have been somewhere else—but for the operations of those colonisation companies. So that it is not quite accurate to say that those companies have not resulted in any advantage to the North-West. The idea was originally to secure the co-operation of capitalists,

the co-operation of individual enterprise, in the settlement of the North-West. We know that in the United States the large settlements which have taken place in the Western States have been the results almost exclusively of the operations of railway corporations owning lands and of land companies having lands for sale; and the intention was to inaugurate the same policy here, it was hoped with the same results. The conditions were very onerous, but they were not so onerous but that large numbers of practical, level-headed business men considered them sufficiently promising to invest their money in them; and the amount invested runs up to a very large sum—I think to over half a million of dollars at any rate—I am speaking only from memory—which was invested by hard-headed business men in Canada on the faith of this policy, and in the firm belief that it would result advantageously. It has not resulted in settling the country as rapidly as was expected at that time; but this took place at a time when there was a general boom, when everyone outside of the Government, if not those inside of the Government, looked forward to a continuation of that state of things which unfortunately has not continued. The hon. gentleman has asked on what terms it is proposed by the Government to settle with the colonisation companies. If he desires, I will tell him the terms of the circulars which have been issued to each of these companies. The companies applied for a reduction in the price of their lands. They wanted the Government to give them the lands at \$1 an acre. When that was not agreed to they pressed for \$1.50 an acre; but the Government determined that the lands should not be reduced in price, but that they should be obliged to pay the same amount of \$2 an acre which they were obliged to pay under the company's original contract entered into with the Government. By that contract they were entitled to get a rebate of \$160 for every settler they put on the land. They are entitled to that now, and the moneys which they pay into the Government, together with the rebate, will be counted as a payment to the Government, and they will receive lands at \$2 an acre for that money and that rebate. It is practically carrying out on a smaller area the contract which they entered into for the colonisation of a larger area. These are substantially the terms upon which it is proposed to settle with the colonisation companies.

Mr. CHARLTON. You propose to let them drop townships where they have no settlers?

Mr. WHITE (Cardwell). Yes; and the Government resumes the lands. It never parted with any lands. The companies simply had a right to colonise them, but they never had a deed given to them; and the result of this will be simply to lessen the area they will have the right to colonise in accordance with the amount of money they have paid, and the settlers they have put on the land.

Mr. BLAKE. I thought the hon. gentleman stated that there were two alternatives presented to the companies?

Mr. WHITE (Cardwell). If they go on, and if they have acted in good faith, and have done their work tolerably well, they may have an extension of time, but that will only be in the case of those companies who have been going on and showing their ability to do the work.

Mr. CHARLTON. In case the colonisation companies drop townships where they have no settlers, and on the lands they drop they have paid an instalment, would they be allowed to apply that on other lands?

Mr. WHITE (Cardwell). To the extent of \$2 an acre. There are two or three colonisation companies who have put on no settlers at all. They will get land at the rate of \$2 an acre for the money paid in. No money will be returned.

Mr. WHITE (Cardwell).

Sir RICHARD CARTWRIGHT. Then the Government will now come into possession of a very considerable quantity of unbroken land?

Mr. WHITE (Cardwell). Nearly a million acres.

Sir RICHARD CARTWRIGHT. More than that, I fancy.

Mr. WHITE (Cardwell). Perhaps more.

Sir RICHARD CARTWRIGHT. I speak from recollection, but I think more than a million acres were taken out of the market, apart from those that were granted, with a view to the possible wants of colonisation companies.

Mr. WHITE (Cardwell). Yes, more than two millions, I think, were taken out of the market and included in the contract with colonisation companies; but I think the result will be to give back to the Government something over a million acres of land.

Sir RICHARD CARTWRIGHT. I thought the amount the Government would recover would be considerably more. Of course it would not be reasonable to expect, if the matter is new to the Minister's mind, that he should give us any answer to-night, but it seems to me that the whole of this, what may be called chequer-board arrangement in the North-West by which every alternate square mile is reserved from homestead settlement, might be reconsidered, at any rate in the case where property comes back into the hands of the Government. I am disposed to think that a very much more liberal arrangement than we have yet made will have to be resorted to, in order to bring any considerable number of settlers into the North-West, and I suggest, not with a view to getting an answer now, but for the consideration of the Minister, that it would be wise to try the experiment, if the Government get enough lands back, of offering large areas, in an unbroken form, for homestead settlement, so that, instead of finding, as at present, a mile between each homestead, there might be an unbroken range of homestead settlements. There can be no doubt that in the North-West that system, from whatever motive adopted, has worked a great deal of mischief, and that a greater settlement might be looked for if the lands are sufficiently near to a railway, and people were given to understand that the Government would allow them to settle continuously, instead of at intervals of odd numbered sections.

Mr. CHARLTON. I do not suppose there is a single point in the respective characteristics of the two Governments, that militates more against our own interest than the fact that in the United States wherever public lands are found there may be a homestead entry and no reserve whatever. Settlers moving into new sections in that country can secure whole townships, which is a great advantage compared with the policy we pursue of obliging them to take isolated locations. There is also the fact that our lands are really held higher than lands in the United States. Within the railway belt and odd sections reserved by the Government, are termed double minimum lands, and are sold at \$2.50 an acre, and outside the belts \$1.25. Our lands of similar character north of the Canadian Pacific Railway are sold at \$2 an acre, or 75 cents higher than in the United States. South of the Canadian Pacific Railway, lands of similar character are sold at \$2.50. The Minister can see the influence that these two facts must have in repelling settlement. It is due largely to these two facts that we have but 25,000 people in the North-West, and that Dakota is almost a Canadian State. I do not make these statements in a partisan sense at all, but certainly as a business matter our management of our public lands requires that we should adopt a policy at least as liberal as that of the United States. We are laboring under certain disadvantages, our lands are further away than those of Dakota, and we require to offer

superior inducements. The suggestion made by the hon. member for Marquette (Mr. Watson), is well worthy of consideration, that is, to allow a homestead entry everywhere in the North-West. The great desideratum there is to secure a population. It is not the profit we are to make from the sale of those lands that is going to count so much in our national prosperity as the securing of a population in our vast prairies in the North-West. We have to-day, probably, living in the United States 2,500,000 people who ought to be living here, and we want to stop the drain that is going on. We have in the North-West a country of enormous resources, and if we adopt a policy calculated to promote its settlement the result will be seen in a marked manner in the development of the resources of this country within the next ten years. I believe, without any flattery to the Minister of the Interior, that we now have a gentleman in that position who can weigh more correctly the influences that bear upon this whole question than some of his predecessors, and that he will, in comparing our system with that of the United States, see where our weak points are, and see the necessity of adopting a wise policy towards settlers. Certainly such a policy would never contemplate the possibility of such a scheme as the organisation of colonisation companies. It is not correct that the settlement of new countries in the United States has been promoted by colonisation companies. The State of Iowa had 500,000 population before it had half-a-dozen miles of railway. There never has existed in the United States anything comparing with the colonisation schemes. The simple fact is, that in the grants to colonisation companies contemplated under certain circumstances, giving them lands at half price, that lands worth \$2 an acre they were to get on certain conditions for \$1, and then the companies sold these lands to the actual settler at a much higher price. That is a policy the Government never should have inaugurated. The Government should allow no individual to stand between itself and the settler who cultivates the soil. We should either give the soil or sell the soil at first hands to the settlers, and allow no middleman to buy the land at \$1 an acre and turn round and retail it to the settler, perhaps, at \$10 an acre. I maintain that the colonisation scheme of the Government was utterly indefensible; it was adopted with no design of promoting the interests of the North-West, but it was an electioneering dodge for the purpose of attaching to the Government the interest of capitalists of all parties, who would thereafter support the Government by their influence. It was a powerful leverage in the elections of 1882, it was designed for that purpose, and it served the purpose, but it also inflicted a great disaster upon the North-West.

Mr. WHITE (Cardwell). In reference to a remark of the hon. gentleman for South Huron, I would say that these lands granted to colonisation companies were not withdrawn from the market because there never was a time when the settlers could not settle on even sections. They were always open to settlement, and anyone who chose to go there could do so. With reference to the suggestion made by the hon. gentleman of doing away with the system of odd and even sections, and throwing the whole country open to settlement, that is too long a question to discuss at this moment. I may say with regard to the land grant to the Lethbridge Railway, that it has been changed to a land grant of blocks or townships instead of sections, and to that extent we will be able, in the alternate township, to experiment upon that method which the hon. gentleman suggests, and which I have myself had much under consideration. If we can give the railway companies townships instead of sections, the object the hon. gentleman has in view may be carried out, but that is a matter upon which no decision has yet been reached.

Mr. BLAKE. In reference to this very question of the system of odd sections, communications have been addressed to me from settlers in the southern parts of the territories to the effect that large areas in the odd sections in their district have been assigned to the Canadian Pacific Railway Company as part of their land grant, though not, of course, within the forty-mile belt, but part of that which could not be given to them within that belt. They say: We have been settled there for some time, we are remote from all railways at present, we do not get the benefit of those who dwell on the odd sections of the Canadian Pacific Railway. On the other hand, we are embarrassed because we are not able to collect municipal taxes or school taxes upon those odd sections, although we understand that they have been sold by the Canadian Pacific Railway Company to the North-West land corporations. I want to know—and of course it may be that the hon. gentleman may not be able to answer me at the moment, though perhaps he may—whether the system under which the Department regulates its transactions with the Canadian Pacific Railway Company is such that they have a record of sales made by the Canadian Pacific Railway in any way, so that the fact of their lands being sold may become public and thus the lands become subject to taxation. The hon. gentleman will recollect that the provisions of the grant of lands to the Canadian Pacific Railway are that, until sold or occupied, they shall for twenty years after the patent is granted be free from taxation; but the House can readily understand that a scheme might, perhaps, be devised by simply keeping concealed the sale to a great land corporation, like the North-West Land Company, of specific lands in a manner by which those lands sold to a speculative corporation might be kept free from taxation until the time arrived by which the corporation effected a sale to an ultimate buyer or a minor speculator. Thus they might remain, although sold under the name of the Canadian Pacific Railway, in the hands of that speculative land corporation, and although sold out of the hands of the Canadian Pacific Railway, the lands might not be subject to taxation. That, of course, is a very serious drawback. The grievance of the odd sections not being open for homesteading has been already adverted to, and I have already spoken of it as a very great practical difficulty. I am not now saying that the Government is largely responsible for it; it is, nevertheless, a practical difficulty that settlers cannot find a place for their relations and friends alongside of themselves. But it is infinitely enhanced when settlers, isolated as they are by the existence of the odd sections, are unable to have their relatives and friends around them. Until some plan can be arranged—and these lands form one of the most favorable portions of the North-West—by which the lands held by the North-West land corporations are made subject to local taxation, you will have the settlers, with all the disadvantage of isolation, laboring under the additional difficulty of having to pay the expense of roads and bridges, the construction of schools and the expense of municipal institutions, for the enhancement of the value, from year to year, of lands which that corporation holds, perhaps for the benefit of individual corporations, for I see they are now establishing a scheme by which the stockholders can select lands in payment of their stock. Thus, half the country enhances the value of the other half for those who hold unsettled lands. I ask the earnest attention of the Minister to this matter, and if he is unable to answer me now, perhaps he will give me a statement at a later date as to what steps have been taken or are to be taken to prevent this, what I consider to be an invasion of the conditions on which we granted to the Canadian Pacific Railway, lands which the instant they are sold ought to become subject to municipal taxation.

Mr. O'BRIEN. I should like to make a suggestion with respect to this matter based on my observations last summer

in the North-West. It struck me that one of the great drawbacks in the North-West was the complete isolation of the settlers arising not only from the odd numbered sections, but also from Hudson Bay lots, school lots and Canadian Pacific lots. It is really enough to prevent any man settling in that country to find that he has to place himself one or two miles from his neighbor. In the Qu'Appelle Valley—where it is said that every available lot is taken up—I would be very sorry to settle, if I wished to take up land, no matter how great the advantages were, if I had to put my family in such a state of isolation as the people there must occupy. It struck me particularly at that time, in that particular locality, which, although small compared with the North-West is yet a very large tract, that as there were no less than fifteen Indian reserves around there it was a great drawback that the people were so isolated that any system of defence from devastation by Indians was practicably impossible. If any change could be made in the system so that settlers might take up adjoining lots for self-preservation, or for the purpose of their schools and securing associations in various ways, it would be a very great advantage in those particulars to which I have alluded. There is another matter worthy of the attention of the Minister of the Interior. To compare small things with great I may mention that in the free grant district of Ontario, with which I am very familiar, one of the great drawbacks is that everybody has too much land. Is it not becoming the same in the North-West? If the land is to become profitable it can only be by adopting a system of mixed farming, and 160 acres is as much as a man with small capital can cultivate with advantage. When he burdens himself with the purchase of 320 acres, which he is almost compelled to do under the present system, he commits a mistake. I do not pretend to point out the way in which this difficulty might be obviated, but I do not see why the friend of a man who takes up lot No. 1 should not be allowed to take up lot No. 2 instead of lot No. 3, and if any more lands are to be thrown open for settlement the Minister might try the experiment whether it might prove advantageous for the reasons I have suggested to adopt the plan by which a system of alternate sections would be got rid of.

Mr. WATSON. I can assure the Minister that the suggestions thrown out by the hon. member who has just spoken are good suggestions, and that it would be greatly in the interests of the settlers of the North-West if townships were reserved instead of sections. A great injustice is done to municipalities at present, and a great number of municipalities are in a very serious difficulty from the fact that lands have been taxed for a number of years though not patented, and under the system which prevails in the North-West at tax sales the lands cannot be sold. The municipalities have put down the amounts against those lands as an asset though they cannot realise on them at a tax sale. There should be some arrangement between the Dominion and Local Governments with the municipalities, whereby any unpaid taxes should be chargeable on the lands. It is not right or just to settlers, who have taxed themselves to make improvements, that taxes which have been reckoned as assets for years cannot be realised on. There are a large number of municipalities in difficulties in this respect at present. The Minister's attention was, no doubt, drawn to this matter when he visited Manitoba; if not it should have been, because the municipalities were then aware of the position which they then occupied. As the Minister informed the House the other day that the Government were to make some changes in the Dominion Lands Act, I hope the Government are considering some changes in connection with the land regulations, and I trust they may see fit to try some scheme other than reserving all odd sections for sale. No doubt there will be a very large quantity of land placed on the

Mr. O'BRIEN.

market for homesteading and other purposes with the abolition of the colonisation companies. I am glad to know that the Government are about to cancel the grants of a large number of these companies. We are told that there are only three or four in existence; very few have done any good to the country, if they have done any good at all. Has the Minister any account of the amount of money which has been spent by any colonisation company in getting immigrants to come to the country; they have had agents through the Province and in Winnipeg and Portage La Prairie to get immigrants to locate on their lands. A settler is worth as much to the country if he is settled on other lands than those of the colonisation company, and the Government actually gives such a company a bonus of \$160 for catching each immigrant and inducing him to settle on colonisation lands, and I believe those colonisation companies have been an injury to the country, because two or three years ago—

Mr. WHITE (Hastings). Is the Shell River company?

Mr. WATSON. You will have a chance to speak after a while.

Mr. WHITE (Hastings). I ask a plain question and you as a gentleman should answer it.

Mr. WATSON. I say that those companies—

Mr. WHITE (Hastings). Quit talking of those companies; they are all right.

Mr. WATSON. I did not hear the hon. gentleman's question.

Mr. WHITE (Hastings). I asked did you refer to the Shell River Colonisation Company. Did you say that it was an injury to the country?

Mr. WATSON. I do not say it is, but I say that the policy pursued by the Government in locking up large tracts of land in Manitoba and the North-West, has been an injury to the country; and it has been stated by the Minister that only three or four colonisation companies have been able to go on.

Mr. WHITE (Cardwell). I mentioned three or four, but I said there were others.

Mr. WATSON. Well, I do not think there are more than half a dozen that have complied with the regulations. I would like to know from the Minister if he has any report from those companies, showing how many settlers they have brought into the country, and what advertising they have done to bring settlers in. I do not think a settler is worth any more on one of these colonisation tracts than he is anywhere else. I believe the benefit derived by the company has been derived at the expense of the country. They have secured their lands at \$1 per acre when \$2 was required from others, and the system of selling the odd sections has also proved injurious, as I have already pointed out. A large percentage of the land cannot be sold, and I hope some means may be devised whereby the amount of taxation against those lands will be collected by the municipalities, even if the lands are in the hands of the Crown.

Mr. LANDERKIN. I think the hon. member for Muskoka (Mr. O'Brien) has touched upon a matter which intimately concerns the future settlement of the North-West. Coming down on the train I had a conversation with a farmer who had been settled in the township of Bentinck for thirty-four years. I said: "Where are you going?" and he said: "To the North-West." I asked: "Where are you settled in the North-West?" He said: "I am in Dakota." I said: "How is it that you have settled in Dakota?" "Well," he said: "last summer I went to the North-West; I travelled through it, but when I found a lot that I would like to get,

I found it was owned by some railway company, some colonisation company or some other speculator, and after searching for a length of time, I went through to Dakota and I took up land there." He said, "I would prefer living under the British Government, but the land regulations in the North-West are such that I could not get a suitable location." A short time afterward I met another young man whom I have known from a boy, as well as his relations, a family of eight or ten, who had lived in the township. I said: "Where are your living now?" He said: "in Dakota." I asked: "How is this; you did well in Bentinck?" He replied: "It is true we did for a number of years, but for the last three or four years farming did not pay; grain was low in price; we were getting embarrassed and we had to strike. We went to the North-West desiring to settle there;" and then he went on to tell me the same story over again—that whenever they came to a lot they would like to settle on, that lot was owned by some colonisation company, by the railway company, the Hudson Bay Company, or some other of these corporations. He said it was impossible to get suitable locations, and his family of nine or ten went on to Dakota. One of these men had lived in the county of Grey for thirty-four years, and the other was living in Bentinck twenty-five years ago when I settled there. These are the causes which led them to settle in the United States, though they were British by birth, British by instinct, and desired to live under the British flag. The Minister of Interior says such a thing cannot happen, but here is the practical experience of two men who had no desire or wish to tell anything but the truth. They gave me their actual experience, and from what I know of them I can rely upon what they told me. This is experience—the other is theory. The Minister says he endorses the policy of his two predecessors in the Department. He says he endorses their land policy. Well, that policy has had the effect of settling up the State of Dakota. Because I am telling the Government this, I do not want them to turn around to say you are advertising Dakota. I am telling the practical result of the experience of people who are British in instinct, who desired to remain under the British flag, but who, by arbitrary, despotic and blind regulations, were driven away from Canada to the United States.

Mr. WHITE (Hastings). Because they had not a place to settle on?

Mr. LANDERKIN. What does the hon. gentleman say?

Mr. WHITE (Hastings). I am not at all angry, doctor, but I ask you if it was because they had not a place to settle on?

Mr. LANDERKIN. I have given you the reasons, but I will repeat them; that, after finding land, they found it was occupied or owned either by some corporation or other speculator and they could not get it and they were driven over. I can give you this young man's name if you desire. He said to me: "In Dakota one man is as good as another; one man has just as a good chance to get land from the Department as another; he can get it on the same terms as a duke, a knight or a marquis, or any other of those titled gentry who have received lands in the North-West." Now, the admission which was made by the Minister of Interior would seem to sanction the policy of his two predecessors, a policy which has driven many and many a settler from settlement in the North-West. The hon. gentleman visited the North-West; he went there to discover the grievances of the people. I believe he went there to remedy their grievances, and I will read you what a paper published in that district said of his visit:

"He left party politics behind; he assumed no dignity except that of a man who desired to benefit his country and his countrymen; he sought information wherever he went and was best pleased when he came most clearly in contact with those who had experienced what he desired to

hear of. He spoke his mind freely as a man to men—not as a Usar to his subjects, as has been the habit in his Department, and in almost every instance agreed most cordially with the views of the people in the matters brought before his notice."

I want him to notice this:

"Almost every word he uttered was a condemnation of the policy heretofore pursued by the Government, but this he did not feel called upon either to apologise for or to allude to."

Now, he tells us here to-night that he endorses the policy of his immediate predecessors in the office, but when he was visiting in the North-West, he heard the grievances of the settlers, and every word he said was a condemnation of those who had gone before him. He condemned the policy of the Premier and the policy of Sir David Macpherson when he was in the North-West, and I presume he did so because it was unsafe for him to attempt to justify their policy, which had been the means of driving settlers from the North-West into the United States. Now, I might go on and show the results of their policy. They have surveyed a large portion of the North-West and sold the lands. They have made glowing estimates of the receipts to be derived from the sale of those lands. I think the First Minister estimated that we would receive \$58,000,000 before 1890; I think the late Minister of Railways estimated that we would receive a similar amount; but what has been the result of their policy? Why, Sir, the net amount that we have had from the sale of all the wild lands in the North-West up to to-day is somewhere in the neighborhood of \$200,000 or \$300,000; and a further result of their policy has been the settlement of a large portion of Dakota almost exclusively with native-born British subjects. I feel strongly on this subject because I can tell the Government of men who went from the riding I represent to settle in the North-West, who desired to maintain their connection with Great Britain, and who, by the blind policy of the Department, were driven from the North-West and are now located in Dakota. I could give the names—

Some hon. MEMBERS. Names.

Mr. LANDERKIN. I can give the names of fifty-five families who have gone from the neighborhood where I live and have settled in the State of Dakota, during the last five years. I can give the names of forty, who went from the township where the hon. member for East Grey (Mr. Sproule) himself resides.

Mr. SPROULE. I distinctly deny that.

Mr. LANDERKIN. Well, I can give the names.

Some hon. MEMBERS. Names.

Mr. LANDERKIN. I have got the list at my lodgings. I am not making this statement unadvisedly; I know of what I speak, and I have made enquiries of those who reside where my hon. friend resides, and they know of what they speak. It may do for the Minister of the Interior to deny these things, and to say they cannot happen; but these things have happened in a great many instances that I know of. It is an alarming state of things to find in this country. We have spent a vast amount of money in the North-West, and we should not tolerate for one day a policy that is calculated to drive settlement from that country. It has been condemned by the Minister of the Interior himself, and yet he comes to-night and justifies the policy of his immediate predecessors. Now, the amount of money to be received from the colonisation companies was estimated to be very large. Well, it has been a mere nominal sum, and at the same time the policy of colonisation companies was calculated to drive many settlers from the North-West; it was a blind policy. The Minister of the Interior said it was calculated to introduce capital in the country. The only capital it introduced was political capital; that is what it was conceived for. If you look into the records of the Department and see the rapid

strides which have been made year after year in the expenditure, you can possibly understand where the money received from the sale of public lands has gone. Every year shows an increase in the number of officials without an increase in the sale of the lands. In 1874 the Department of the Interior was managed for \$27,000 and with twenty-one officials. How many officials are there in that Department now? There are sixty-four in one branch, twenty-nine in the Geological Survey Branch, six in the North-West Mounted Police Branch, thirty-two in the Department of Indian Affairs—altogether nearly 150 in that Department, which was managed a few years ago with thirty-one. Now, it is something that this country should gravely consider if the proceeds from the sale of our wild lands are to be devoted to the maintenance of a number of camp followers of hon. gentlemen opposite. If this is the way the moneys of this country are to be spent, when times are so depressed as they are now, and if a policy is to be carried out which is calculated to drive settlers away from the country, is it not time for the House to consider when a stop should be put to these things? This Department was better conducted in 1874 than it is now, and yet hon. gentlemen opposite claimed that there was extravagance in that Department at that time. If they were honest then, they are dishonest now. They promised that if they were put in office they would do better, and if we judge them by their performances, we find them to have been false. Where they promised economy, they have been guilty of extravagance; where they promised retrenchment, they have imposed upon us tenfold the cost that existed before. I will not take up the time of the House in this subject further; but in the question of the land I feel a deep interest, and I will have something to say upon it when it comes up at another stage.

Mr. WALLACE (York). I think it is a great pity that hon. gentlemen opposite, before they attack the policy of the Government with regard to colonisation companies, did not acquaint themselves with the regulations under which those companies have existed. The hon. member for South Grey (Mr. Landerkin), and the hon. member for Marquette (Mr. Watson) have stated that these companies have been the cause of disaster to the North-West. I have had connection with one, the York Farmers' Colonisation Company, and I can give the statements of these hon. gentlemen, so far as that one is concerned, most unqualified denial. Of the 231 homesteaders that we were the cause of putting in that country, you will not find three who say that they have not received benefit from the company and that they are better off than if they settled on lands under the control of the Government. With reference to the hon. member for South Grey (Mr. Landerkin), he said that fifty-five families went from his township of Bentinck and settled in Dakota, but of the whole fifty-five he could not name one.

Mr. LANDERKIN. The hon. gentleman is quite mistaken. I named two, and can now name a great many others.

Mr. WALLACE (York). We allowed the hon. gentleman full latitude while he was speaking; I think he should extend the same courtesy to us. He was asked, while on his feet, by the hon. member for East Grey (Mr. Sproule) to name those, and he stumbled around and went back to his desk and was unable to give the name of a single individual.

Mr. LANDERKIN. I wish to explain that I have a list of names in my possession, and will tell you them if you will allow me.

Mr. WALLACE (York). The hon. gentleman told us that these families went to the North-West, that they fixed on some portions of land, that they found in the one case

Mr. LANDERKIN.

the land was owned by the railway companies and in the other by the colonisation companies, and consequently they could not settle on them. If the hon. gentleman had taken the trouble to acquaint himself with the rules and regulations, he would have found it was not necessary to make such an unfair declaration. In fact, he was answered by the hon. member for Marquette (Mr. Watson) who said these colonisation companies have agencies at Winnipeg, Brandon, and other places all along the line, trying to induce settlers to come on their lands; and yet the hon. member for South Grey says the companies were seeking to prevent settlers going on the lands of the companies. The hon. member for Marquette also stated that these companies got \$160 from the Government for every settler they brought into the land, and he asked was that fair, because the settlers would have taken up land in the North-West anyhow. I could tell you, Sir, of hundreds of settlers brought out from the Old Country by these companies, and who did not settle on the lands of the companies, but on other lands in the North-West. We have no control of the settlers; they can settle where they like; and for every one who went in and was picked up, as the hon. member for Marquette said, by a colonisation company and landed on their tract, there were a half-dozen brought in by these companies that scattered over the country and settled close to the railway instead of on the tracts of the companies which were all necessarily many miles from the road. The hon. member for South Grey (Mr. Landerkin) asked what money the companies ever spent. I say they have spent tens of thousands of dollars as immigration agents, and have prevented many persons from going to the United States, who would have gone there if they had believed the statements of hon. gentlemen opposite that it is such an attractive country to go to. As regards the York Farmers' Colonisation Company, it has built an excellent steam flour mill at a cost of \$17,000, in a tract about seventy-five miles from the railway line; they have attracted 200 or 300 settlers into the country; they have built roads, made ferries and bridges, and put up a steam sawmill, as well as a steam flour mill, and have loaned money to the settlers at 6 per cent., a rate of interest at which no other parties would lend in the North-West. The colonisation companies do everything to assist the settlers by giving them work and assisting them in every way. When we find those gentlemen who do not know anything of the regulations or the onerous conditions under which the companies undertake to settle those lands, indulging in wholesale abuse of them, it is evident they do so without a particle of knowledge of what they are talking about. I am forced to say this, because it is true. These gentlemen have said that the companies "lock up" the land. That expression has been used a good many times to-night, but to my certain knowledge any man going into the North-West can take any unoccupied homestead lot in a company's land, and the companies are anxious to have them do so. More than that, the companies are willing and anxious to get men to locate on their lands as homesteaders and pre-emptionists. More than that, you can buy from the companies cheaper than from the Government, because the Government allow the companies \$160 for each settler they put in, and that reduces the price. If the Government allows the companies \$160, that would be applied to the reduction of the \$2 per acre, and therefore they can afford to sell their land for a trifle less than the Government price of \$2, so that instead of driving out homesteaders and pre-emptionists the companies encourage them to come in and settle on their lands. They are willing and anxious that their lands should be settled, and they offer an inducement by selling them at a price lower than the Government's. There is just one other matter to which I will refer. The hon. member for South Grey (Mr. Landerkin) says that for merely a

nominal sum the companies have obtained immense tracts of land. Well, they have paid the Government in the neighborhood of \$750,000 hard cash, and they have not received as yet a patent for one acre of land. In addition to what they have paid to the Government, they spent altogether, I believe, nearly an equal sum in promoting settlement; and if their success has not been so great as they anticipated, it is because circumstances prevented as great a number of people going in as the Government and the railway people expected. But we are hoping for better times. We see this year that the settlement of the North-West is beginning to resume its old proportions, and I have still unbounded faith in the greatness that is in store for us there, and instead of hon. gentlemen running down these colonisation companies, they should direct a little of their energies to building up that great country.

Mr. WHITE (Hastings). I asked a very simple question of an hon. gentleman (Mr. Watson). Now, you cannot deny that. Now, Mr. Chairman, it is a usual thing for all men who are representatives in this House, no matter who belongs to the country, or who holds property in the country, they are always treated, whether they are Reformers or Conservatives, with courtesy. I asked him, has not the Shell River Colonisation Company been good to his county? and he turned round with a sneer and a slur. He had no right to throw a sneer and a slur at me. I have never done anything of that kind to him.

Mr. WATSON. I beg your pardon; I did not.

Mr. WHITE (Hastings). Yes, you did. You did what your leader did last night, and what neither you nor your leader dare do outside of this House.

Some hon. MEMBERS. Order.

Mr. WHITE (Hastings). I am in order. Don't be too thin-skinned.

Some hon. MEMBERS. Hear, hear.

Mr. WHITE (Hastings). Wait, now. I said last night to their leader, that if he got the papers it would do him no good in the country.

Mr. DAVIES. The hon. gentleman is referring to a previous debate.

Mr. WHITE (Hastings). I am not. I am referring to what took place last night. He said: "You cannot expect anything better from a criminal before the bar." I am not a criminal. The Shell River Company gave \$500 to build a bridge across a river in your county. The Shell River Company have paid \$500 in taxes in your county. They have erected a grist mill, to which men are bringing grist from forty and fifty miles to be ground. They have expended \$26,000 or \$27,000, and they have paid the Government \$9,000. I ask, in the name of common sense, how has that company hurt the North-West? Will any gentleman say that they have been an injury to the North-West? That is one company, and I think the hon. gentleman, as the representative in this House from Marquette, has nothing to say against the shareholders of that colonisation company.

Mr. WATSON. Did I say anything against them?

Mr. WHITE (Hastings). You said a great deal about companies.

Mr. WATSON. I exempted four or five.

Mr. WHITE (Hastings). Speak of the good ones, then. You should speak of the good ones. There is a great deal said, and there are sneers and insults thrown out about the Prince Albert Colonisation Company. That company never received an acre of land; it never put an agent in the North-West; and it paid the Government \$20,000 in cash, and it

has applied to take its money back without interest. Have they done any harm to the country, or prevented any one from settling on the land? Then, another gentleman says that the titled gentlemen are getting a great deal of the land in the North-West. There is only one titled gentleman that I know of in that connection, and that is Sir Richard Cartwright.

Sir RICHARD CARTWRIGHT. What did I get from the Government?

Mr. WHITE (Hastings). I do not wish to say an unkind word of the hon. gentleman, and I have no unkind feelings against him, because he is a gentleman, and he treats men as gentlemen, and I honor and respect him. He owns lands in the North-West and he is a titled gentleman, and I wish he had more titles and honors. I do not begrudge him any of his titles and honors, and I hope he will have more honors and titles. But I say to the hon. gentleman from Marquette (Mr. Watson), that I ask him not to cast slurs at me, I ask you to leave the slurs to your leader; I ask you to leave the cowardly stabs to your leader; and leave your leader in my hands.

Mr. WATSON. I ought to ask the protection of the Sergeant-at-Arms. I do not know what slurs I threw out.

Mr. WHITE (Hastings). I did more for your county than your leader has ever done.

Mr. GILLMOR. This discussion has taken a very wide range. Coming from the Maritime Provinces, as I do, although we are equally interested with others in the success of the North-West, of course we do not take as much interest in the matter as the Province of Ontario; but I was a little surprised at the tone of the discussion, because the Minister of the Interior himself, to some extent at least, admits that the colonisation companies have been a failure, and he does not seem to agree with his supporters who have just spoken. I have no doubt that some of these companies have resulted in good to the North-West, but it must be admitted from the remarks of the Minister himself, that they have been a failure in the main. As to the discussion which has been going on in regard to Canadians, I was talking with a Canadian yesterday with regard to Minnesota, and he told me that there the settlers were convenient to each other, and that in a new settlement the other day fifty-seven heads of families met together to arrange for a school, and fifty-three of the fifty-seven were Canadians. I was surprised to find that so many Canadians were so convenient to each other, but that is reasonable, because, being Canadians, they would like to settle near each other. I think the Government see that there has been a great mistake somewhere in the management of affairs in the North-West. I heard the representative of colonisation companies who has just now spoken say that they have made great efforts to get settlers into that country, that they have not only induced people from Canada to go there, but that they have brought them even from Europe at their expense. I remember that one great argument that was used in this House in regard to immigration was that the Canadian Pacific Railway Company was going to relieve the Government from a great deal of its expense in getting settlers into that country; that that company would be a great immigration agency of vast importance. I expected that myself. I thought there would be a great increase of population from that source. It was also said that these colonisation companies were going to be a great source of immigration, and that the expense to the Government for immigration would be largely done away with. There is something wrong somewhere, I do not know where; I do not know whether it is owing to the boom, or whether the advantages of that country have been exaggerated. I think they have been magnified, and I do not think it was necessary to magnify them.

I think that everything has been boomed and has been exaggerated, and that little common sense or honesty has been shown in the management of the whole affair. I do not wish now to say anything to wound the feelings of those who must feel badly enough, God knows, without our saying anything to them. Their chickens are returning home to roost. They see that their efforts have been an entire failure, but I regret that the five millions of people of this Dominion have had so much money squandered, and that these speeches, which have been doing so much good to those who have had the rule in this country for so long, have been proved fallacious, and a failure in every respect. I do not wish to say anything to make those gentlemen feel worse than they must do, after so many years, after so much money has been spent, after the railway has been built, and we find 23,000 white people in a territory so vast and fertile as that. I do not believe that country is as good as it has been represented. I have never been there. I do not suppose that I ever shall go there. But I am told that more than half, or at least as much as half, of the wheat in that country was destroyed by frost last year. That is one reason why people do not settle there. When I am told that wheat is being sold at 12 and 14 cents a bushel, I say that is a drawback. I am glad now that we are seeing the evil of present management, and I hope we will try to get along in the future on something like common sense principles. It is a serious thing that we have put millions upon millions of the taxes of this country into the North-West and the result has been such as we see before us. I am astonished myself that the population of the North-West is what it is, considering the vast amount of money that has been expended there and the efforts we have made to bring in immigrants. Then where are the immigrants? Sixty per cent. of those now in the North-West are native-born Canadians and have reduced our population at home. Where have the rest gone? The truth is they have gone there, and for some reason or other, either the fiscal policy, or the climate, or the land arrangement, they have gone away again. I hope in the future we shall learn by the experience of the past, and manage affairs in the interest of the taxpayers in this country.

Mr. SPROULE. I am sorry the hon. member for South Grey (Mr. Landerkin) is not in his seat, because I want to say that I think the story he told is very much overdrawn, though I have no doubt it is a piece with the argument, he is in the habit of using in his own riding to convince the people that the country was going to the bad. If as many families as he states have left the township of Bentinck I would attribute it to the fact that the people have been constantly told in the past by him and his friends that Dakota was a better place than Manitoba. He must forget that the very same condition of things exist in Dakota with regard to railway companies as he claims exist in Manitoba. If he has travelled in Dakota he must have seen advertisements of railway companies at every station, who are holding large tracts of land and offering it upon what they claim to be very favorable terms of settlement. It is claimed by Americans that one of the principal causes in settling up their country was the number of railway companies who are competing for and inducing settlers to go in there. My opinion has always been that one of the reasons why many people settled in Dakota and Minnesota instead of the North-West, is the fact that we have been compelled to send our people through that country in going to the North-West, but I hope that will be done away with in future. It is not unreasonable to expect that many people will settle down where there are small villages and railway facilities. The hon. member for South Grey stated that forty families, or forty people, had left the township I reside in and settled in Dakota, as a result of the policy of the present Government. I want to give that a distinct and emphatic denial.

Mr. GILLMOR.

I have travelled through that township a great deal; I am acquainted with almost every family that has left it during the last ten years, and I know the hon. gentleman's statement is not correct. If he will be kind enough to give the names, I can satisfy this House that it is not correct.

Mr. McMULLEN. I can say with regard to North Wellington, that I know of several families in my section of the county, that went to the North-West for the purpose of taking up lands, but finally settled in Dakota. I know two families who settled in Dakota and gave a flattering account of the land regulations, and the result was that from two townships there has gone out quite a settlement into Dakota, where they have settled a township which they called Minto, after the name of their native township which they left in Canada. If the hon. gentlemen doubt my word, I will give him the names. Here they are: Duncan McLellan, H. Perry, C. Perry, H. McKenzie, P. McKenzie, J. McDonald, J. McLarty, W. McKenzie, P. Sinclair, D. Turner, H. McLellan, P. Spence, M. Phalin, John Creighton. Now I am sorry that this state of things exists. I believe the cause is that people in the Old Country, who detest the system of landlordism, have heard of our colonisation companies in the North-West, and believe them to be virtually like the landlords of the Old Country, and consequently they will not settle near them. They want, in the first place, to get their land direct from the Crown. A good many reports have gone across the Atlantic with regard to these colonisation companies, and if there is one thing that people coming to this country abhor, and from which they wish to be removed as far as possible, it is a system of landlordism, and that has unfortunately been established in the North-West by these colonisation companies, which frighten the people from going there. I deplore as much as any man can that our own people have gone to Dakota, but I hope that our Government will make such changes in our land regulations as will prevent that in the future. Unfortunately those who are already in Dakota act as immigration agents in favor of that country by the reports they send home. I know there was one man last year who wished me to advance him a certain sum of money in addition to the sum he had borrowed on his farm. He left the place in my hands to dispose of it if I would advance him the money, and he has gone to Dakota. I have received a letter from him telling me to dispose of the farm for anything I can possibly make out of it and send him the balance above the mortgage, as \$400 or \$500 is worth more to him now than perhaps \$1,000 in the course of a year, and stating that he has no intention of returning to this country. This is a deplorable state of things. We have an enormous territory of our own, and yet our hardy yeomen who are an advantage to the country, who, in the older Provinces rolled up their sleeves and cleared the land, are sent across the border. There must be some reason for this; what is the cause? It must be that our land regulations are wrong and the people are not satisfied with them. There has been railway communication with the North-West, and it can scarcely be for lack of that. Has it been due to the railway monopoly by which the charter given to the Canadian Pacific Railway prevents the possibility of getting railway accommodation such as they require for the next twenty years? Perhaps that may be one of the factors in the cause why the people have gone across the line. Then again there is the unfortunate system of colonisation companies. Notwithstanding the remarks of the hon. member for York, whose company may be an exception to the rule, there is no doubt that there are companies which have proved injurious to the country. I know also many residents who bought large sections which they are not improving or selling, but which they are allowing to lie idle. If the policy enunciated by the leader of the Opposition years ago

—the land for the settler and the money for the Crown—had been adopted we would have had hundreds and thousands more than we have to-day; but that policy was not adopted, and in its place a policy ruinous to the country was adopted, a policy which I hope the Minister will reverse and introduce one that is right and just.

Mr. HESSON. This discussion has taken a pretty wide range. I have been struck with the remarks made by hon. gentlemen opposite as to the settlement of Dakota by people leaving this country. It is a most extraordinary fact that in almost every instance brought before this House emigration has been from counties represented by hon. gentlemen opposite. We cannot gather any other inference from the facts stated than that the immigration to the American side instead of the North-West has been almost entirely from counties represented by hon. gentlemen opposite. It appears the influence of those hon. gentlemen upon their constituents is such that from the speeches they deliver and the character they give to settlements in the North-West and the bad management they attribute to the Government and the bad lands which they say exist, the people believe them. I know that so far as my experience goes, I could not trace back any number of families which have gone to the American North-West except when their friends went out there many years ago, and have for years been inducing their friends to join them. We have settlements from Perth and the Hurons and many other counties in the North-West, and the settlers are sending encouraging accounts and inducing their friends to go there. It is most unfortunate that this discussion should have assumed such a wide range, and that it should be represented that emigration from the Dominion is due to the Government's bad land regulations. How can a colonisation company have an injurious effect, when no colonisation company's lands are within fifty miles of the railway? How can an hon. member state that settlers have gone into the country and been unable to find a location, when there are hundreds of miles of land on both sides of the railway not yet settled, and when the Government are offering 160 acres free to every genuine settler, with the privilege of buying 160 acres? It is a most unreasonable and illogical statement, and is devoid of common sense. Settlers on those colonisation grants have exceedingly great difficulties to overcome. Those who settled on the original survey of the Canadian Pacific Railway, have been lamenting over their hard fate, and they are suffering a certain amount of inconvenience. But what is to prevent hundreds of thousands looking for new homes in the great North-West, obtaining homesteads on the line of the railway itself? The Government are not withholding any even sections from settlers, and the immigrant can only hold those homesteads by settling upon them. A comparison of the Government regulations with those of the United States shows that ours are immeasurably superior. There is scarcely an hon. gentleman who has spoken to-night who did not take a very deep interest in framing the Land Act two years ago, and we supposed we had a very satisfactory measure. The member for Marquette rendered advice and assistance and spoke with authority as a resident of the country, and we had the assistance of the hon. member for South Grey, and many others, and those hon. gentlemen should not now claim that our Land Act and regulations are unsatisfactory and are the means of keeping settlers out of the North-West. People have got to realise that they cannot go to any part of the world and establish a new home for themselves without meeting with difficulty, and a man who goes to the North-West to make a fortune must realise that he will have to surmount difficulties. The history of the settlement of Dakota and Minnesota bears out exactly what has occurred in the North-West, but the pioneer settlers of

those States had not such good chances as have the settlers of our North-West. No doubt there will be many opportunities of discussing this question at a future time in a more proper shape.

Mr. WATSON. The hon. member for East Hastings (Mr. White) appeared to get very angry with me, and I thought it might be necessary to call in the protection of the Sergeant-at-Arms, both in and out of the House. As regards the remarks of the hon. member for West York (Mr. Wallace), they have endorsed some of the charges I made. He admitted that a large number of the settlers who went into the North-West were induced to settle on colonisation lands, and the country did not receive much benefit from their actions. Now, he admitted all I said about that. I said nothing about colonisation companies who had fulfilled their contracts with the Government. I am glad his colonisation company has succeeded; also that the Shell River Colonisation Company has succeeded, but notwithstanding what the Minister of Interior has stated I say that these lands have been locked up.

Some hon. MEMBERS. How?

Mr. WATSON. They have been locked up inasmuch as no person wishes to go on the lands of these companies when he should acquire land from the Dominion Government at first cost. The member for York stated that the colonisation companies were prepared to sell their lands for less money than the Government. Well, if the Government were going to give these gentlemen territory to make money out of the Government, are they going to place them in a better position to sell Government lands than if they sold it themselves?

Mr. GUILLET. They can settle on the homesteads—on the even sections.

Mr. WATSON. Yes, and they are credited with each settler they place. With regard to what the hon. member for Perth (Mr. Hesson) has said about even numbered sections being reserved from settlement, he is entirely mistaken. He should know that the lands south of the Canadian Pacific Railway were reserved from settlement for years. One reason why there are not more settlers there, is on account of the vacillating policy of the Government with regard to the land regulations. Settlers were not certain where they could locate. At one time eighty acres of a homestead were allowed; at another 160. At one time the lands were disposed of at \$1 per acre, and at another time \$2 per acre. The Government have never had any settled land policy since they departed from the policy of giving 160 acres free and 160 pre-emption at \$1 per acre. The hon. member for Perth (Mr. Hesson) says I took an active part in framing the Land Bill, but if he looks at *Hansard*, he will find that the Government did not accept my suggestions with regard to that Bill. I am glad to hear that some of these suggestions I then made may now be adopted by the Minister and the Government; but as we will have an opportunity of discussing those changes in the Bill, I will not further refer to them at present.

Mr. ALLEN. There is one matter which I would bring to the attention of the Minister of Interior, and that is that actual settlers going from Canada or elsewhere to the North-West to settle, and taking up farms and making improvements, should be allowed to sell their improved farms to settlers coming, say, from England. I do not see that such a privilege would involve any hardship to the country, to the Government, or to any person concerned. There are many people coming from the Old Country who have capital, and when they go up to the North-West they prefer purchasing improved farms to going on those on which there are no improvements. I understand that the law is that no settler shall take up a homestead, and be allowed to sell it

until he has been settled on it for a certain length of time. I would allow any hard-working settler, any poor man, who has gone there, and lived one or two years on his farm, and put up a house, and made improvements, to sell it under certain regulations to actual settlers, and I would allow him then to take another pre-emption in some other part of the country. I have no faith in colonisation companies—no faith in companies of any description who purchase lands with the intention of colonising them. I have watched the effects of those companies for the past thirty-six years. I came to Ontario in 1850, which was then being settled by immigrants from the Old Country, and at that time a great part of the Province of Ontario was taken up by the Canada Landed Company, which turned out afterwards to be the greatest curse that ever afflicted the settlement of Ontario. I know several of my friends who came from the Old Country to settle here, but rather than purchase land from that company at \$5, \$10 or \$12 per acre, they preferred to go to the United States, where they got free homesteads. I believe that colonisation companies in the North-West have had the same effect. If North-West lands had been given to actual settlers and no others, if those men who happened to get land near railway stations or towns at nominal sums were allowed to retain them, and were not placed under the control of the colonisation and other companies, I believe the country would be settled much faster than it is being settled at the present time. If the rank and file of these settlers got wealthy, their influence and advice to their friends in other parts of the world would have the effect of bringing more people in this country than all the colonisation companies in Canada put together and all the immigration agencies. Let it be known all through Europe that the actual settlers in the North-West were getting wealthy and that free homesteads they secured and farms which they have purchased a few months ago for \$2 per acre, were now worth \$10 or \$12, and you would encourage others to come into the country more than any other policy we could adopt. If the Government had adopted a law to force the railway companies to sell their lands at a given price, whether alongside the railway or five or ten miles distant from it, it would be in the interests of the country. I hope that the Government will take the matter into their serious consideration and give every possible assistance to actual settlers to enable them to come into the country, which I believe any poor man deserves, who tries to make a home for himself on those lands which to-day are not worth one cent per acre, and will remain so till these poor fellows, by their indomitable perseverance and industry, bring it under cultivation. These are the men above all others who deserve the sympathy and encouragement of this House, those frontier settlers, who have left the older and more comfortable parts of our Provinces to make a home for themselves and their families, and thereby add to the wealth and greatness of our Dominion.

Mr. FARROW. I wish to say a few words on this question because I believe that the county of Huron has sent more settlers to the North-West than any other in Canada; certainly the counties of Huron and Bruce together have sent more than any two other counties in Ontario. Many of those farmers I knew personally, and from many of them I receive communications day in and day out. I have a letter here which I received only yesterday from a man who had 100 acres in my neighborhood, who sold it for \$5,000, who sold his stock for \$2,000 more, besides having some other money. I think, altogether, he took to the North-West some \$10,000. Unfortunately he settled on an odd lot. He settled there in the year 1881, but what I want to impress on this House is this fact, that in all the cases I know of those farmers have done well. I read their letters; they say they have some drawbacks, but not so many as they had in Huron. They tell me some of their wheat was

Mr. ALLEN.

frozen last year, but not the half of it. About 25 per cent. of the wheat in the whole country would probably cover all that was frozen. What does this man tell me that he has done since he went there? The first year, of course, he could only break up some of his 320 acres. The next year, 1882, he raised in the neighborhood of 700 bushels of wheat; the next year he raised in the neighborhood of 1,400 bushels besides other grain; in 1884 he raised about 1,800 bushels of wheat and more of coarse grain, as well as stock; and last year he raised upwards of 2,000 bushels of wheat, besides oats and barley, and stock. That man's name is William Smith. He lives in Township 2, Range 20, and his post office is Desford. As my hon. friend from the south riding of my county knows, the whole southern border of Manitoba is thickly settled with people from Huron, and they are all doing well and are satisfied. I have heard no complaints. Although hon. gentlemen opposite have asserted over and over again in this House that parties have got dissatisfied with their lot in Manitoba, and have crossed the boundary to Dakota, I must say that I have yet to learn of one single case of a Huron settler who has done that; and if you can give the name of any one family that has done it, name it. Why should they go to Dakota? What inducements are there in Dakota above ours? A young man, if he is eighteen years of age, can take up in our North-West 160 acres of land, and in Dakota he has to wait until he is three years older. If that young man settles in our North-West for six months in each year, after three years, at the age of twenty-one, he will get his deed, whereas if he had gone to Dakota, he would only have started at that age, and after having taken up his land, he could not have got his deed until he was twenty-six, and then he would only get eighty acres instead of 160 acres, which he gets free in Canada. What inducements are there then for people to go to Dakota? When people did go to Dakota, as many from Huron did years ago, why did they go? Because we had no North-West. But now we have a North-West, and like British subjects they are going to our own land. If a man goes to Dakota, what is his success in raising wheat, compared with raising wheat in Manitoba? Just about half a yield per acre. The average yield, in Dakota, is about fifteen or sixteen bushels per acre, while in Manitoba it is from twenty to twenty-five bushels and up in the thirties. My hon. friend from North Wellington (Mr. McMullen) says the reason things are not going right in Manitoba, is probably the Canadian Pacific Railway. Surely the building of a railroad from the eastern to the western part of a Province would not be the means of driving people out of the country; and when he recollects this, further, that the very wheat from Dakota year in and year out is coming across the line and paying duty to that very Canadian Pacific Railway monopoly, why does he not take that common sense view of it? He shakes his head as if to say it is not so. Well, it is so; and if he will look at the Customs returns, he will find that some of it pays duty, although lots of it, in my opinion, never pays duty; and it is sold to the buyers on the Canadian Pacific Railway. Where is the grinding monopoly in that? Then, the hon. member for North Grey (Mr. Landerkin)—and I have great respect for him—said he was against colonisation companies, and I would be too, if they were like the Canada Company. We had an experience of that company in Huron and in Perth, as my hon. friend says, but is there any comparison between the colonisation companies in the North-West and the Canada Company? The Canada Company had in Huron one solid block sixty miles long, and I cannot tell you how deep. When we got the back townships settled up with good farms we had to go through a solid bush of fifteen or sixteen miles without roads; you would think it was a wilderness. If that company had been constituted on the principles of colonisation companies of the North-West, with every

other lot reserved for free settlement, there would have been no grinding monopoly at all; but what was the case? So, why does my hon. friend try to mislead this House and this country by saying that the colonisation companies in the North-West were like the old Canada Company? Now, I am in earnest in my desire to see the North-West settled. I have seen very few of our people go to Dakota, but in times gone by when they did go there, I was very sorry to see them go; and if any of our people wanted to move, I advised them to go to our own North-West. In nine cases out of ten they were only too delighted to go there to mingle their fortunes with those of the people who went from their own neighborhood, and I guarantee that in five or ten years all of them will be well off.

Mr. TROW. Some hon. gentlemen who have spoken about that country have evidently not travelled very extensively in it. Many who go there from this and the other Provinces merely travel by rail, and never see the thriving settlements which are not found near the railway line. We must remember that it is, comparatively speaking, a new country. Fifteen or sixteen years ago, when the lands were purchased from the Hudson Bay Company, there were very few white settlers in the country and no communication with the outside world, and no encouragement was given to any of the half-breeds to engage in agriculture. The lands were then not under cultivation to any extent. I heard an expression from the hon. member for Charlotte (Mr. Gillmor) which I hope will not go very far from this Chamber, namely, that he thought there must be something radically wrong, either with the climate, or the country, the people, or the policy of the Government. So far as the climate is concerned, I recollect distinctly, though I am not the oldest man in the House, when Perth and the adjoining counties were troubled with summer frosts, and a very large portion of our crops destroyed almost annually by the same cause. Last year the frosts destroyed a large portion of the crops in the North-West, I should judge probably one-third, and in some settlements one-half, but there are settlements in that country—I might instance the settlement from which the hon. member for Marquette (Mr. Watson) comes, where the crops cannot be excelled. I never saw such crops in my life as I saw there. You could see an area of twelve by thirty miles in extent of wheat, which would average, in my estimation, from thirty to forty bushels per acre. I never saw the like in Ontario or any other portion of the Dominion. There are many thrifty settlements in the North-West which are not seen by nine-tenths of the travellers, so that you can form no estimation of the country without travelling through it outside of the railway line as well as by railway. I believe it is a good country; I believe it will furnish millions of homes yet for the surplus population of the Old World. True, a good number of our people have gone into Dakota, but I do not pretend to say it is owing to the policy of the Government, though I do say it would be much better if the Government would do what many railway companies do in the United States, that is, have their agents to look after the settlers on their arrival and see that they are properly located. Let an immigrant go to the United States; he is not left to run at large, but is taken in hands and conveyed, at the expense of the Government or the railway company, to his district. The rules and regulations in the United States are much more rigid than with us, so that the only difficulty with us is the want of agents who will take charge of the immigrant immediately on his arrival and see that he is properly located; instead of sending him on an immigrant train to Winnipeg, where he consults the land agent, and is told there is no land in that agency, but to proceed to Turtle Mountain or some other district. That discourages him. A return of every foot of land sold and what is open for sale in every agency monthly should be

made to the head office at Winnipeg, so that they would know what lands are in the market, and send the immigrants at once to the right place. I have travelled in Southern Dakota and know there are many Canadians there, and I know you will not restrain Canadians from going there, unless you adopt the plan I suggest. The lands of Dakota are similar to ours, good, rich, alluvial, inexhaustible soil; the climate is not better, but if anything worse, both in Dakota and Minnesota. Along the centre of Minnesota, for instance, the climate is much worse, because that country is about 400 feet in altitude than that of the Red River valley, and consequently more subject to storms. You travel along the line of the railway in Dakota and Minnesota and you will find that country is not as well settled as our own; you will find millions of acres unsettled, as people will go where lands are better adapted for forming little settlements, and sometime the railway runs through inhospitable portions of the country not inviting for settlements, so that we can form no estimate of the population of the country by merely travelling along the line of railway. Unfortunately we had great expectations of our North-West, and made exaggerated calculations of our ability to settle the country in a few years. I have every confidence in the country myself, and I do think without exaggeration or egotism, that I have travelled more through it than any other gentleman in this House or in any of the older Provinces. I have travelled through it six years in succession, three or four months at a time, and always had my own conveyance, so that I could go where I liked, and I know what I am speaking of when I say there are homes for millions in that country yet.

Mr. GUILLET. I will not detain the House long after the very candid, truthful and honorable statement we have had from the hon. member for South Perth (Mr. Trow), who, I may say, seems to be out of place on that side of the House. His statements have been of such a character and into such marked contrast to those of his hon. friend, that one is led to believe hon. gentlemen opposite take pleasure in making statements in reference to the North-West calculated to injure it. The statements made by the hon. member for South Grey (Mr. Landerkin), seem to have been inspired by anger and prejudice rather than by a desire to help the Government in its very difficult task of administering the affairs of the Government. The hon. gentleman surprised me very much, because the state of things he described are quite opposite from that. As regards people who have left my riding for the North-West, all of them give good accounts of their success. Not one young man of the entire number who went to settle in the North-West from my county left for Dakota. They are all prosperous, happy and contented. One man (Potter, by name) who went out with very little money, came home last month and purchased three car loads of stock for his farm in the Moose-Jaw settlement with money made in the North-West. He told me that his neighbors were all doing well. I might mention the names of some of them: The Shields, the Battles, the Donaldsons, the Hendersons, the Walkers and a large number of others. I do not know one who is there from my riding who has become discontented or dissatisfied with the North-West, and I only know of one or two who went from my section to the Western States in preference to the North-West. As the statements generally on the other side are calculated to injure the country, I felt it my duty to corroborate the statements of the hon. member for South Perth (Mr. Trow) and of those of the hon. member for East Huron (Mr. Farrow).

Mr. WATSON. I wish to state, by permission of the committee—

Mr. CHAIRMAN. This discussion has gone very far.

Mr. WATSON. I simply desire to say a word in reference to the remarks of my hon. friend from Charlotte (Mr. Gillmor), who spoke of the frozen grain, and his remarks might be supposed to apply to the whole North-West. When speaking of this, it would be better for hon. members to speak of frosted grain and not of frozen grain. I believe that some of the wheat which has been frosted, in Manitoba and the North-West, is as good for milling purposes as most of the wheat produced in the Province of Ontario. Further, I may state that large sections in Manitoba are almost altogether free from frost. I can speak of the section in which I live, and round Portage la Prairie, which was spoken of by my hon. friend from Perth (Mr. Trow); and I can state, that in thirteen years, that district has been touched by frost only twice. We hope that, when the country is more thickly settled, the frosts will gradually disappear. I remember when, in the townships of Ontario, frosts were very frequent in summer and in harvest time, and I hope that some means may be devised, and that we will have the good effects of large sections of Manitoba and the North-West being broken up, and that the frost will gradually disappear. The member for East Huron (Mr. Farrow) made a statement that unfortunately his friend, whose letter he read here to-night, had settled on an odd section of land. I suppose there was some reason for his settling there. I suppose he expected that he would have a free grant of that land, but he finds out now that that land is not open for settlement. That is one of the grievances of the people in the North-West. The regulations were not very well defined, and people have settled on those lands not knowing that they were not open for settlement. I have no doubt that that letter asking the hon. member to intercede for the writer, and aid him in obtaining the patent for the land which he had settled on by mistake, refers to a case of that character, and I hope the Minister will take a note of it, and will see that the regulations are sufficiently plain and that settlers will know which lands are open for patent.

Sir RICHARD CARTWRIGHT. Not a syllable of explanation has been given in reference to the Geological Survey branch, or the North-West Mounted Police.

Mr. CHAIRMAN. The North-West Mounted Police is another item.

Sir RICHARD CARTWRIGHT. It was distinctly understood that this vote would be taken up item by item, and it is not proper that items involving additions of \$2,000 or \$3,000 should be passed over without remark. It is simply a disgraceful way of voting the public money that items involving an increase of \$2,300 should be passed without any remark.

Mr. WHITE (Cardwell). I gave a full explanation as to the Geological Survey.

Sir RICHARD CARTWRIGHT. Not a single syllable did the hon. gentleman say in my hearing.

Mr. WHITE (Cardwell). We shall see the *Hansard* tomorrow.

Sir RICHARD CARTWRIGHT. I did not hear a single syllable from the hon. gentleman in reference to the Geological Survey. I understood that this discussion was on the \$71,000. My hon. friend from Chateauguay (Mr. Holton) rose to ask questions as to the Geological Survey branch, and he was told to wait.

Mr. WHITE (Cardwell). He was told to go on.

Sir RICHARD CARTWRIGHT. No, he was told to wait.

Mr. HOLTON. I rose to ask a question. The hon. Minister, it is true, told me to go on, but it was politely
Mr. WATSON.

hinted to me by some one, probably by hon. members on both sides, that that was not the time.

Sir RICHARD CARTWRIGHT. At any rate, no proper explanation was given in reference to the Geological Survey Branch, and it is a disgraceful thing that an increased vote of \$2,300 should be demanded without proper explanation. If any explanation was made, I did not hear it, and it must have been of the most meagre kind.

Mr. WHITE (Cardwell). If the hon. gentleman did not hear my explanation, I think he might take my statement that I made the explanation.

Sir RICHARD CARTWRIGHT. Well, then, state the explanation.

Mr. WHITE (Cardwell). I think the statement which he made that it is disgraceful to go on without any explanation is unworthy of him; is unworthy of an hon. gentleman who, in Committee of Supply, always conducts the discussions in a manner which we all appreciate very highly, because we have never any reason to complain of the manner in which he conducts those discussions. I will repeat the explanation which I made, and I think, when that hon. gentleman hears it, he will realise and will admit that he did hear it before. I stated that there was an increase of \$2,350 in the Geological Survey branch; that the statutory increases were \$1,050; that Mr. Lamb, the artist of the branch, had been promoted to the second class, involving an increase of \$100; that Mr. Low had been promoted at an increase of \$200, on the express recommendation of Dr. Selwyn, because of special services which he has rendered in connection with the exploration of a lake near Lake St. John, the name of which I am not quite sure of, but I think it is Lake Mistassini; that Messrs. Lawson and Chalmers had been put on the civil list at the same salary they had before, making a difference of \$2,200 in the civil list; but I stated that, in the Supplementary Estimates last year, there was an amount of \$1,100 voted for one gentleman, making altogether \$2,450, or \$100 more than the aggregate increase, but that \$100 is accounted for by the fact that last year we appointed Messrs. Coste and Ingall of the mineral branch, but the amount they received was less, by \$50 each, than that voted, so that it leaves \$2,350 as the increase which has been made. I think the hon. gentleman will remember that, almost in precisely the same words, I made this explanation before.

Sir RICHARD CARTWRIGHT. If the hon. gentleman says that he stated that, of course I shall accept it, but I certainly did not hear him. It may have been owing to the fact that there was a good deal of conversation going on in regard to the other item, and I understood the only information he gave to refer to the \$71,000, which was under discussion. I did not hear him speak of Mr. Low, though, of course, if he says so, it is so; but I understood that all he said had reference to the item of \$71,000 and nothing else.

Mr. WHITE (Cardwell). I think the hon. member for Chateauguay (Mr. Holton) got up to ask a question in reference to my speaking of Mr. Ingall and Mr. Coste.

Mr. HOLTON. I am glad to be able to corroborate the statement made by the Minister of the Interior. He certainly did offer the information to the House several hours ago, which he has now repeated. I rose at what I considered the proper moment, to ask some questions. I have not any intention of entering into a long discussion, and I simply rose to ask the questions, when, as I already stated, it was intimated to me that I was a little out of season, and I resumed my seat, thinking I should have an opportunity later on.

Some hon. MEMBERS. Go on.

Mr. **HOLTON**. The question I wished to ask was with reference to the appointment of Ingall and Coste to the position of mining engineers of the survey. I wished to be informed as to the nature of the work performed by those gentlemen, and also when, and in what form, the result of their labors will be made public?

Mr. **WHITE** (Cardwell). Messrs. Ingall and Coste were employed by the Government in consequence of a report made by Dr. Selwyn suggesting the importance of adopting a better system of mineral statistics. They have been engaged in the field during the last year, but their special duties are in connection with the mineral branch. Some little difficulty has occurred in that branch in relation to the work these two gentlemen have been doing, in consequence of the issue of some circular by another officer of the department under the direction of Dr. Selwyn. This particular branch, I am bound to say, is not in the condition I would desire to have it. I am asking at this moment a report from the acting director, Dr. Dawson, in relation to the reorganisation, if possible, of the department in connection with which these two gentlemen have been appointed. I hope we may be able so to arrange it as to meet the reasonable popular desire in regard to that particular branch. I had waiting upon me a short time ago a large deputation of members of both sides of the House in reference to this subject, upon which we had a full and friendly discussion. My earnest object is that we may be able to accomplish the results desired at an early date.

Mr. **DAVIES**. On examining the estimates and the Auditor-General's report of expenditure for the years 1884-85 up to the 30th June, the Geological Survey branch, I find, cost \$32,634. Now the hon. gentleman asks here for \$39,650, being an increase of some \$7,000. Possibly this increase may be satisfactorily accounted for, but certainly it cannot be by reference to the statutory increases given to the officials, because in that Department there are not sixty-two as there are in the Interior Department, but only thirty, and most of these being at high salaries, do not get the increase.

Mr. **WHITE** (Cardwell). I think I must ask the hon. gentlemen to allow me to make that statement very fully upon concurrence. This is a branch with the details of which I am not thoroughly familiar. I am almost ashamed to say that I have not even visited it since I have been Minister of Interior, for the reason that I have been so busy in the other Department. I will give the hon. gentleman on concurrence the fullest possible information. His request is very reasonable, except in this sense, that usually we do not go back for details to the expenditure of a past year in connection with the estimated expenditure of a future year.

Committee rose and reported progress.

Sir **HECTOR LANGEVIN** moved the adjournment of the House.

Motion agreed to; and the House adjourned at 12:30 a.m., Wednesday.

HOUSE OF COMMONS.

WEDNESDAY, 7th April, 1886.

The **SPEAKER** took the Chair at Three o'clock.

PRAYERS.

REPORTS ON PRIVATE BILLS.

Sir **HECTOR LANGEVIN** moved that the time for the reception of reports on Private Bills be extended until Thursday, the 29th instant.

Motion agreed to.

FIRST READING.

Bill (No. 86) to incorporate the North American Telegraph Company.—(Mr. Taylor.)

SIR JOHN A. MACDONALD'S ILLNESS.

Sir **HECTOR LANGEVIN**. Perhaps the House will be pleased to have the information conveyed in the following letter, which I received just now from Dr. Powell:—

“April 7th.

“DEAR SIR,—In reply to your enquiries, I may say that Sir John's physical condition is remarkably good, and though his local symptoms have been very obstinate, yet they are now undergoing a rapid change for the better, and I look forward to his complete convalescence at an early day.

“Yours sincerely,

“R. W. POWELL, M.D.”

CARTRIDGE FACTORY AT QUEBEC.

Mr. **MULOCK** asked, Whether it is the intention of the Government to lay before the House, and cause to be printed for circulation, the report of the Board of Officers appointed during the past year to investigate and report upon the working of the cartridge factory at Quebec; and, if so, when?

Sir **ADOLPHE CARON**. It is the intention of the Government to lay before the House this report. It is now being copied, and it will be brought down as soon as it is finished, within a couple of days.

THE FRANCHISE ACT.

Sir **RICHARD CARTWRIGHT** (for Mr. **BLAKE**) asked, Whether it is the intention of the Government to propose any amendment to the Franchise Act affecting the qualification of any class of voters, during the present Session of Parliament?

Mr. **THOMPSON** (Antigonish). The Government are now considering the subject to which the question refers, and it is probable that some amendments will be suggested in the Franchise Act. I am not, however, at present able to say that they will be of the kind mentioned in the question.

CANADIAN PACIFIC RAILWAY LANDS.

Sir **RICHARD CARTWRIGHT** (for Mr. **BLAKE**) asked, Whether the Government is aware that the Canadian Pacific Railway Company has sold a large quantity of lands south of the railway to the North-West Land Company? Whether the Government has any description of any of the lands so sold? Whether the Government has taken any steps towards the ascertainment of the lands sold by the company, to the end that they may become subject to municipal and territorial taxation?

Mr. **WHITE** (Cardwell). The lands which have been given to the Canadian Pacific Railway Company as part of their subsidy for the construction of the road become their property as soon as they are earned. What disposition they may make of them concerns themselves. Under the law, as soon as they sell those lands which become occupied, they become subject to taxation, and it is the duty of the municipal authorities to see that that clause in the law is not in any way evaded.

SCRIP TO ROCKY MOUNTAIN RANGERS.

Mr. **IVES** asked, Whether it is the intention of the Government to issue scrip to the members of the corps that took part in the suppression of the late rebellion, known as the Rocky Mountain Rangers? If yes, for what number of acres, and when must the recipients locate the land?

Mr. WHITE (Cardwell). Scrip is to be issued, in fact has been issued to a large number of the members of this corps. The certificates were sent in by the Militia Department to the Department of the Interior, the 15th December last. Since that, all applications, so far as they are in order, for members of the "Rocky Mountain Rangers," Major Stewart commanding, have been settled. So far, fifteen land warrants, representing 4,800 acres, have been issued, and also sixteen scrip notes of \$80 each, equal together to \$1,200.

SEPTIMUS PITON.

Mr. LESAGE asked, Was there an enquiry held last summer, in relation to Septimus Piton; what were the complaints, and what was the result of the enquiry?

Mr. POPE. There was an enquiry. The charges were: First, of buying cement and selling it to the Government at advanced price. Second, of allowing the foreman under him to take wood belonging to the Government. Third, of allowing men under him to neglect their work. Fourth, of ordering men paid by the Government to work on his house. The charges were not maintained.

ARLESS SEPTIMUS PITON.

Mr. LESAGE asked, What is the position held by Arless Septimus Piton? What is his salary? By whom was he appointed? Has he furnished sureties for the place he holds? Is he sufficiently educated to make out his reports?

Mr. POPE. His position is foreman and inspector. His salary is \$60 per month. He was appointed by the Minister of Railways and Canals, on the recommendation of Dr. Blanchet. Foremen and inspectors are not obliged to find securities. He has a fair education.

ROBERT SMITH, OF QUEBEC.

Mr. LESAGE asked, What quantity of wood has been purchased for the Intercolonial from Robert Smith, of Quebec? Who inspected and received the said wood? How much was paid per foot? How much has been paid to that gentleman for wood purchased from him, within the last two years, for the Intercolonial?

Mr. POPE. 4,905 cubic feet of white pine timber, at 15 cents per cubic foot; 8,803 cubic feet red pine, at 18 cents; 129,810 feet board measure tracks, stringers, and cross-ties, at \$34.75 per thousand feet; 6½ standard deals, at \$24; 15,000 feet board measure deals, at \$9.60; 1,500 white pine boards, at \$24; 500 feet board measure spruce, at \$14 per thousand feet; 1,285 feet rock elm, at \$42 per thousand feet; 2,000 feet rock elm, at \$35 per thousand feet; 7,400 lineal feet of red pine, at 4 cents per foot; 920 lineal feet red pine timber piles, at 2 cents; 8,572 lineal feet red pine timber piles, at 11 cents; 2,134 lineal feet pine timber, at 11 cents. Inspected and received by Charles D. Wilson and Piton. Smith was paid \$9,635.25 for wood.

WIRE FENCING FROM LÉVIS TO RIVIÈRE DU LOUP.

Mr. GAUDET asked, Whether it is true that the contract for wire fencing from Lévis to Rivière du Loup, has been awarded to Mr. Atkinson?

Mr. POPE. Yes; the contract was offered to him, as being the lowest tenderer for the work.

ELGIN STATION, L'ISLET.

Mr. CASGRAIN asked, Whether it is the intention of the Government to build a station for passengers and freight at Mr. IVES.

the stopping place on the Intercolonial Railway, called "Elgin Station," in the county of L'Islet?

Mr. POPE. It is not the intention of the Government at present to build a station there.

COAL INTERESTS IN NOVA SCOTIA.

Mr. McDOUGALL (Cape Breton) moved for:

Statement showing the quantity of coal carried over the Intercolonial Railway each year since 1880, for the Spring Hill and other collieries in the county of Cumberland, Nova Scotia; the stations at which the same has been delivered, and the quantity delivered at each station; the rate per ton per mile at which such coal was carried for the several collieries. Also a similar statement of the quantity of coal carried from each colliery in the county of Pictou. Also a statement showing the number of coal cars built for the Intercolonial Railway coal traffic, and employed thereon, and the cost of such cars."

He said: The information I seek by the motion which I have just read to the House is one of very great importance to the people I have the honor to represent, and I am, therefore, obliged to trouble the House with a few remarks. The coal industry of the older Provinces of the Dominion, as is well known, is principally confined to three counties in the Province of Nova Scotia, the largest proportion of which has been heretofore prosecuted in the county of Cape Breton, the other counties being Cumberland and Pictou. The estimated extent of the coal fields of Nova Scotia now under lease from the Crown is about 245 square miles. Of this there is situate in the county which I have the honor to represent about 130 square miles; in the county of Cumberland, 65 square miles; and in the county of Pictou, 27 square miles. Thus it will be seen that the coal-bearing property in which capital is invested and being developed in the county of Cape Breton is double that of Cumberland and more than four times that of Pictou. In connection with the opening of the coal fields of Cape Breton, the building of railways, the equipment of those railways and the opening of harbors and building of wharves, and such other facilities as have been required in connection with the operation of those mines, there has been about \$15,000,000 of private capital expended. In this connection about seventy miles of railway were built and equipped without a single dollar of public aid of any kind. The harbor of Port Caledonia was opened and kept open at a cost of about \$160,000; the harbor of Little Glace Bay, likewise, at a cost of upwards of \$100,000; the harbor of Lingan at a cost of about \$100,000. Several other large piers and wharves were built at a very heavy cost to the coal operators and without any public aid whatever, except in the case of the Cow Bay breakwater, which is now maintained by grants from this Parliament, but which cost the private company who first undertook it upwards of \$50,000. In order to further illustrate to the House the extent and importance of the Cape Breton coal field, I will read a short quotation from a report on the "Mineral Resources of Canada:"

"*Sydney Coal Field.*—Mr. Robb estimates the area of the productive coal measures of the Sydney coal field at 200 square miles, being about 32 miles long and 6 miles wide, limited on three sides by the Atlantic Ocean. This coal field forms the southern extremity of an extensive area for the most part hidden under the ocean, but nearly all the seams can be followed, and mining rights have been taken out covering above 100 square miles of the submarine coal. Mr. Poole, in a report to the Commissioner of Mines, says that, assuming a line of three miles from the shore to be the boundary of profitable working 4,000 feet the available depth, and no seam under three feet thick to be worked, and taking into consideration all geological facts as ascertained from other coal-yielding investigations elsewhere, the submarine coal field of Cape Breton is capable of yielding 1,866,000,000 tons."

Now, Mr. Speaker, the people engaged in this industry of Cape Breton complain that they have not at the hands of this Legislature the consideration to which the peculiar circumstances in which they are placed by reason of the geographical position of their country entitle them, and the comparatively unfavorable position in which they are

situate with those engaged in the same industry in the other coal counties of Nova Scotia. The work of the Cape Breton collieries is confined almost entirely to the summer and fall months, the only means by which they can place the product of those mines in the market being only by water; and the navigation of the Cape Breton coast, east and north, and where those mines chiefly lie, being interrupted by ice during the greater part of the winter and spring months, their mines have to remain in comparative idleness during those months, while the mines of the counties of Cumberland and Pictou may be worked every month and every day in the year, as they enjoy the privilege of being able to send their coal to market without interruption, and by a railway built, equipped and operated at the public expense. This railway has been built at the expense of the people of Cape Breton as much as that of the same number of people in any part of the Dominion, and I would say to a much larger extent at their expense than that of any section of Nova Scotia; and what they now complain of is that it is maintained and operated more than, proportionately, at their expense, and to the serious detriment of their interests in the successful development of their collieries. This state of matters does not only affect the people who put their capital in those mines, but it has a most serious effect on the interests of the people who do the work of mining, and who have to maintain themselves and families with the earnings of their hard and arduous labors, as their earnings and employment must largely be governed by the profits or losses of the capitalists who employ them. That the House may better understand the risk to which some of those people are obliged to expose themselves, I will read a paragraph from an article written on this subject and in relation to the working of one of those mines, that of the Sydney Mines:

"The mines have been worked by British capital for nearly a century, and the excavations from which the coal has been removed year after year now extend for several miles underground. The main shaft is situated about the centre of operation, and a rough idea of the extent of the underground works may be formed by the knowledge that the coal cutters and other underground workmen have to travel from four to five miles under ground after they have reached the bottom of the shaft—itsself over 900 feet deep. In sailing into Sydney harbor the mariner seldom recollects that he is passing over a hollow bottom, supported on pillars, and that beneath his ship are hundreds of busy workmen, boys and horses. Yet such is the case, the underground works being pushed out several miles under the ocean. The coal of this mine has long been known as holding a first place amongst the most famous of coals for steam purposes and domestic use. This, together with its peerless harbor, situated in the direct line of the European and North American shipping, is what has made the port of North Sydney the greatest port of call in North America for ships engaged in the trans-Atlantic trade."

The number of men employed in the Nova Scotia coal mines in the year 1884 was 5,012; of this number there were employed in the county which I represent, 2,511. It will thus be seen that more than half the people engaged in this industry are among the constituents of my hon. colleague from Cape Breton and myself; and the successful development of those mines is not only of interest to those who are directly engaged in them, but also, and to a very large extent, to the farming population, who find the principal market for the products of their labor in those mines, and as well to those of our people who are engaged in commercial and mercantile pursuits. My attention has been called to a report of an interview held by representatives of the Board of Trade of Montreal with the hon. Minister of Railways some weeks ago, and published in a Montreal paper, where the hon. Minister is reported to have, in reply to a question asked by a gentleman named McLea, said as follows:—

"It is for the benefit of Montreal and for the benefit of the Dominion that we should bring these goods over our railway, and to do so we have been obliged to carry raw sugars at a lower rate than we could afford to bring them until a year ago. This last year there was 2½ per cent. put on sugars landing at a foreign port and being brought into Canada. That enabled us to get something like a fair rate and secure more of the business of bringing sugars into Canada. It is exactly so

with many other articles. For instance, we have in the Lower Provinces large quantities of iron ore. We manufacture iron; we wish to develop those interests, and it is carried at a rate that does not pay us; the rates are too low. It is the same with coal. If we charge a rate on coal that would pay we should not be able to bring any coal, but we bring coal at a low rate because we want to develop that great industry in the Lower Provinces, and you gentlemen in Montreal get the benefit of it."

I appreciate very much the motives by which the hon. Minister of Railways is actuated. I agree with him that every consideration in this respect should be given to an industry of the importance that our coal industry is; but when the application of the policy of the hon. Minister of Railways, as in the present instance, has the effect of largely and seriously discriminating in favor of one section of the people and against another section engaged in the same industry, I say the good intention of the hon. Minister is misplaced, and I, therefore, have to disagree with him. I do not know when the present Intercolonial Railway coal rates were brought into operation, but I presume it is not many years ago; and in order to show to the House the effect which those rates have on the development of those of our mines situate in the county which I represent, I will give the quantity of coal shipped by the Cape Breton and Cumberland collieries respectively during the last three years to the Quebec market:

"In the year 1883, Cape Breton shipped to Quebec (which includes Montreal, all by water), 218,695 tons; in 1884, 152,605 tons; in 1885, 215,254 tons.

"In the year 1883, Cumberland shipped to Quebec and Montreal, 46,483 tons; in 1884, 104,243 tons; in 1885, 163,301 tons."

It will thus be seen that to the present rate at which coal is carried over the Intercolonial Railway from Spring Hill to Quebec and Montreal the large increase in the sales of that mine may be attributed, and to the fact that they have in consequence been able to supply those markets which were principally supplied by the mines in Cape Breton previously—that it has been the means of shutting out the Cape Breton coal to a corresponding extent. Since the adoption of the present duty on foreign coal the shipments from Cape Breton to the Province of Quebec have increased from 28,208 tons in 1878 to 218,695 tons in 1883, and since 1883 they have decreased as I have already shown. It will, therefore, be seen that this decrease may fairly be attributed to the Intercolonial Railway rates which is contended by the hon. Minister of Railways is in the interest of the coal industry of Nova Scotia, while instead it is solely in the interest of the Spring Hill company. I am informed that the loss in the operation of the Intercolonial Railway is caused almost entirely by the carrying of coal at rates which does not meet the expense; and in order to support my contention I will take the liberty of reading to the House a quotation from the report of the "Buffalo, New York and Philadelphia Railway Company":

"The report of this company is for the year ending September 30th, 1885. The report clearly shows that a leading cause of the financial difficulties of the company is the unprofitable nature of the bituminous coal trade, in which it is deeply interested as a carrier and owner of coal properties. It was chiefly on account of the great increase of injurious competition between rival bituminous coal interests that a great reduction in average freight rates occurred. Bituminous coal furnished 944,700 of the 3,417,975 tons moved in 1885, and 1,061,625 of the 2,376,534 tons moved in 1884, and most of this coal is transported over comparatively long distances.

"The number of tons of freight of all classes moved one mile, and earnings per ton of freight per mile, during the last three years have been as follows:—

	Total tons one mile.	Earning per ton of freight per mile.
1885.....	276,994,830	0.691 mills
1884.....	211,040,878	0.788 mills
1883.....	171,975,117	1.050 mills

"The total freight earnings were \$1,649,842.83 in 1885, \$1,854,114.09 in 1884, and \$1,795,737.87 in 1883. So that a rapid increase in the amount of freight carried one mile has been accompanied with a material decline in the freight receipts. If the average rates obtained in 1883 had been received for the freight service in 1885, the freight receipts of that year would have been \$2,908,445.71, or \$1,258,602.88 more than the sum actually obtained. The deficiency of the company for the fiscal year

1885, as stated in the report, was \$554,672.68, or considerably less than half the difference between the freight receipts of 1885 and the sum that would have been earned on the tonnage of that year if the rates of 1883 had been maintained. Similar calculations have often been made in reference to other roads. They possess comparatively little practical significance, but they help to point out one of the most serious difficulties with which many American railway managers are obliged to contend, to explain one of the most prolific causes of railway bankruptcy, and to show why such sudden transitions occasionally occur in the market value of the securities of some of the lines of this country.

"Another reflection suggested by the report of the Buffalo, New York and Philadelphia is that its rates for carrying bituminous coal were presumably much below its low average rate of 0.601 mills per ton per mile. The total amount of freight carried in 1885 is classified as follows:—Anthracite coal, 209,475 tons; bituminous coal, 944,700; stone and lime, 55,183; iron and castings, 92,962; hay and grain, 111,966; merchandise and manufactures, 261,195; lumber, 401,398; crude oil, 195,513; refined oil, 94,538; iron and other ores, 23,104; live stock, 4,041; miscellaneous articles, including bark, 23,930—total, 2,417,975 tons. In referring to miscellaneous freight traffic the report says: 'Fortunately, your miscellaneous local tonnage, which affords better rates, has been developed and improved; the improvement and growth continue steadily, so that the loss on coal traffic is more than met by the revenue from other classes of traffic, as will be seen by comparison of freight earnings, 1884 and 1885, on page 4. This is a healthy sign. It has been the effort of your management to develop, encourage and foster local traffic, thereby placing your road in such position that it can handle its full proportion of competitive coal tonnage at a minimum of cost, and thus retain its tonnage without loss.'

"As these statements show that the bituminous coal was carried at rates considerably below 0.601 mills per ton per mile, and as other statements, made at various times, indicate that even less than half that rate was obtained for some of the bituminous coal movements of last year, intelligent readers are furnished with data for forming an opinion in regard to the justice of the outcry against efforts to improve the condition of the bituminous coal trade, and to ensure for bituminous coal carriers sums that approach a reasonable remuneration for the service they perform."

Applying the same arguments and reasoning to the Inter-colonial Railway, the contention that the loss is caused by the increase in the tonnage of coal carried over the road, is strongly supported, and it is both fair and reasonable that we should expect of the hon. Minister of Railways a different state of things for the future. Our people in Cape Breton have to make up their share of this loss, while it has the effect of crippling the successful prosecution of their own work. Our principal markets are in the Province of Quebec, and we have a right to control a fair share of them, while it is to the advantage of the Dominion generally that the capital invested in those enterprises should be fairly and economically protected. Our sales in 1885 have been, by counties:

	Tons.
Cape Breton, sales.....	517,975
Cumberland ".....	340,535
Pictou ".....	396,000
	<hr/>
	1,254,510

Our principal markets are as follows:—

Nova Scotia.....	444,652
New Brunswick.....	148,634
Newfoundland.....	74,322
Prince Edward Island.....	52,770
Quebec.....	493,917
West Indies.....	5,732
United States.....	34,483

This is not the only instance in which the Spring Hill Company have succeeded in influencing legislation in their own favor to an unreasonable extent and at the same time to the disadvantage of the people of Cape Breton. When they applied to the Parliament of Nova Scotia for a grant towards the construction of a railway in connection with their mine, some years ago, they have received some \$144,350 towards that work. This they have received with the consent of the representatives from the Island of Cape Breton, who were at the same time promised a corresponding aid towards their railway; but, unfortunately, the Spring Hill people got their grant and their railway, and the people of Cape Breton did not get one dollar for a mile of railway. This is not all. Only a year ago an investigation was made in the Provincial Legislature of Nova Scotia into the payments made by the different coal companies in Mr. McDougall (Cape Breton).

that Province, on account of the royalties paid into the Provincial treasury, the result of which was to prove that the Spring Hill Company, on a basis of a fraction less than 10 cents per ton, which they were obliged to pay under the Provincial laws, succeeded in getting off with the payment of only 6.55 cents royalty per ton on their coal, while the Cape Breton companies paid at the rate of 8.90 cents. The Cape Breton collieries paid on 613,367 tons the rate of 8.90 cents per ton, while the Spring Hill Company paid on 177,673 tons at the rate of 6.55 cents per ton. This is the manner in which the Spring Hill Company have managed to use the Legislatures of the Province to their own interest, as they are endeavouring to use this Parliament in the same way. I feel it, therefore, to be my duty, on behalf of my constituents, who have such an important interest in this matter, to seek the information which I now ask for, and at the same time to urge on the attention of the hon. Minister of Railways the consideration of those interests, which mean the bread of life to the most of the hard-working, honest, and industrious people I represent in this House—a consideration which, I am sorry to say, they have not had in the past, neither in this House nor in the Provincial Legislature of the Province. This is a state of things which is not only the contention of the people of Cape Breton, but is admitted by people outside of Cape Breton, as I will show from an authority outside of that place, and therefore a disinterested one. A paper published outside of Cape Breton says, under the heading of "Cape Breton's relation to Nova Scotia proper:—"

"In the eastern part of Cape Breton there are a few railways built by coal companies for the purpose of carrying coal. These lines were all built entirely at the expense of the companies themselves; not one dollar did they receive from the public purse. Every ton of coal they sell pays a tax to the Provincial Treasury. Hundreds of thousands of dollars have thus been contributed to the revenue of the Province by Cape Breton companies. Not a dollar of this, however, has any Local Government of Nova Scotia used in building, or in assisting in building, railways in the Island of Cape Breton; nor spent any portion of it in any other manner calculated to develop the vast and varied resources of that Island.

"Now, it is well known that the Local Government of this Province has not still possession of the hundreds of thousands of dollars that in years past were contributed to the Treasury by Cape Breton. Our local rulers are not burdened with the care of the cash collected in other days, for the very good reason that that cash has been spent, chiefly, in building railways throughout Nova Scotia proper, partly in opening up a coal mine in Nova Scotia proper, that its produce might enter into competition with that of Cape Breton!

"From thinking of these and other things that have occurred within our own recollection, the conclusion forces itself upon us that either we in Nova Scotia proper are very unjust towards Cape Breton, or else Cape Breton is very charitable and our public works depend on her alms. If we have been unjust for so many years, we should now make an effort for once to be just to the mineral isle; if we have been living on her alms, it is high time we should show at least the gratitude of respect. As matters have been, it would really seem that the relation of Cape Breton to us has been that of patron to mendicant."

In the face of this condition of matters affecting the coal interests of Cape Breton, I beg to offer the opinion to the hon. Minister of Railways, that the only way by which he can successfully assist in the development of the coal and iron industries—and at this stage I would say that the iron in Cape Breton is unsurpassed for quantity and quality in any part of the Dominion—by means of the powers given him by this Legislature, is by extending into the Island of Cape Breton that system of railway which is so much in the service of the Spring Hill Company. Such a policy will have a general and beneficial effect, and by carrying it out the hon. Minister of Railways will do his duty to the coal and iron industries of the Dominion.

Mr. POPE. I can only say to my hon. friend, so far as the Government are concerned, that they have listened to his speech with very great attention, and it has been very interesting. Many of the points he has brought out I knew very little of before. We feel that the coal interests, not only of the main land, but of Cape Breton, are of great importance to this part of the country, and every

consideration will be given to this subject and to the rates to be imposed. My hon. friend said we were to bring the railway to that part of the country. I can only say to him what I have said before, that everything we can do we shall do to facilitate the building of the road in Cape Breton, and I hope that before very long my hon. friend's wish will be realised, and that he will see a railway in his part of the country. I have no objection to the motion.

Motion agreed to.

SUBSTITUTES FOR BUTTER.

Mr. TAYLOR moved that the House resolve itself into Committee to consider the following Resolution:—

That it is expedient to bring in a Bill to regulate the manufacture and sale of oleomargarine, butterine or other substitutes for butter.

He said: The Bill which I wish to introduce is intended to protect the agriculturists of Canada from one of the most glaring frauds ever perpetrated in this country. While it is intended to afford protection to the farmers and dairymen, it will not in any way injure the consumers of butter and cheese. The dairying industry is one of the largest, if not the largest, of our Canadian industries, to-day. I see by the Trade and Navigation Returns, that the exports of butter and cheese, after supplying the trade of Canada, amounted to the enormous sum of about \$10,000,000. We exported last year, of butter, 8,145,310 lbs., amounting in value to \$1,577,423, and of cheese 79,655,367 lbs., amounting in value to \$8,265,240, making a total value of \$9,742,668. I have a table showing the quantity of butter exported from Canada each year since 1874, which, with the permission of the House, I will hand in to the reporter, and save the time of reading it:

Year.	Number of lbs.	Value.
1874.....	12,233,046	\$2,620,305
1875.....	9,268,044	2,337,324
1876.....	12,250,066	2,540,894
1877.....	14,691,789	3,073,409
1878.....	13,008,626	2,382,237
1879.....	14,307,977	2,101,897
1880.....	18,535,362	3,058,069
1881.....	17,649,491	3,573,034
1882.....	15,161,839	2,936,156
1883.....	8,106,447	1,705,817
1884.....	8,075,537	1,612,481
1885.....	8,145,310	1,577,428

I have also a table showing the quantity of cheese exported during the last five years, which I will also hand in:

Year.	Value.
1881.....	\$6,091,534
1882.....	5,979,537
1883.....	7,025,035
1884.....	7,823,620
1885.....	8,902,115
Total.....	\$35,821,841

The total exports of butter for the last five years amounted to \$11,404,916, and of cheese to \$35,821,844, making a total of \$47,226,760; so that, on an average, about \$10,000,000 worth of butter and cheese was exported each year during the last five years, after supplying the trade of the country. The exports of animals and their produce for last year—which all largely depend on the dairying industry of the country, besides the great benefit accruing to the land on which cattle for dairying purposes are kept—amounted to the large sum of \$26,503,994. This, Mr. Speaker, is the largest money value of any article exported. I see, by the Trade and Navigation Returns for 1885, that the value of animals and their produce was \$26,503,994; of the produce of the forest, \$22,373,305; of agricultural products, \$19,120,366; of the fisheries, \$7,976,313; of the mines, \$3,836,470, and of manufactures, \$3,794,229. It will thus be seen that the dairying in-

dustry is one of vital importance to Canada. Up to the present time the dairying industries of Canada have been sufficiently protected against honest competition; but, owing to the enormous quantities of oleomargarine, butterine and other substitutes which are now being manufactured in the United States, the dairy interests of Canada are in danger of being seriously crippled, if not altogether ruined. I will just read the opinions of some excellent authorities on this matter. At the meeting of the National Dairy and Agricultural Convention, held in New York city, on Tuesday, 16th February, 1886, the chairman, Mr. Joseph H. Reall, made the following statements:—

“For ten years the manufacture of artificial butter has been growing until dairymen everywhere find their vocations almost ruined. The 18,000,000 milch cows in the country have depreciated \$10 per head, and the land on which they are kept, something over 75,000,000 acres, worth nominally \$50 an acre, has declined 25 per cent. These reductions represent a loss of \$1,000,000,000. This is not brought about through honest and fair competition, but in consequence of the most outrageous and glaring fraud that can be practiced, for the substitute is not sold to the consumer for what it is, but as butter. The people of New York city alone are paying not less than \$10,000,000 for the stuff they suppose to be butter, and which brings to the manufacturer one-half profit. Some 700 grocers of the city have refused to deal in the article. Boston, New York, New Haven, Cleveland, Baltimore, Cincinnati, Louisville and St. Louis have large bogus butter factories, while Chicago manufactures more bogus butter than all the other cities together. Something must be done to stop the encroachment upon the dairy interests of artificial butter.”

Commissioner Coleman, of the United States Agricultural Department, in his report for this year, says:

“The manufacture of injurious compounds of fat, which are being shipped as genuine butter, threatens the legitimate dairy interests of America.”

Mr. Littler, in his annual report, gave statistics of the butter and cheese trade of Chicago. In regard to butterine, the report was only approximate, but his information had come from reliable sources, and were as near correct as possible. From May 1, 1883, to May 1, 1884, the manufacture of butterine amounted to 10,000,000 lbs.; from May 1, 1884, to May 1, 1885, it was 13,000,000 lbs.; and from May 1, 1884, to May 1, 1885, the amount can be safely estimated at 20,000,000 lbs. The Americans are now taking steps to pass stringent laws to protect the dairy interests of their country. This may, and no doubt will, have the effect of forcing the stuff into Canada. In consequence of this glaring fraud which is being carried on, it is the duty of this House to take immediate steps in order to protect our legitimate dairy products. I have given, Sir, some considerable attention to this subject in the interest of the farmers in general and of my constituents in particular, who are largely interested in the manufacture of both butter and cheese. I consequently urged upon the attention of the Government the necessity of moving in the matter and read to them the following letter from the president of the Farmers' Institute and secretary of the Gananoque Cheese Board. Speaking of oleomargarine he says:

“Our farmers and dairymen are very anxious something should be done to prevent the sale of it in Canada except under its true name and not passed off as butter. I was informed that it was, or could be, delivered in Gananoque now at 14 cents per pound—was told by a grocery man that it had been offered him at that price—so you see pure butter cannot compete with it. I am credibly informed that the factory in Chicago manufactured 20,000,000 lbs. last year, and the one about to be built in Montreal by New York men will have a capital of \$500,000.”

I asked, at the same time, that an Excise and Customs duty of 10 cents per pound be placed on all oleomargarine, either imported or manufactured in the country; and I am glad to say that the Government, true to its protective policy—the National Policy—came down with a resolution placing a Customs duty of 10 cents and an Excise duty of 8 cents per pound on all these substitutes. For this act I am sure they will receive the thanks of every farmer in Canada. In order that our people may know what they eat when they use this oleomargarine, I will, with your permission, read a

few extracts from American papers, because I find, in conversation with hon. members of this House, that they know very little about this oleomargarine business :

"The Ohio State Grange held its 13th annual session at Cincinnati last week, and took hold of the bogus butter question with a vim that promises good results. Mr. F. A. Derthick, the delegate from Portage County, on his return home, last Friday, left with us a copy of the petition adopted, and which on Monday of this week was being circulated in every county of the State. Two thousand copies were printed and the delegates took home enough to supply their respective counties. Following is a copy of the petition, and it is commendable for its comprehensiveness and brevity.

"We, the undersigned, members of the Ohio State Grange, Patrons of Husbandry, and Farmers of Ohio, do represent that the dairy interests of our State are being destroyed by the manufacture and sale of fraudulent butter, inasmuch as packages claiming to be, and marked, as pure butter are placed upon the market in direct competition with the pure product, thus deceiving the consumer and perpetrating a great wrong upon the people.

"We therefore petition and ask, as our right, adequate protection and relief from this and all similar unjust and illegal practices.

"We also petition the appointment of a Dairy Commissioner, with proper compensation, whose duty it shall be to see that all laws concerning adulterated food, especially the product of the dairy, are rigidly enforced."

"It will be seen that the petition is worded so that all farmers can sign it, whether members of the Grange or not. The State Grange is to be commended for its prompt and decisive action in behalf of a prostrate industry. Any one desiring a copy of this petition can secure it from any subordinate Grange, or by writing to the Secretary, T. R. Smith, Delaware, O."

Another article says :

"Dairymen need not fear oleomargarine made of pure milk and beeswax. There is absolutely none of it made now. It costs too much. Cheaper grease must be employed—lard, oils of various kinds, gelatine, and even vaseline. The health officer of this city recently analysed a sample of bogus butter, and found it to be composed largely of vaseline, a product of petroleum. A man in Chicago recently showed a *Tribune* reporter what Chicago butter is made of. It was taken from a box branded 'Wauwatosa Dairy,' that weighed nine pounds, and cost \$1.50, or 16½ cents per pound. It had a little pure butter in it, but nine-tenths of it was composed of lard, cracklings, pieces of intestines of hogs, short pieces of bristles and hairs, and pieces of pork. This man, S. H. Long, of 261 South Water street, stated that the men who made this bogus stuff didn't care what kind of offal they put into it. If a hog died of cholera, so much the better. They could buy the carcass cheap, and it would make just as much butter as a healthy carcass. Its manufacture is carried on in Chicago on a large scale, and the profits are enormous. The manufacturers are getting rich at the expense of farmers who are making no effort to protect themselves. Not a factory in this country uses pure beef suet alone. There is not enough of it obtainable to seriously affect the market."

The New York *Tribune* of December 23rd, 1885, has an editorial showing the quantity that is manufactured in that locality :

"There are five firms in this neighborhood which have prosperous oleomargarine manufactories. They are Van Riper & Co., of Nos. 3 and 5 Front-st.; Morris I. Nathan & Co., of No. 24½ Grove-st.; E. Lanferty & Co., of No. 188 West Houston-st.; Arnsburg & Co., of Brooklyn; and P. H. McGaun, of Brooklyn. These five factories are not running at their full capacity, owing, the firms say, to the unfortunate agitation made by the dealers in pure butter and the State Dairy Commission against the sale of their bogus product. Nevertheless, despite unfavorable circumstances, according to Nathaniel Waterbury, who sells oleomargarine at wholesale at No. 115 Warren-st., these five factories manage to grind out and put upon the market about 1,000 packages of bogus butter a day. In addition to this the receipts of the compound from the enterprising West, especially Chicago, are no small item."

Then, Sir, I would like to read a letter received from Professor Barré, who makes butter and cheese a speciality :

"I am very much pleased to see that you intend to submit to the House a Bill to prevent the illegal sale of butter substitutes. Such laws are now wanted in Canada. I presume you have read the Bill standing now before the United States Congress to regulate the sale of dairy adulterations and substitutes. If you have not, please let me know and I will send you a copy of it. You cannot have a too rigid Bill against such productions. And unless the services of some commissions to enforce the law is available, legislation will have no effect. Wishing you success in your undertaking,

"I remain, Sir,

"Yours very truly,

"S. M. BARRÉ."

I asked him for a copy of the Bill before Congress, and received this reply :

Mr. TAYLOR.

"In reply to your favor of March 31st I would say: I can do nothing better than to send you a scrap book which contains that margarine question drawn pretty fine. You will find three margarine Bills already passed in the Legislature of New York, one new pending in Congress, and also another passed lately in England.

"The oleomargarine war began in the State in 1879. This war has already cost \$90,000, and in spite of all legislation there is more bogus butter now sold in the State than ever was before 1879. From a thorough study of this question I am fully convinced that as long as it is allowed to be made it will be palmed off upon the public as dairy butter. You may oblige the manufacturer to brand it, he may sell it for what it is, but the retail grocer buys it, knocks the package and mark to pieces—and there it stands requiring an expert to detect it from butter. Since we cannot legislate direction against such production, I would rise the Excise as high as 10 cents on every pound manufactured—for remember that the profit on the stuff is very large.

"I will mail that scrap book along with appreciation of my book by the next courier.

"Yours very truly,

"S. M. BARRÉ,"

I have not received that yet, but expect it by the next mail. I presume the committee will recommend the Bill, and perhaps appoint a special committee to consider it. I may just say that this bogus butter business not only threatens the butter business of this country, but also the cheese industry, from the fact that they are making bogus cheese, as the secretary of the Gananoque Cheese Board informs me. He writes me :

"I did not notice in your Bill that you had mentioned cheese as well as butter, which should be mentioned, as by that process they manufacture a beautiful curd. I have seen some made in some of the factories; you will see it in our petition, also in the printed slips. Hoping that you will succeed and that the prayer of our petition will be carried out, etc."

Again he says :

"At the present time the New York men are shipping, as stated in Montreal, the oleo products in a fluid state to Holland, where it is manufactured and shipped to England, and there is now a cargo on its way returning to New York."

I hold that Professor Barré is right, and I am glad the Government has given notice that factories manufacturing this stuff must be licensed. But I think that further provision should be made for inspection, both when it comes into the country through the Customs and in the hands of the retail dealers. Such provision has been made in the United States. Mr. Logge writes :

"I may draw your attention to the fact that the New York Legislature have voted the amount of \$100,000 to be expended in convicting those that are selling the article as butter. They have paid \$50,000 to the commissioner who is doing the work, and I understand there have been over 2,000 convictions already, and some of them are appealing to higher courts."

In order to gather some statistics in reference to this matter, I called upon the Commissioner of Customs, the other day, to enquire as to the amount that was brought into this country, but he told me that he could not answer the question, as most, if not all, of it was imported under the name of grease, lard, oil and other things of that kind; but, since the Government came down with their resolutions, he told me, the day before the resolutions were passed, that a large quantity had been passed through the Customs in Montreal, and I have been informed that three car loads have since been stopped on the way there. I was in hopes that this Bill would meet with universal approval, both in this House and in the country, but, to my surprise, when home on Saturday, I found one of our local papers out with an article in opposition to the action taken by the Government in dealing with this question. I will read the article, because I wish it to go on record. The Gananoque *Reporter* of Saturday, April 3rd, said :

"A writer in yesterday's *Journal* under the assumed name of 'Farmer,' takes a whack at the 'bogus' butter makers, and tells the same dismal tale that has been so often told at the agricultural meetings held in this vicinity. Having already discussed this matter in public and private for past three months, we are not disposed at present to go into an argument with 'Farmer,' especially as the result of our discussions, so far, has been to convince us that the farmers are not interested in the subject, and that neither 'Farmer' nor we know much of the matter. But we cannot avoid calling 'Farmer's' attention to the absurdities of his

statements. He gives as a reason why the Government should prohibit the manufacture or sale of oleomargarine, that farmers' sons served as volunteers in the North-West last year. That is an idea so 'far fetched' that we wonder he found it even in the North-West. Next he asks what the Canadian dairymen are to do? and says 'they are ruined if they sit still and wait.' The way he claims they are to be ruined is, that factories for making butter will be started in this country, or the butter will be imported. This is absurd, from the fact that farmers here do not follow butter-making as a business, and would not be 'ruined' if the whole supply of butter came from outside parties. Even dairy business, as carried on here, means only the making of cheese; and what little butter is made, is the incidental product of Sunday's milk. A large proportion of farmers do not make butter for their own use during the cheese season, and have none to sell at any time. How, then, can they be 'ruined' by the introduction of butter from other sources? The fact is, that butter-making as a business has been run down. Canadian butter has not a good reputation in foreign markets, because it has not been made on the same systematic principles as cheese, and has no uniformity of look, consistency, flavor, or keeping quality. It is an uncertain article to export, and those who try it are liable to lose money. Then to make exclusively for the home market is unsatisfactory to the farmers, as a very little supplies the demand, and pulls down the price. In the spring the price is generally high, and sometimes, as at present, it is almost impossible to obtain butter at any price. But as the milk increases the price falls, even after the cheese factories commence operations. For these reasons it pays farmers better to devote their attention to cheese and grain and cattle; and this they will do so long as they can make most money at it. Farmers are not going to make butter for mere accommodation of consumers, nor out of spite to the oleomargarine manufacturers. But when the time comes that they can see it to their interest to go into butter-making as a business, they will do it; and we believe when they do, and make butter on the same plan and with similar appliances as cheese is now made, they will attain reputation and prices equal to those enjoyed by cheese makers, and without appreciable interference from oleomargarine.

"In the meantime, we do not see what object can be gained by raving against those who supply a want not otherwise provided for. If one-tenth of the statements of 'Farmer' are true, as to the 'filth' and 'adulterations' of oleomargarine, it should be prohibited of course. But with all the denunciation and clamor, we have never yet seen nor heard anything to show, as a fact, that oleomargarine is not as pure, as healthful, and in every way as proper an article of food as butter is. That it should be labelled by its proper name is only reasonable, as people have a right to know what they are buying. But to stop its sale, and thereby deprive of it those who cannot afford high-priced butter, besides preventing the establishment of factories and employment of hands, and this on plea of protecting an industry that does not exist, seems to be the height of folly."

Now, with the inconsistencies contained in the article I have just read I will not deal at present, having occupied the attention of the House for a considerable length of time; but I will leave it to the farmers in its locality to say whether they are interested in the subject of butter making or not, and whether, after supplying the trade of Canada and exporting over \$1,500,000 worth of butter, it is a benefit to them or not, or whether the quality of the butter made by the people in this country is good or not. This I will leave to the farmers to settle. They are as intelligent, on the question of butter, as any newspaper man can possibly be; but I do ask that the committee will recommend a Bill that will have the effect of preventing the fraud that is now about to be perpetrated upon the dairy industry of this country.

Mr. FISHER. I think that nobody who has any connection at all with the farming industries of this country can help being very well aware of the fact that at the present day this question of oleomargarine and butterine is of the utmost importance to the dairy interests of our country. It is true that, in the neighboring Republic to the south of us, a very great agitation is being carried on upon this question, and I have no doubt that, as the trade and commerce of that country reacts upon our own almost immediately, the necessary consequence of that agitation in the United States must be a corresponding, or a somewhat similar agitation in this country. So far as I am aware to day, I do not think that there is at this moment any factory in Canada for the manufacture of oleomargarine or butterine, but I am open to correction on this point, because I have not thoroughly enquired into the matter; but I have no doubt that, in the near future, some such factories will be established; and although we may not know of the existence of any such factories here to-day, there may be such factories for the manufacture of this

article which they place upon the market without the public knowing what the article is. I think, however, that perhaps the Bill which the hon. member has proposed, and this committee, is hardly necessary, in view of what I see the Government have themselves undertaken. In the first place, I see that the Government, by resolution in Committee of Ways and Means, have placed a duty of 10 cents a pound on oleomargarine and butterine, and that is practically a prohibitory duty. They have gone further and placed an Excise duty of 8 cents a pound upon the manufacture of these articles in this country. Now, the hon. gentleman who has just spoken has stated that these articles can be sold at a certain market which he names in this country, for 14 cents a pound, which, with the duty of 10 cents, would bring it up to 24 cents a pound, and that brings the article immediately into competition, not with second or third-class butter, with which it might, perhaps, successfully compete, but with the higher grades of butter which are sold in the ordinary markets of this country. I do not believe that oleomargarine and butterine will be able successfully to compete with really first-class butter in this country or anywhere else. The public at large will, no doubt, be able to appreciate the difference in the quality between this spurious article and the first-class article which the best dairies and creameries of this country produce. But I see, at the same time that the Government has proposed these duties and Excise, they have also placed a resolution on the Order paper, to be moved by the Minister of Inland Revenue:

That no oleomargarine or other substitute for butter shall be manufactured except by persons duly licensed, and that the Governor in Council may make regulations respecting such manufacture and the supervision thereof.

Now, Sir, this, I confess, is a move on which I congratulate the Government. I was glad to see, the other night, that the Minister of Finance had imposed a duty of 10 per cent. on these articles coming into the country, and an Excise of 8 cents. I am also glad to see this resolution of the Minister of Inland Revenue. I understood some time ago that his Department intended to make such a proposition, and I am fully satisfied that such regulations might be made as would meet the object in view. I do not, of course, know whether the hon. member who has just spoken was aware of this, but I think he must have seen this motion upon the paper. Without knowing the details of the Bill which he proposes to introduce, it still seems to me that this notice practically covers the ground. The hon. member shakes his head—of course, as I said, I cannot speak of the details of this Bill until it is introduced. But, Mr. Speaker, anxious as I am to see the agricultural interests, and especially the dairy interest, of the country carefully guarded—and I say this as representing one of the greatest dairy counties in this Dominion, the county, according to the last census, which made the second greatest amount of butter of any county in the Dominion—still I do not wish to see the dairy interest guarded at the expense of any other interest in the Dominion. If any person chooses to put upon the market an article which is not hurtful in itself, and which is properly stamped and shown to be such an article, if it does compete with the producers of butter it will be merely an extra stimulus to them to make a better article with which this spurious article cannot compete. But I do not believe it would be right or wise for this Parliament absolutely to prevent all the people in this country from producing an article which in itself is not hurtful, and which, at the same time, would be stamped so as to show its true nature. I am quite at one with any gentleman in this House who wishes to see that the butterine or oleomargarine are not sold as butter, and do not take the place of butter, because that would be injurious, not only to the dairy interests of the country, but also to the con-

sumers who might be led into buying the spurious article under the impression that it was the genuine article they wanted. But if these articles are stamped so that the public know what they are buying, and if the oleomargarine or the butterine are composed of materials which are not injurious to the health of the consumer, I do not see why the production of these articles should be forbidden in this country, and if it does work any inconvenience to the dairymen of the country, their true remedy would be to manufacture a still better article of butter. Let the dairymen of the country see to it that they make the very best butter possible, and no butterine or oleomargarine can compete with that article. As a matter of fact we know that in the United States where these articles have been very largely put upon the market, they have competed with and injured the sale of lower grades of butter, but I think they have not at all interfered with the sale of the higher classes of butter. That being the case, and seeing that the Government have proposed this resolution, I am not quite prepared, without further explanation at all events, to support the motion of the hon. gentleman. However, it might be well for us to go into committee and see the details of this Bill, and if it is shown that there is a necessity for something further than the Government propose to undertake, I may support the Bill of the hon. member, if it appears that by his Bill he is going to afford greater safety and advantage to the dairy interest of the country, without at the same time interfering with the rights of the consumers.

Mr. SPROULE. I think the hon. member for Brome (Mr. Fisher) is a little out in his calculation in reference to the cost of oleomargarine and butterine. As I do believe they can be manufactured and sold with a reasonable profit at from 10 to 12 cents a pound, and if so, they must come into competition with the lower grades of butter. I understand that the competition is not with the higher grades of butter. They can be manufactured very cheaply, because all kinds of fats are used, whether they be clean or unclean; they are mixed together and purified, and oleomargarine or butterine is one of the products. Now, considering the great interest of the butter market of this country, and the great number of people engaged in it, the competition between our own and other countries in that line, and the gradual falling off in the value of butter, upon which the farmers largely depend for their living, I think that a Bill should be introduced imposing such restrictions as would tend to enhance the value of butter to the farmers of this country. It is a known fact that this article is being introduced into this country in large quantities, that it is to-day in competition with butter, and that it is taking the place of butter in a great many parts of the country. This being the case, I think it is high time that the Legislature should endeavor to remedy the evil. Already the farmers find it difficult to make a living. The manufacture of cheese is not paying them, and the price of butter is going down just in proportion as oleomargarine is brought into the country to take its place. Now, while the restrictions proposed by the Minister of Inland Revenue may be sufficient in one direction to remove this evil, I think they will hardly be sufficient to entirely control this article. I believe they are in the right direction, and if there are those in the country who wish to buy and use oleomargarine and butterine instead of butter, I think they should have the right to do so, but let it be distinctly understood that they know what they are buying; let a stamp and the name be put on each package, so as to clearly show what it is. There is another point upon which I take issue with the hon. member for Brome, when he contends that this article is not injurious to health. I hold the very reverse opinion. As a medical man who has sometimes to consider this

Mr. FISHER.

question, I believe strongly that many diseases, when closely analysed, are attributable to the articles of food that are used for consumption, about which we know but very little. This article is manufactured from all kinds of fat, it matters not whether tainted or vitiated, because when it is purified it can be used for this purpose. In many instances it may be found upon close investigation that injurious diseases have been conveyed to the human economy through this source. The hon. member who has introduced the resolution which he intends to follow with a Bill is doing great good in the interests of a large number of Canadian people, and the farmers will approve his action. I have had several communications, not only from the farmers, but from influential farmers of the country, expressing the hope that the Bill would be passed, and wondering that a step was not taken earlier for the purpose of protecting the agricultural interests of the country in this direction. I hope the resolution will be adopted, and that such a Bill will be introduced and passed as will give the necessary protection to the large class engaged in the manufacture of butter in the Dominion.

Mr. CASEY. I must agree with both hon. members who have preceded me in thinking that the hon. gentleman who has proposed this resolution is attempting to accomplish a useful work. But I must express my surprise that this action has had to be taken in the first instance by a private member.

Mr. SPROULE. Has not a private member the same right as anybody else?

Mr. CASEY. Undoubtedly he has. But there are other members whose duty it is to attend to such matters without leaving the initiative to private members. We have a Minister of Agriculture, a gentleman specially charged with the duty of looking after the interests of the farmers; and although I am glad the hon. member for Leeds (Mr. Taylor) has taken sufficient interest in the farmers to introduce this motion, I must express my surprise that the Minister of Agriculture, whose duty it is specially to attend to such matters, had not previously brought in a similar resolution and Bill. Of course some of the regulations affect both the Departments of Customs and Excise. Those Departments discharged their duty when their attention was called to the matter by the proposer of the resolution; but the Department of Agriculture, the one primarily interested, does not appear to have taken any steps in regard to the question, but allowed it to be introduced by a private member. I cannot agree, on the other hand, with all that has fallen from the hon. member for Brome (Mr. Fisher). He is right in theory, as a free trader and a political economist, in arguing that we should allow the sale of everything that is not injurious to the public health, providing the consumer knows what he is getting. But we cannot look at the matter properly from the point of view of political economy and free trade, under the present circumstances. The hon. gentleman's argument would be perfectly sound if we were enjoying a system of free trade, and if our tariff was framed according to the rules of political economy. But when that is far from being the case, we have to take matters as they are, and the most we can do is to see that all classes of the community are treated with equal fairness. It was the boast of the promoters of the National Policy, when it was first formulated before the House, that it would protect the agricultural, manufacturing and mining interests, and promote them equally and with absolute fair play to all. As far as that policy has been in operation we have found that great care has been taken of the manufacturing and mining interests. But we have found that equal care has not been taken of the agricultural interests, and I contend that, considering the great advantages that have been given to manufacturers and miners, we, even those of us

who are free traders in theory and principle, who do not believe that favors had been justly and properly divided, contend that, having protected and encouraged manufacturing and mining, the Government should apply the same principles of protection and encouragement to the agricultural industry. Holding such views, I wish to urge upon the House that the mere regulation of the trade in oleomargarine and butterine is not sufficient, and that we should also prohibit both the manufacture and importation of those articles in this country. Admittedly the duty of 10 cents per pound on imported oleomargarine will bring it up to about the price of fairly good butter—it may possibly operate as a prohibitive duty. On the other hand the proposed Excise tax of 8 cents per pound would still leave a protection of 2 cents per pound to the Canadian manufacturer of those articles, and although it is not so large as some manufacturers are given, still a profit of 2 cents per pound over and above the natural profit in making those articles would be sufficient to induce the manufacture of the articles in Canada. I understood the mover of the resolution to say that he had heard on good authority that a company was about to start in Montreal with a capital of half a million dollars to manufacture these noxious articles. A company with such a capital will undoubtedly have a large output. Although the bogus article may not compete with the best qualities of butter, still it will compete with the lower, and perhaps with the medium qualities, and the quantity of oleomargarine sold in Canada will displace just that quantity of Canadian-made butter. We have always heard it contended by advocates of the National Policy in regard to all articles, and particularly in regard to butter and perishable articles, that the home market is the best market. We have always been told that the great object of the National Policy was to secure the home market for the home producers. In regard to butter, I want to carry out that principle of the National Policy. We have applied it to manufactures and mines; I want to see it applied all round. Let us give our butter makers the home market; let us secure the best market, the home market, for our farmers, free from competition with those articles I have mentioned, no matter under what name they may go. It has been said that if oleomargarine is labelled the people will not buy it in preference to butter. This argument will not stand. There are people who may be persuaded that oleomargarine is not hurtful to health, and they will buy it in preference to butter if it is cheaper. At all events, those gentlemen who propose to start a large factory in Montreal seem to expect they will be able to sell all they can produce, even if it is marked as such, and every pound of oleomargarine will displace that quantity of second or third-class butter; and as such butter cannot profitably be exported, it will be rendered totally unsaleable. The hon. member for East Grey (Mr. Sproule) has given his opinion, as a medical man, that these articles are injurious to health. I hope we shall have further evidence on that point before the question is fully decided. If it can be shown that there is even a reasonable suspicion that these imitation butters are injurious to health, I think their manufacture should be prohibited. My hon. friend from Leeds (Mr. Taylor) quoted the opinion of Prof. Barré upon the matter, and it strengthens my contention very much. Prof. Barré told him that he was afraid that all attempts to regulate the sale of oleomargarine and have it sold as such and not as butter, must fail, because, although the manufacturer might sell it under its proper name, the retailer who bought it from him would do his best to palm it off as genuine butter. I think there is a great deal in that contention, and I think the opinion of Prof. Barré, as a dairy expert, should have great weight. I quite agree with him, that in all probability all attempts to regulate the sale would fail, and that the stuff would be sold by the retailer to the consumer, at all events,

as genuine butter, when it was really one of those horrible compounds of gelatine and petroleum and bristles and other things which the hon. gentleman described. Even at the Customs the hon. gentleman told us deception was practiced, as this stuff was brought in under all sorts of *aliases*, as grease, lard, oil, etc. The hon. gentleman also gave us some other noteworthy information. He said that the day before the resolution was passed in this House, imposing the new duty on oleomargarine, a large quantity was entered at the Customs—I forget at what port he said—but I think he mentioned several car loads, and he gave as his authority the Commissioner of Customs. If it is a fact that the importers of oleomargarine did in this way take time by the forelock and clear their goods the very day before the duty was put on them, it would almost seem as if they had had some of the same mysterious instincts as to what the Government was going to do that we have seen other importers exercise on former occasions. Those are my views on the question—that seeing we have adopted a protective policy it should be fairly applied all round; that the farmer who produces butter is therefore entitled to protection against the sale of oleomargarine; that, in the opinion of dairy experts, it is impossible to give him that protection by means of any regulation as to inspecting or branding; that even the Customs are, in the present state of things, deceived by the importers as to the real nature of the stuff brought in; that, therefore, the only efficient protection you can give the farmer in this connection, is absolutely to exclude oleomargarine, butterine, etc., from the country and to prevent their manufacture at home. If you begin by licensing an establishment to manufacture oleomargarine, you will find after a time that it is impossible, whatever regulations you may enforce on the manufacturers, to prevent the stuff from getting into circulation as genuine butter. It will be very hard then to withdraw the license and to prohibit the manufacture. If it is to be prohibited at all, it must be done now, while no vested interests have grown up, and when everybody, I believe, is prepared to agree with the proposition that those vested interests should not be allowed to spring up. As showing what the agricultural community have done in the production of butter, and as a reason for giving this protection, I will only call attention to the enterprise which has been exhibited in the establishment of creameries. Both this Government and the Provincial Government have spent large sums of money in instructing the people how to make butter, and the Government of Ontario has established creameries to show by practical experiment how it should be made. The farmers themselves have also clubbed together in some places to establish creameries. I think these industries are entitled to the same consideration at the hands of the House and the Government as other industries in the country which have already received so much consideration.

Mr. HICKEY. I think the speeches which have been made by the mover, as well as by the gentleman who has just taken his seat, show that something should be done in this direction. The butter interest is one of the greatest, if not the greatest, industry in this country; and while we cannot possibly prevent the manufacture of those odious preparations which have been mentioned, I think it is our duty to throw such a protection around the manufacture of butter as may be within our power, such as limiting the manufacture of these articles, as the Government proposes to do, by licensing such establishments. When they are licensed, of course they will see that a proper supervision or inspection is made, I presume, over the articles out of which it is proposed to make these compounds. I think the question of the manufacture of these spurious articles out of hogs or other animals dying of serious diseases, such as

cholera or charbon, is an important one, as it is very questionable whether science has been able to discover a method of fully abstracting the deleterious articles which exist in the carcasses of such animals. Take an animal dying, for instance, of charbon. It is impossible, even by burying it several feet under ground, to get rid of the liability of danger, for it is supposed that the grass growing over the carcass will poison other animals. I think, therefore, that it is our duty to protect the people against any risk of this kind. The Bill proposes to regulate the manufacture of these articles, as far as possible, by branding them and making the people who manufacture them sell them for what they are; and if it ranges, as far as price is concerned, with the cheaper classes of butter, the people ought to have the privilege of buying what they choose, but they ought also to be in a position to know whether what they are buying is oleomargarine or pure butter. If it can be made for 6 cents per pound, even, the Excise duty is going to put it below the cheapest kinds of pure butter, and I am told by makers of butter that such is the case. If we always had a good article of oleomargarine, made out of such articles as suet or clean grease, there might be no harm, except as to its coming in conflict with the interests of butter makers. Some hon. gentleman said butter making may not be a necessity to the farmer; he may turn his milk into cheese instead of butter. But I believe a large butter interest will always be of necessity in this country; therefore a Bill, such as the one proposed, is of vast importance to the dairy interest of the country—a Bill providing that these other articles shall be labelled for what they are instead of what they imitate. The hon. member for Elgin (Mr. Casey) says, why not let the Minister of Agriculture look after this; but I think, from the notices on the paper, that hon. gentleman is looking after the public interests in this matter. While he does not take the ground that it should not be manufactured in the country as it is manufactured in other countries, he proposes to provide that this industry shall be subject to inspection, and that inspection, I suppose, will reach the articles out of which these compounds are made. If they are made out of non-deleterious substances, there cannot be much objection to their getting into the market, the only objection being its coming in competition with butter making. I think, therefore, the Bill is of great importance to the country, and ought to meet, as I believe it will meet, with the concurrence of the House and the assistance of the hon. gentlemen in making it as perfect as possible.

Mr. McMULLEN. The question of regulating the manufacture of butterine, if it is going to be permitted at all, is an important question. The butter interest is a very large one in the Province of Ontario and throughout the entire Dominion, and it is our duty, as far as possible, to protect the farmers from being imposed on with articles of this kind, which are put into competition with second and third qualities of butter. I think the Minister of Agriculture should take up this question; and if the manufacture of these articles is not prohibited altogether, such restrictions should be placed on their manufacture and sale, as would fairly warn buyers exactly what they are buying. If we do not do that, we are going to have an amount of this stuff manufactured and brought into market which will seriously depreciate the value of the product of the farm, and injure the farmers of this Dominion. The raising of cattle and the production of butter and cheese are going to be the principal industries of farmers in the older Provinces. When the North-West is opened up the probabilities are that it will grow almost the entire wheat product of this Dominion, and the farmers of the older Provinces will be compelled to fall back on those industries. While the manufacture of butter imitations is in its infancy, we should

Mr. HICKEY.

restrict it and subject it to such exactions as will prevent it from seriously interfering with agriculturists realising the value of what they produce. I hope the Minister of Agriculture will give his careful attention to this question. The gentleman who brought forward the motion deserves credit for doing so, and I hope every hon. member representing an agricultural constituency will urge on the Government and the House the necessity of protecting the interests of the farming community in the way suggested.

Mr. ALLEN. Being personally interested in the butter interest, and representing an agricultural constituency, I may say that I think the Government ought to prohibit everything in the shape of oleomargarine from coming into the country. The people in the section to which I belong, feel the importance of this matter. We believe that that part of Ontario will shortly have to go largely into the dairy business, therefore the introduction of oleomargarine would be injurious to our people. There is another phase of the question, viz., that there is a large amount of tallow produced in Canada. It sells for from 5 to 6 cents per pound, while it costs from 2 to 3 cents a pound to manufacture it. Oleomargarine can be made in Canada for 8 cents a pound—the best quality for 9 cents. It is made at that cost in the United States at the present time, and it is delivered in Liverpool at 10 to 12 cents a pound for the best quality and 9 cents a pound for fair qualities. That comes into competition there with our butter, which, I am sorry to say, is not always of the best quality. I would not prevent parties in Canada who have tallow on hand, and who desire to make it into butterine, from doing so if they export it; but if they make it to be sold in Canada, I would recommend that the Government should enact such a law as would force the manufacturer to place the name of the material on every package sold, so that the people would know what they are purchasing. I would recommend that the manufacturers, if there are such in Canada, should be allowed to manufacture for export, free of Excise duty. Every encouragement should be given to dairymen to enable them to improve the quality of butter, which is very much needed in Canada. I hope this question will receive the serious consideration of the House. I am glad the hon. member for Leeds has brought the matter before us, and I hope an Act will be passed, based on the resolution, for the benefit of the farmers of Canada.

Mr. GILLMOR. I am really surprised to find so many protectionists on this side of the House. I do not know anything about the component parts of oleomargarine or butterine; I do not know that I ever saw any of it; but I believe this article has come into use from the necessities of the poor in large cities, who are not able to purchase butter, and I do not believe in this measure at all. The only thing we should be careful of is to know whether this article is injurious to health or not. If it is not, I do not know why it should be prohibited. I can understand why hon. gentlemen should be influenced by this principle of protection, because it is going to please the farmers and perhaps some other persons. But I contend that this article does not come into competition with butter among people who buy butter. I do not think any article can be produced which will supplant butter. I think this article is used largely in cities by the very poor, who, if they did not use this, would be unable to buy butter, and would have nothing. If those who use oleomargarine were the electors of this country, you would not find so many to support this proposition, but the classes I speak of are those who get no consideration under protection at all, and no consideration under this measure. I do not want to impute motives to hon. gentlemen, but this is another electioneering dodge. It is another concession to this principle, to my mind, this hateful principle of protection, and therefore I am going to vote against this measure.

Mr. MILLS. It seems to me that when a measure of this sort is made a matter of so much importance, we ought to hear from the hon. gentleman who is supposed to be the patron saint of the farmers, the hon. Minister of Agriculture. Certainly, that hon. gentleman ought to have some information, or be able to express some opinion on behalf of the Government, upon this very important question. Now, we have the proposition on the part of the Government to impose larger duties on oleomargarine and butterine. If the hon. gentleman intended that increased duty for the purpose of preventing the importation and use of an article deleterious to the health of the population, I could understand his position. But that does not appear to be his object. Looking at the action of the Minister of Finance we must conclude that the object of imposing the increased duty on this particular article is to furnish facilities for its production in Canada. If that be true, I would like to know how the Minister of Agriculture can consent to a policy which will tend to encourage the production in Canada of a particular article which is to come most severely in competition with a most important agricultural industry. In a great measure, I agree with the views expressed by the hon. gentleman who has just spoken. If this article is not injurious to health, if it can be shown to be harmless, I do not see why we should interfere in the matter at all. It is quite true that parties engaged in various industrial pursuits in Canada may produce articles which come into active competition with each other. That is a necessary consequence. A shoemaker in one village may produce boots and shoes that will come into competition with the boots and shoes produced in another village, and the manufacture of oleomargarine may produce an article which comes into competition with an important article of farm produce. That cannot be helped, but what I object to is that the Government should seek to inhibit the introduction of a particular article, professedly in the interest of the agricultural population, and then promote the manufacture of an article which is to take the place of the inhibited one, and which is equally injurious to our agricultural interests. If the hon. gentlemen on the Treasury benches have looked into the subject and have become satisfied that the use of oleomargarine is injurious to the health of the population, they should have gone further and prohibited its manufacture and use altogether. Instead of seeking to regulate its manufacture, they ought to inhibit it. Hon. gentlemen are not acting in this matter in the interests of the agricultural population. What they propose to do is to act in the interests of certain parties who wish to invest capital in a particular enterprise, and who proposes to produce in this country an article which the Government say ought not to become an article of general consumption. We are entitled to know the views of the Administration on this question and what policy they intend to pursue.

Mr. COSTIGAN. I had no desire to interrupt what I think has been a very instructive and interesting discussion on the subject raised by the hon. member for Leeds (Mr. Taylor). For my own part, I feel indebted to the hon. gentleman for the information he has conveyed to me, and I am very glad to see the interest taken in this measure is not confined to this side of the House. With regard to the remarks of the hon. member for Bothwell (Mr. Mills), that if the Government had looked into this matter and become satisfied that this substitute for butter was injurious to health, it was the duty of the Government to prohibit its manufacture as well as its importation, the Government have looked into the matter. They have not come to the conclusion that it is necessarily injurious to health, although it may be made so in the process of manufacture. I would suggest to the mover of the Bill that, inasmuch as I have given notice of dealing with this subject by the resolu-

tion which appears upon the notice paper, he should allow me an opportunity, when we reach the resolution, to lay before the House the manner in which the Government intends to deal with the question. I might, while on my feet, state that the Customs duties have been imposed on the foreign article and the Excise duty on what may be manufactured in the country. The question arises as to whether it becomes necessary to treat this as other subjects, and bring it under the inspection of some Department. It does not belong particularly to the Department of Agriculture. If it did simply because it is a product of the farm, we might as well say that the inspection of milk should also belong to that Department. It is just a question of convenience. The Inland Revenue Department has that machinery which is best calculated, at the least increase of expenditure, to secure the inspection of this article. If the hon. gentleman who introduced the Bill will be satisfied to leave the matter until the resolution comes up, which, of course, if acceptable to the House, will be followed by a Bill, all the provisions he proposes in his measure, and which will be acceptable to the judgment of the House, might be merged in that Bill, and the Government would undertake the administration of that Act. I do not think, in the first place, there is any reason for the conclusion that this substitute for butter is necessarily injurious to health, but I think it is necessary that, in its manufacture in this country, it should be subject to inspection, not only inspection of the article produced, but of the ingredients from which it is produced. That is the only way by which we can secure a reliable product. I am struck also by the remark from the hon. gentleman from Grey, with regard to an industry which will claim the consideration of this House, as to its privilege of exporting. That is a question which can be easily regulated, because it is well known that on all manufactured goods, subject to Excise duty, an allowance has been made. That point has been considered, and when certain goods are manufactured under the control of the Inland Revenue Department, they may be exported free of duty, by returning the duties in the shape of a drawback. Of course this oleomargarine and all substitutes for butter should be branded, so that the consumer would know exactly what he was buying, but the question still remains open as to whether we should insist that the exporter should brand the article or not, considering that in exporting he goes to a foreign market to compete with the same article there, which is not branded, and therefore has the advantage over him.

Sir RICHARD CARTWRIGHT. It would spoil the reputation of Canadian butter.

Mr. COSTIGAN. No; it would not go out as butter. With these remarks I would ask the hon. gentleman who introduced this measure, to wait until the resolution on the Order paper comes up.

Mr. CARLING. I feel exceedingly obliged to the hon. member for West Elgin (Mr. Casey) and the hon. member for Bothwell (Mr. Mills) for the kind attention they have paid to the Department of Agriculture, and the interest they take in agricultural matters. It is the first time I have heard either of those hon. gentlemen take any particular interest in agricultural affairs. I think the hon. gentleman will find that the Minister of Agriculture does take an interest in everything relating to the prosperity of the country, and especially in the prosperity of the agricultural classes. I may have an opportunity before the Session closes of bringing a measure before this House relating to agriculture, in the interests of the farmer, and, as the hon. gentleman takes so great an interest in the Minister of Agriculture, and especially in the Department of Agriculture, I hope he will give me that support which I expect, as he has shown so great an interest in the welfare

of the farmer. The matter now before the House is one that has been fully considered by the Government as a whole, and I think they have shown that they take an interest in it by imposing a duty of 10 cents per pound, and an Excise duty of 8 cents per pound. I think they have shown clearly to the House and to the country that they are quite aware of the importance of attending to the introduction of this oleomargarine into the country, and, as this is more particularly connected with the Department of my hon. friend, the Minister of Inland Revenue, I am quite sure that he will see that any adulteration of food in this respect is looked after by his Department. In regard to anything connected with the Department of Agriculture, and the general interests of the country, I am sure that I shall be glad, as the head of that Department, to give it my best attention.

Mr. TAYLOR. After hearing the statements made by the hon. Minister of Inland Revenue, I am quite willing to accede to the request he has made; but I desire just to refer to an item or two in my Bill, and perhaps I will place the Bill itself in his hands, in order that he may see that the Bill the Government brings in covers all the points. I desire to refer to a statement of the hon. gentleman for Brome (Mr. Fisher), who said I must have seen the notice placed on the paper by the Minister of Inland Revenue at the time that I gave my notice. I think, if my hon. friend will look at the notice paper, he will see that I gave notice on the 12th March, whereas the notice given by the Minister of Inland Revenue is dated, I think, on the 2nd April. My hon. friend the member for Elgin (Mr. Casey) pitched into the hon. Minister of Agriculture for not having dealt with this matter before. Before placing my notice on the paper, I had a consultation with the Minister of Agriculture, and he said: "Perhaps you had better wait until you see what the Government will do." I have yet to learn that private members on this side or on the other side of the House are in the confidence of the Minister of Agriculture or the Minister of Inland Revenue. I did not know what they would do. I knew what my constituents wanted me to do; and I thought it my duty to move for this committee, and to introduce this Bill. I have yet to learn that a private member has not the privilege of putting that notice on the paper. I am pleased to see that my hon. friends on that side of the House, on the question of protection as well as on all other questions which come before the House, are divided in opinion, as well as their press. I found the press in my county recommending the manufacture and sale of this article in the country. I see that the member for Charlotte (Mr. Gillmor) is surprised to find so many of his friends advocates of protection. In the Bill that I purposed presenting I had made provision that not only the manufacturers and the dealers, but hotel-keepers and others who served this article of food on the table should serve it as some other article than butter, that parties dealing in it should give it some other name; but I am willing to accept the suggestion which has been made, and leave it to be dealt with in the Bill which the Minister will bring in. All I desire is to fully protect the dairy interests of the country.

Mr. BOWELL moved the adjournment of the debate.

Motion agreed to, and debate adjourned.

QUEBEC CARTRIDGE FACTORY AMMUNITION.

Mr. CASEY moved for:

Copies of all correspondence between the Minister of Militia and Defence and any official of the Militia Department, and any officers of Volunteer Corps, whether on active service or not, all officials of Rifle Associations, and other parties, in reference to the character of the ammunition made at the Quebec Cartridge Factory and supplied for

Mr. CARLING.

use in the field, for practice, or at rifle matches; including reports of all tests of such ammunition made by any such officers or officials of Rifle Associations."

He said: I make this motion for the reason that I have heard during the past season serious complaints from the officials of rifle associations throughout the country as to the character of the ammunition furnished from the Quebec factory. In particular, this was the case with the Ontario Rifle Association. When their annual meeting in Toronto last autumn was about to come off, I was spoken to by some of the gentlemen connected with the association, and was asked to assist them in their application to the Government to have part of the old supply of English ammunition substituted for the supply of Quebec ammunition, which was to be given to them for their matches. I did so in a rather informal way, and I have no doubt that other members of the House were spoken to and did the same, and I understood that afterwards the Government had acceded to their request and had supplied them with the old issue of English ammunition, instead of the new issue of Canadian ammunition. I have also been informed that fault has been found with this ammunition by riflemen who have been engaged in other matches, and also by the officers and men who were engaged on active service in the North-West, that it has been found often to fail in those qualities which are essential to good ammunition. I am sure that the Minister of Militia himself would have been the last man in the world to knowingly supply men who were to risk their lives in face of the enemy with ammunition which was not fit to fulfil its purpose; but I am very much inclined to believe that, notwithstanding this personal inclination on his part, through the fault or negligence of somebody, a great deal of the ammunition sent out was not such as should have been put in the hands of volunteers engaged on active service, and that a great deal of the ammunition supplied for use at rifle matches was not of the best character. When the papers asked for come down—and I have no doubt that, after the long notice which has been given of this motion, the Minister will be able to bring them down very soon—we shall be able to discuss more intelligently the quality of the ammunition supplied. I was not present to-day when my hon. friend from North York (Mr. Mulock) asked his question in reference to the report of the commission which was appointed to test the ammunition; but, I hope that report will be brought down at an early date.

Sir ADOLPHE CARON. I have already stated, in answer to a question put by an hon. member, that the report which was the result of an investigation by a commission appointed by myself for the purpose of looking into the complaints which had been made in reference to some of the cartridges manufactured in the Quebec cartridge factory, would be brought down almost immediately. Some complaints, no doubt, have been made. The report which I shall bring down is a very elaborate and voluminous report. It is now being copied, and within a couple of days, as I have said, I think we will be able to place it upon the Table. However, I cannot allow to remain unanswered the hon. gentleman's statement in reference to the cartridges and ammunition sent out to the North-West. I looked into the matter very closely, and all the reports which we received from the commandants of the various corps, from the Major-General commanding the force, show that the ammunition which we served to our troops was as good as could be manufactured anywhere. Some of it was English, and some of it was manufactured in Quebec. But the hon. gentleman must understand, if he has looked into the matter, that a cartridge may be very good for field purposes, and yet, from some error in the detail of the manufacture, may not be quite as perfect as it should be for rifle practice on a target. The difference can be very well understood. The cartridges have not been declared by anybody to be useless—very far from it; yet

the deviation from the line of fire has showed it not to be as perfect as it might be. The same experience has been had in other countries, and in England, France, Germany and other countries experiments are going on every day for the purpose of making ammunition as perfect as possible. I shall be very glad to bring down the report and correspondence, as well as the complaints which have been made. The report will show that every possible latitude has been given in the investigation of complaints that have been made, and I think that the report, as a practical result of that commission, is a very valuable one, because it points out the deficiencies which I have referred to, and will enable us, no doubt, to improve the manufacture of our cartridges and make our ammunition as excellent as that of any other country.

Sir RICHARD CARTWRIGHT. Where is the powder made?

Sir ADOLPHE CARON. It is made by the Hamilton Powder Company, and one of the complaints is against the powder. However, it would be very inconvenient to take up this subject before these papers are down, because there are many technical terms in the report, and the questions are altogether scientific. The matter has been referred to the Royal Military College professors, a staff of the leading riflemen of Canada, and the report, I think, will be very interesting reading.

Motion agreed to.

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

After Recess.

THE REVISED STATUTES OF CANADA.

Mr. THOMPSON (Antigonish). The House will remember that yesterday I moved the second reading of a Bill relating to the Revised Statutes of Canada, and a proposition was made and pressed by some of my hon. friends, on the other side of the House especially, that the work should go to a select committee for the purpose of examining the work of revision done since last Session. I propose to acquiesce in that suggestion, and to move to-night that the Bill relating to the Revised Statutes of Canada be referred to a select committee. I think that motion will probably be acquiesced in by members of the House generally, and I am quite aware I can only move it with the consent of the House. But I do so with a view of making progress as rapidly as possible, especially in consideration of the fact that there was some misunderstanding as to the course that would be pursued in relation to this matter. I therefore move:

That the Order of the Day for House again in Committee on Bill No. 9 respecting the Revised Statutes of Canada, be discharged, and that the Bill be referred to a Select Committee composed of Messieurs Thompson (Antigonish), Abbott, Beatty, Davies, Edgar, Girouard, Landry (Kent), Laurier, Royal, Tupper, Weldon and Wood (Brockville), with instructions to examine the work of revision which has been done since last Session.

Mr. CAMERON (Huron). I think the hon. gentleman has taken the proper course. We all know the great difficulty there is in a Committee of the Whole House investigating or examining a proposition of this kind.

Motion agreed to.

THIRD READING.

Bill (No. 18) to incorporate the Anglo-Canadian Bank.
—(Mr. Ward.)

CANADA ATLANTIC RAILWAY.

House resolved itself into Committee on Bill (No. 43) to amend the Act incorporating the Canada Atlantic Railway Company.—(Mr. Mackintosh.)

(In the Committee.)

Mr. HAGGART. I beg to move the addition of a new clause, clause six, as follows:—

That nothing in this Act contained shall be so construed as to alter or affect any of the rights of Stanton and Balch under the said Act, 42 Vic., cap. 57.

The reason for moving the addition of this clause is that I have been informed that Stanton and Balch had a contract with the Montreal and City of Ottawa Junction Railway Company, and also with the Coteau Landing and Province Line Railway Company, and the understanding was that they were to amalgamate and form what is at present called the Canada Atlantic Railway Company; that Stanton and Balch have at present an action against the Canada Atlantic Railway Company now pending in the courts of the Province; that their right of action was confirmed under the Statute of 1879, in which the contract was set out; and the insertion of this clause is for the purpose of protecting them in the rights which they had under the Statute of 1879, and leaving them in the position they occupied before the present Bill was introduced. Their contention is, that this Bill, if passed, would leave them in a far worse position as regards their claim against the company. They state that under the Act of 1879 they had some right of action against the company, of which they would be deprived by the present Bill; that under the Act of 1879 they would, in case of winning their suit, have a perfectly good asset and be able to collect the money, which would not be the case if this Bill was passed in its present form.

Mr. SHANLY. I hope that clause will not be adopted, because its operation will be to nullify the whole of that part of the Bill preceding it which relates to the issue of the new bonds. Those people in whose interest the amendment has just been moved (Daniel Stanton & Co.) made the contract, or the contract came into operation, with the company on the 15th May, 1879, and for a year and a half afterwards they made no attempt to go on with the work; they did nothing whatever; and the company, after having frequently notified them to proceed, let the work to other contractors, and two and a half years afterwards, when the greater part of the road had been completed, they entered a claim and put an injunction on the bonds of the company. They applied to the court in Montreal and obtained an injunction. The company at once applied to the court to have the injunction dissolved, and it was dissolved. Then Stanton & Co. carried the case to appeal, and the injunction that had been granted, and which had been quashed by the Superior Court, was completely and entirely quashed in the Court of Appeal. This is the wording of the judgment in that court:

"And considering that the said appellants, Daniel N. Stanton *et al.*, have shown no legal or sufficient cause or grounds to warrant the issue or maintenance of the said writ of injunction so obtained by them in this cause, and more especially have shown no right of property or direct present interest in the bonds, in respect of which the said injunction was obtained, and have no right to have or maintain the said writ of injunction, nor the conclusion by them taken in respect thereof; and

"Considering that on the cross appeal taken in this cause by the said Canada Atlantic Railway Company, the said last named company have shown that they had a right to have said injunction dissolved and said writ of injunction, in so far as it operates an injunction, quashed, set aside and annulled;

"Considering, therefore, that there is error in said judgment therein rendered by the Superior Court, at Montreal, on the thirteenth day of December, 1883, the Court of Our Lady the Queen now here doth reverse, annul and set aside the said judgment and proceeding to render the judgment which the said Superior Court ought to have rendered, doth dismiss the appeal of the said Daniel N. Stanton *et al.* with costs; and

"Adjudging upon the cross appeal of the said Canada Atlantic Railway Company doth quash, annul and hold for naught the said writ, in so far as it operates an injunction, as having improvidently issued, and doth condemn the said Daniel N. Stanton, *et al.*, to pay to the Canada Atlantic Railway Company the costs by them incurred, as well in the court below as in this court."

That judgment in the Court of Appeal was rendered in January, 1883. Stanton & Co. then endeavored to carry the case

to the Supreme Court here, and that court refused to reverse the decision in the Court of Appeal of Quebec. And yet those men come back now and say they have a vested right—that is what they actually do claim—in the old bonds of the company. Now, Sir, what they ask for here by this amendment, is simply that this high court of Parliament should do what the high court of justice has refused to do, because if it is passed it will operate so that these bonds will actually be under injunction. It will operate so that they will not be marketable, that they will be locked up as long as Stanton & Co. choose to menace this company with litigation. It is clearly asking Parliament to take the extreme course of interfering between this firm and the courts of law. The courts have decided that Daniel Stanton & Co. had no right, title, or interest in these bonds. The Bill as it stands without this amendment does not infringe in any way the rights of Daniel Stanton & Co.; they will have the same rights and the same recourse which they have now. The whole effort seems to have been to keep this matter in menace over the Canada Atlantic Company without desiring to bring it to issue. First of all, they entered an action against the company to recover \$300,000 of damages, and subsequently they have applied to the court to be allowed to increase their bill of damages to \$700,000; but they make no effort to bring the matter to trial. For these reasons, I say it would be an act of injustice to the company, who are now endeavoring to put the road into an easy financial position, to decide that this Parliament should interfere with the decisions of the courts and give these men the right to prevent the issue and marketing of those bonds.

Mr. BARKER. I entirely agree with the remarks that have been made by the hon. gentleman who has just taken his seat. It seems to me this amendment, if passed, would entirely destroy the effect of this Bill. I understand that a contract was entered into between those two companies for the construction of those two pieces of road. They did not proceed with the work, but they claimed under the original contract, which is not before this committee at all, that they had a right in the bonds which the company had a right to issue, under their previous Act of incorporation. Acting all through on that right, they took certain proceedings in the courts to have that right affirmed, but in these proceedings they failed. It would seem to me, Sir, that if the courts had decided that they have not a vested interest in those bonds, this House should not interfere with that decision. The courts decided that they had no such right whatever, and, therefore, by virtue of the legislation which is now sought, no rights of the contractors are interfered with; no right of action that those gentlemen have is interfered with or taken away, inasmuch as the only right they pretended to have has been adjudicated upon by the courts, including the Supreme Court of Canada. Now, if it be affirmed, as it has been affirmed by the section already passed, that it is right that this company should not only have the time extended for completing the work, but also have the right to put on the road an additional sum, then I think there should be nothing added to the Bill, which would interfere with those rights. It is clear to anybody who knows anything about the floating of bonds, that to pass such a section as this would have the effect of practically nullifying the benefits of the legislation now sought, because its effect will be that every investor in bonds of that kind will regard the whole matter with suspicion, and thus the advantage sought by this legislation would be absolutely nullified. I think it would be very unfair indeed to this company, inasmuch as this House has conceded that they are entitled to an extension of their charter and an extension of their right to bond the road, to put a provision of this kind in the Bill.

Mr. SHANLY.

Mr. SCRIVER. I am well aware, Mr. Chairman, and you are well aware, how cautious the committees of this House are in doing anything to interfere with the possible rights of litigants when proceedings are taken in the courts, and this question was fully and carefully discussed in the committee. I need not go into the history of this matter as that has been done pretty fully by the hon. member for South Grenville (Mr. Shanly); but I may say that when this contract was made between Messrs. Stanton & Balch, and the company preceding the Canada Atlantic Railway Company, it was provided that a certain amount of bonds should be issued to the contractors as the work proceeded.

Some hon. MEMBERS. No, no.

Mr. SCRIVER. Yes, that was provided. I have a copy of the contract before me. At all events it was provided that the company should issue a certain amount of bonds, and deposit them in a certain chartered bank under charge of trustees to be appointed—those trustees to be acceptable to the company and to the contractors. When the time came for depositing those bonds, the contractors notified the company to issue them and named themselves as trustees. The company replied that the nomination was not satisfactory and that they were not prepared to issue the bonds on those conditions. There the matter rested. Another condition of the contract was, that before these bonds should be issued, and within a certain period named in the contract, these contractors were to iron that portion of the road already graded, between Coteau Landing and Alexandria. The contractors, as the member for Grenville (Mr. Shanly) has stated, never expended a cent except what they may have expended in obtaining the charter that was obtained here in 1878. They did no work, though repeatedly notified by the company to proceed with the work, and the company were obliged finally to make arrangements with other parties to build the road. As the hon. member for Grenville (Mr. Shanly) has stated, some time after that, when the road was nearly completed, these gentlemen commenced a suit at law or obtained an injunction to restrain the company from issuing bonds, and prevented them for some time from doing so. Afterwards, a decision was rendered quashing the judgment; that was carried to the Court of Appeal and the decision was confirmed; and finally a decision of the Supreme Court was obtained, not only confirming the decision of the Court of Appeal, but stating further that these contractors had no right of property in the bonds of \$15,000 a mile provided for under the original charter. I will read from a copy of the judgment I have here, which sets that matter clearly at rest:

"And considering that the said applicants, Daniel N. Stanton, *et al.*, have shown no legal or sufficient cause or grounds to warrant the issue or maintenance of the said writ of injunction so obtained by them in this cause, and more especially have shown no right of property or direct present interest in the bonds, in respect of which the said injunction was obtained."

I think that sets that question at rest. These gentlemen represent now that their interests will be imperilled if the privilege the company now apply for, to issue additional bonds, is granted. The Bill empowers the company to issue new bonds to the amount of \$10,000 a mile more than the original issue, and provides for an exchange of the original issue for these new bonds. I think I have made it clear that these parties have no rights in the original issue, and their rights cannot be prejudiced if this additional power is granted to the company.

Mr. MITCHELL. I have listened to the discussions which have taken place on this matter, and I must say that I disagree entirely with the statements of the last three gentlemen who have spoken. As I understand, the contractors who oppose this Bill passing in its present form,

have asked simply that their position before the courts of law remain unaltered. Now, we are not a court to decide upon Messrs. Stanton & Balch's claims. I do not know who they are, I never saw them, and do not know anything about them, but when I find that these gentlemen, who represent themselves to be contractors, are simply asking that when this Bill is passed it shall reserve any rights they have before the courts of law, I say they ask simply what is common justice from this House. The hon. member from the city of St. John (Mr. Barker), and the hon. gentleman who sits near me (Mr. Shanly), whose opinions I respect very much, have stated a number of facts concerning the relations between Messrs. Stanton & Balch and the proprietors of this road. This House has nothing to do with these facts; we are not at all in a position to enter into the merits of them; we accept the statements of these gentlemen, but we have no evidence whether they are sustained by facts or not. What this Parliament is bound to do is this: When any legislation comes before us affecting private interests which are pending in cases before the courts, our legislation should in no way impair those interests. That is a principle which, I believe, will be sustained by every hon. gentleman in the House. I do not know anything at all of the merits of the case. I do not know these gentlemen, one of whom was spoken of before the Railway Committee as an alien; and it was said that aliens had no rights in this matter. I felt outraged when I heard that statement. We are bound to protect aliens as we are our own citizens, and to consider any pretension they may put before us. What I feel about the matter is this: That if these gentlemen have an action pending in the courts of law, and a measure comes before this House which impairs their security on that railway, as this Bill does impair their security by providing that the road may be bonded for \$25,000 a mile instead of \$15,000 a mile, we should not allow the measure to pass without saving their rights. That is a principle recognised as one of the fundamental principles of legislation in this country and we should not violate it. We are not here to discuss whether there are any merits in their claim or not, or whether the injunctions obtained by them have been sustained or not. That is not the question. The question is, if this railway company wants facilities to raise additional money for the purposes of the road, while we are prepared to give them those facilities, we should reserve every right of every private individual.

Mr. MACMASTER. My hon. friend has raised two questions. The first is, whether Messrs. Stanton & Balch, being aliens, should have less rights before this House than the people of our own country; and the second is whether those rights are being prejudiced by the proceedings taken before this House. As regards their being aliens, that is like the "flowers in spring," it "has nothing to do with the case."

Mr. MITCHELL. I beg pardon. My hon. friend says I raised the question of aliens in this House. I said it was raised before the committee.

Mr. MACMASTER. I understood the hon. gentleman to adopt an argument which he professes was put before the Railway Committee, that these men had no rights because they were aliens.

Mr. MITCHELL. I am not going to allow my hon. friend from Glengarry, for whom I have the greatest respect, to misrepresent me. What I said was that I was present when this Bill was discussed in the Railway Committee, and that one of the arguments put forward by the promoters of the Bill on that occasion was that these men were aliens, and it was alleged they had not the rights others had.

Mr. MACMASTER. I should be very sorry to differ with my hon. friend the Minister of Railways—I mean the hon. member for Northumberland (Mr. Mitchell). Whether he acts in that capacity, or whether he has represented aliens in this House or out of it, I always have that respect for his opinions in this House that I have outside in private life. It is seldom I have the honor of differing with the hon. gentleman, but I do not agree with him on this question. Unfortunately, the best of friends must part, and I find he is standing in a somewhat unhappy condition in this argument. I understood the hon. gentleman, either by deduction or direct assertion, put forward before the House the idea that Messrs. Stanton & Balch, who assume to be claimants against this company, are disparaged in their rights by reason of their being aliens.

Mr. MITCHELL. That is so.

Mr. MACMASTER. They are in no way disparaged in their rights. They took an action in the Superior Court in the Province of Quebec for their claim of \$300,000 against this railway company, in the nature of damages. Their action was not for an ascertained debt, or an established debt; they simply came into court, and by an *ex parte* statement claimed \$300,000, and asked the court that there should be a temporary restraint put upon the company as regards the issue of bonds. There are two questions involved: First, was there a debt at all? That remains to be determined—

Mr. MITCHELL. Where?

Mr. MACMASTER—before the courts.

Mr. MITCHELL. That is what I want reserved.

Mr. MACMASTER. I am glad the hon. gentleman agrees with me. When the suit is decided, that question will be determined; but what is important to the committee is whether the proceeding we are now about to take is calculated to embarrass the plaintiffs or to prevent them recovering any sum of money which may ultimately be found, before the courts, to be due them. Now, I examined the proceedings, I examined the statement of Messrs. Stanton & Balch, put before the committee the other day; I read the conclusions of their action, because, according to the special forms of pleading prevailing in Quebec, it is necessary, not merely that the party should state his claim in the nature of a direct averment, but that he should state in his conclusions what he wants. Now these parties have stated what their claims are, and they conclude by asking that the railway company should be condemned to pay the \$300,000, and that the assets of the company be sold to satisfy that claim. That is the position. There is not one word in the Bill which will prevent the assets of the company being sold to satisfy the debt, if it should eventuate that there is any debt, provided this Bill should pass as has been explained by the hon. member for St. John (Mr. Barker). You see, therefore, the question of the debt still remains to be decided, and further that there is nothing in this Bill to prevent Messrs. Stanton & Balch, if they have a just right and get judgment to sustain it, from proceeding against the assets of the company after the passage of the Bill, just as they might have done previously. They took out their action in 1883, and it is still pending. That may appear to be a very long time for an action to be pending, but I do not wish that you should be prejudiced against the claimants on that account, because, unfortunately, an action may be a long time pending in the Province of Quebec.

Mr. MITCHELL. The lawyers keep it up.

Mr. MACMASTER. And down too. There was an incident proceeding connected with the action. They first got an order in the nature of an injunction against the

railway company. That order was dissolved. The case went to a higher court, in appeal, in the Province of Quebec, and judgment was rendered there on the injunction proceedings against these gentlemen. And the court of appeal made this declaration, which appears is the official record of the judgment of the court :

"And considering that the said appellants, Daniel N. Stanton *et al.*, have shown no legal or sufficient cause or grounds to warrant the issue or maintenance of the said writ of injunction so obtained by them in this cause, and more especially have shown no right of property or direct present interest in the bonds—"

I hope this will satisfy the scruples of the hon. member for Northumberland—

"in respect of which the said injunction was obtained, and have no right to have or maintain the said writ of injunction, nor the conclusion by them taken in respect thereof—the court dissolves the injunction."

It may be said that the judgment of the Court of Appeals in the court of Quebec merely related to the injunction proceedings, and that is perfectly true; but in rendering that judgment on the injunction proceedings the court declares that the appellants have shown no present interest as regards the bonds, which forms the subject of controversy in the action of the Superior Court. Therefore it does not appear from the legal proceedings, so far as they have been brought before the committee or the House, that there is any direct interest on the part of the claimants that is prejudiced. I should state that from this judgment they appealed to the Supreme Court of Canada; but their application was not allowed, and therefore the judgment of the lower court was affirmed in that respect. The case comes back to this: The injunction proceedings having been set aside, it remains to be seen what right these people have, before the Superior Court, for their claim for damages. As far as I can ascertain, and I am somewhat familiar with the proceedings in the courts, it does not appear to me, if the Bill should pass without the amendment, that their rights will be in the slightest degree prejudiced, and it does not appear to me, as a matter of business investigation, that their rights as against this company are going to be in the slightest degree prejudiced by reason of the fact that we should, as we are assuming to do by this Bill, increase the borrowing powers of the company from \$15,000 per mile to \$25,000 per mile, and not \$25,000,000, as stated by my hon. friend by a *lapsus lingue*.

Mr. LANDRY (Kent). It is a matter of surprise to me, on examining this subject and listening to the arguments advanced, that, hon. gentlemen can differ so honestly and conscientiously in this affair. I cannot at all agree with the opinion expressed by the hon. gentlemen who are opposing the amendment to the Bill. It may be well for me to say at the outset that I know not the gentlemen who are asking this amendment. I know not whether they have rights or not, but I know that the main argument used to induce us to throw out the amendment, is that the Bill, without the amendment will in no way prejudice the rights of Messrs. Stanton & Balch, if they have any rights. If that be the case, will the insertion of this amendment place the matter in a different position? Does not the amendment only say :

"Nothing in this Act contained shall be so construed as to alter or affect any of the rights of Stanton & Balch, under the Act 42 Victoria, chap 57."

Now they say the Bill does not affect the rights of these gentlemen at all. But that is all the amendment asked. All it asks is that this Act will not be so construed as to affect the rights of Messrs. Stanton & Balch. What objection is there then to allowing the amendment to go in?

Mr. SCRIVER. It would affect the power of the company to sell the bonds.

Mr. MACMASTER.

Mr. LANDRY. I had not heard before that the objection to the amendment was that it would affect the company's facility for selling the bonds. But why should it have this effect? Because those to whom the offer of the bonds may be made will be more or less impressed with the idea that these gentlemen have rights? But if they have none, that ought not to affect the value of the bonds. If I had the means of investing and am convinced nobody, under existing laws, had any right to interfere with the bonds, I would not be affected at all by the amendment. Therefore I think my hon. friend when he says it will affect the value of the bonds, admits clearly that these parties have rights.

Mr. SCRIVER. No.

Mr. LANDRY. If they have no rights, how will it affect the bonds?

Mr. SCRIVER. It will affect purchasers who know nothing about it.

Mr. LANDRY. Because they will be impressed that these parties have rights.

Mr. SCRIVER. Yes, they will by the amendment.

Mr. LANDRY. If so why are we not similarly impressed?

Mr. SCRIVER. Because we know the facts.

Mr. LANDRY (Kent). Do we know the facts? It is just exactly what I thought was being attempted, to convince us by assertions and escaping the proofs. I do not say there are no proofs. There may be; I cannot tell. But it is attempted to convince us by assertions that these gentlemen have no legal rights, and that they ought not to be considered because they have not fulfilled their part of the agreement under the contract, and have not done what they were bound to do under the conditions of the contract. We are not here to try that. We are not a tribunal for that purpose, and, therefore, it appears to me that the best thing we can do is to give to the company who are asking for this Act, the Act which they ask for, give them the power to issue their bonds, give them all the power they are asking for, and let them take the risk and the responsibility of their action. If they know that these men have no rights, let them try that in the proper way. We are not a tribunal to try that question. On the other hand, if they have any rights, we are here to protect those rights. It is asserted that they have none, but we are not here to try that. I do not assert that they have any, but I think this section cannot be objectionable. We are asked by the amendment to declare that, if there be any rights, they shall be protected. We do not create any rights; we do not assert that there are any rights; but we say that, if there are any rights, those rights shall not be affected by this Act. If there are no rights, of course, they will not be affected. If there are, then these men ought to be protected. Holding these views, I cannot help sympathising with the amendment, and voting for it if it comes to a vote.

Mr. SHANLY. The hon. gentleman from Kent, N.B. (Mr. Landry), says he would like to see some proofs brought forward. I am quite certain, as regards the property claimed in the original bonds, the present existing bonds, by these claimants, Stanton & Co., as regards their right of property or their having any right of property, the hon. gentleman will be willing to accept the decision of three courts, commencing with the Superior Court in Quebec, and ending with the Supreme Court in Ottawa, which have decided that Stanton & Co. have no such right of property, and yet they claim that these bonds are their right, and that if you put a further amount of bonded debt on the road, then "our bonds"—for that is the term they use—"of \$15,000 a mile are depreciated

by that increased issue." I am certain that my hon. friend will not attempt to say that the proof of the judgment given in three courts will not be satisfactory to his conscience. These men are not creditors of this company. If they were creditors of the company, there might be some just reason or cause for putting in this amendment, but they are simply claimants, and I say that, if this amendment is allowed, anyone who chooses to make a claim can come before a committee of the House, and then before the House itself, and say that a clause which will give their claim a shade of right is to be inserted in every Bill. Some people argue that, in putting this large amount of bonds on the road, you depreciate the original bonds. That is not the case. The cost of the road at present will exhaust the whole of the existing bonds; and when the \$25,000 a mile of additional bonds is applied, as I know it is intended by the company to apply it, it will make the \$25,000 bonds of much more marketable value than the \$15,000 are to-day. The present issue of the bonds has been always delayed for the reason that the company perceived that it was absolutely necessary, in order to carry out their improvements, that they should have an increased issue. In the meantime, the promoters, the proprietors, the stockholders, the shareholders, the owners have given the best guarantee which has ever been given by any company in Ontario or Quebec by building one of the best lines of road in this country, and they have done that with their own means, awaiting the time when they could put their property into such a state of forwardness that they could have a really completed property with all the necessary equipment. At present they have no equipment to speak of, and to equip the road properly now will take about half a million of dollars, and that half million of dollars they have got to expend to place the line in a proper money-earning condition, when the \$25,000 a mile which they now ask the power to issue will be of a higher value than the \$15,000 a mile which they can now issue. I will say one word in personal explanation. My hon. friend from Northumberland (Mr. Mitchell) has referred to a matter which I do not think is properly before the House. He says it is claimed that aliens have no rights; and, when I asked him where he heard that stated, he said it was mentioned in committee. I do not know that it is exactly parliamentary that matters which are mentioned in committee should be imported into this House.

Mr. MITCHELL. Was it not so?

Mr. SHANLY. Yes.

Mr. MITCHELL. That is all I want.

Mr. SHANLY. I will convince the hon. gentleman to the contrary. He pointed to me as the prime sinner in introducing the word "foreigner." I would co-operate with him in extending even fuller protection to these gentlemen because they are foreigners than if they were from among ourselves, but what I stated in committee was this: When the Bill was called, one of the arguments used by the learned counsel who appeared for these gentlemen was that these gentlemen were in New York, and we ought to postpone the Bill until they chose to come here. Now, it was known that this Bill was to come up; the notice had been on the paper for some time; and I said that, if the wheels of Parliament were to be blocked and the business of the committee arrested because two foreign gentlemen persisted in staying away from Ottawa, I could not see why the Bill should not be proceeded with in committee. That is the only way in which I used the word "foreigner," because the learned counsel who appeared for these two gentlemen made that a reason why we should not proceed.

Mr. DAVIES. I have a difficulty about this amendment which has not been mentioned by any of the hon. members who have spoken, and, as I desire simply to do justice in

the matter, I will mention it. It does not appear to me that the committee have anything to do with the fact whether these gentlemen are aliens, or whether the Superior Court has already declared that they have no interest in the bonds which the Act of 1879 allowed to be issued. There are two points with which we have to deal—what rights were secured to them by the Act of 1879, and does this amendment which is proposed still further maintain those rights. When I turn to the Act of 1879, I do not find that they have any rights at all. The Act of 1879 simply confirms an agreement which they had with one of the companies therein amalgamated. It goes no further. It gives them no lien upon the bonds, and it gives them no lien upon the railway.

Mr. HAGGART. It confirms the contract which was entered into.

Mr. DAVIES. This does not do any more. This contract remains confirmed whether this amendment is carried or not.

Mr. HAGGART. Certainly.

Mr. DAVIES. If they have any right, the bonds will still form a first lien upon the railway and upon its assets, notwithstanding the admission of the hon. gentleman. It cannot do any good, and then I am influenced by another argument which has been advanced by those gentlemen who say that it may do a great deal of harm.

Mr. McCALLUM. By the Bill before the House, we give this company the power of issuing \$10,000 a mile more bonds on this road. That is the way it strikes me. It is admitted that these gentlemen have a claim to the extent of the legislation got in this House. Now, what assets are these people going to get to pay their claims? In the first place, they must pay the interest on the bonds. Now, as the matter stands before the passage of this Bill, they would only have to pay the interest on \$15,000 a mile, but if you pass this legislation they will have to pay the interest on \$25,000 a mile, before they can collect a debt, if they had one. That is the way it strikes me. If they will dispense with that I will willingly help to carry this legislation, otherwise, I will vote for the amendment.

Mr. SPROULE. I think, looking at the amendment from a common sense standpoint, it will clearly indicate that Stanton & Balch had some rights. It says:

"Nothing in this Act contained shall be construed to alter or affect any of the rights of Stanton & Balch under the Act 42 Vic., Chap. 57."

It does not say "if they have any rights," but it acknowledges that they have rights, and if we bring these rights down and acknowledge them in this Act, and put them with greater force before the world, thereby, I think, we destroy their chances of selling these bonds for what they would otherwise bring in the market.

Mr. HAGGART. I would call your attention, Mr. Chairman, to the fact that the time to discuss this matter has already expired, and still there remains a good deal to be said upon it. It will take me half an hour to go into the details in reference to this Bill. I move that the committee do rise.

Motion agreed to, and Committee rose and reported progress.

MARITIME COURT OF ONTARIO.

House resolved itself into committee on Bill (No. 5) to extend the jurisdiction of the Maritime Court of Ontario.—(Mr. Allen.)

(In the Committee.)

On section 1,

Mr. ALLEN. This Bill is the same that I brought in two years since. At that time it included the supplies for coal and provisions, equipments and repairs to ships. Several shipowners and other gentlemen objected to the clause including provisions and coals. A deputation of shipowners waited on me to argue the case, and they agree that if I would leave out provisions and supplies they would consent to allow the Bill to pass including permanent equipment and repairs. According to that agreement the Bill was brought in last Session and passed this House. But when it went to the Senate they amended it so that the equipment and repairs should be done at the instance of the managing owner of the company. When the Bill, as amended, came back to the Commons we were engaged in the celebrated Franchise Bill, and time was not given afterwards for concurrence in the Bill. I now present the Bill as amended by the Senate, that is, that claims for permanent supplies, such as ropes, sails, anchors and other equipments of that description, as well as repairs to ships, shall be placed under the jurisdiction of the Maritime Court. I believe that it is in the interest of shipping generally that this measure should be passed. Some parties have made this complaint: Suppose the repairs came to \$1,000 and a mortgagee held a mortgage on the ship for the same amount. They said that if the repairs on the ship were to be a prior claim to theirs, it would be unfair. But, upon arguing the case with those gentlemen, we find they have received good value for the amount of repairs and the permanent supplies, and have no reason to complain. As the law stands now, for instance, if a company who repairs a ship, when the work is done and they have lien upon the ship in their possession, they may hold that ship, perhaps, for three, or four, or five months, until they sue the owners and receive a judgment, and then go through the general course of selling the property which they have in their hands. Now, that is not only an injustice to the parties who have done the repairs, but it is a serious loss to ship-owners. Suppose the ship was repaired in the month of June or July, and that there is a claim of \$1,000 against that ship for repairs, and that the parties who did the repairs held that ship for three or four months, until the season was over, then more money would be lost by the owners of that vessel than, perhaps, would pay the whole amount. Nothing is included in my Bill other than permanent equipments and repairs. When we come down to clause 3 of the Bill I have a short amendment to offer, which is as follows:—

And the foregoing claims shall constitute maritime liens on the vessels which shall rank next after claims which now constitute maritime liens, and as among themselves shall rank in the above order.

Mr. THOMPSON (Antigonish). I should have certainly opposed this Bill at the second reading if I had imagined it to be, what the mover now seeks to make it, a Bill to alter the maritime law. The hon. gentleman introduced his Bill under the title of an Act to extend the jurisdiction of the Maritime Court of Ontario, and I understood that he sought to give that court jurisdiction to entertain claims in respect of repairs done to the equipment of the vessel. As such, I saw no very serious objection to his Bill. It appears now that the hon. gentleman seeks to amend it in such a way as not to make it a Bill to amend the maritime law of Canada relating to maritime liens. I think that is very objectionable indeed, for several reasons. First, because the hon. gentleman seeks to introduce an amendment to that law under the title of the Bill which I have read. Second, because the hon. gentleman would make one law for the Province of Ontario, in this respect, and another law for the other sections of the Dominion. If it be deemed at any time desirable on the part of Parliament to review the position of the law regarding liens on shipping,

Mr. ALLEN.

I hope Parliament will do it in connection with some act dealing comprehensively with the whole subject, and not in a measure relating to one Province only. I understand that last Session Parliament declined to pass an Act making liens in favor of repairers of vessels, and declined to do so especially in connection with the consideration of an Act of this kind. I need hardly detain the committee by stating, even in a general way, what the maritime law is with regard to liens. The maritime law recognises liens for supplies and various other claims in respect of vessels, the owners of which are not within the jurisdiction of the court. His Bill proposes to change that with respect to certain classes of creditors, creditors in respect of repairs to the ship, and to give them a lien, notwithstanding the fact that the owners are within the jurisdiction of the court. The Bill is, as I have said, open to various objections. First, it proposes to legislate on the subject of maritime liens under the guise of a title which refers to an entirely different subject. Second, the Bill proposes that there shall be a different law in Ontario from that which exists in other Provinces. Third, it deals partially with the subject of maritime liens and not comprehensively with it.

Mr. WELDON. I do not think this Bill is dealing with the maritime law, because maritime liens are different from those created by Statute. The Judicial Committee of the Privy Council has drawn a broad distinction between these liens, and has declared that maritime liens will follow a vessel in the hands of new owners, while statutory liens did not. I quite agree with the Minister, that it is rather anomalous that the proposals should apply to only one Province of the Dominion, and not to the others. But the hon. gentleman will recollect there is this peculiarity: The court which exercises jurisdiction in Ontario, is a court created by this Parliament, whereas the court which exercises jurisdiction in Quebec and the Maritime Provinces is an Imperial court, created by Imperial Statute and regulated by the Vice-Admiralty Act of 1863. The United States courts have solved the difficulty which has been raised. The objection made, that admiralty jurisdiction did not extend to the great lakes and rivers of the continent, because they were not within the flow of the tide, has been overcome by the declaration that their admiralty jurisdiction extends over the lakes and great rivers. If legislation could be so framed either by the Imperial Parliament or by this Parliament, by which jurisdiction would be uniform over the whole Dominion, the courts which have jurisdiction over the sea would have jurisdiction over the lakes, it would be practically of great benefit. The Session before last, I moved for the correspondence with respect to the maritime courts constituted under the Vice-Admiralty Act of 1863, and I think it is a great pity that some steps should not be taken to extend the jurisdiction of those courts so as to make them, in Canada, have concurrent and co-extensive jurisdiction with the High Court of Admiralty in England. Under the Admiralty Act of 1861 the High Court of Admiralty has much more extended jurisdiction than that given the Vice-Admiralty Courts by the Act of 1863. With respect to this Bill, I agree with the Minister of Justice that it is unwise to give jurisdiction to the Maritime Court of Ontario which is not given to the Vice-Admiralty courts, either in the Lower Provinces or Quebec. The Admiralty Court has only jurisdiction when the owner or part owner does not reside within the jurisdiction of the court. In Quebec Admiralty Court jurisdiction can be had over a Nova Scotia and New Brunswick vessel when the owners live in those Provinces and no owner lives in Quebec. An improvement might be made in this respect. I do not see why the principle introduced by the mover of the Bill should not be the correct one and why we should not extend the power to the Vice-Admiralty Courts and

give them power which they do not now possess. While I favor the principle of the Bill to some extent, it is because I hope the Vice-Admiralty Courts under the Imperial Act, will get equal jurisdiction. I think my hon. friend will find, if he considers the matter, that if the Vice-Admiralty Courts had the same jurisdiction as the High Court of Admiralty, it would be a great advantage to shipping owners and to persons connected with that trade. I do not see why these powers should not be made by statute to the same extent and to the same class of persons selling necessaries to ships in Ontario as where the owners do not live under the jurisdiction of the Admiralty Courts.

Mr. PATTERSON (Essex). As I understand, the maritime law of the Maritime Provinces is regulated by British law. There was no maritime law for Ontario and we passed this special Act, and from time to time members representing constituencies bordering on our inland waters, desired that the law should be amended in the interests of the mercantile public. Some amendments were passed, and a few years ago it was promised that an attempt would be made to obtain from Great Britain a uniform maritime law for Canada, and we have been looking for some time for a fulfilment of that promise. We have been looking for the correspondence on the subject, but we appear to be getting no nearer to it than ever, and as life is too short to wait longer, the hon. member for North Grey (Mr. Allen), in a praiseworthy effort to benefit the interests of the mercantile public, has brought in this Bill. My only fault with the Bill is that it does not go far enough. I think we should assimilate the Ontario maritime law with that of the United States, so that a lien might not only be imposed in the case of repairs, but also for necessary supplies furnished a vessel, such as coal, &c. This method of keeping a mortgage afloat against a vessel, is merely a means of evading the payment of honest debts. I trust the Minister of Justice will not oppose this measure. Its apparent application to the whole Dominion is merely, I understand, a clerical error, which the promoter of the Bill is willing to correct, so as to make it apply only within the jurisdiction of the Maritime Court of Ontario.

Mr. CAMERON (Huron). This Bill, as I understand, is not pretended to extend beyond the Province of Ontario, and it is in that respect perfectly consistent with the Statute which it proposes to amend. All this Bill proposes to do is simply to extend the jurisdiction of the court within the Province of Ontario to vessels owned by parties who are domiciled in the Province of Ontario. I agree with the Minister of Justice that, as a general rule, it is right and proper that our laws should be made applicable to every portion of the Dominion, that there should be uniformity in this respect, but we know that this has not always been the case in the past. We know that last Session an Act was passed which does not apply in every respect and uniformity to all the Provinces of the Dominion. If the hon. gentleman will refer to the Franchise Act, he will find that the same franchise does not exist in the whole Dominion, and there are many other statutes in our Statute-book, the provisions of which do not extend equally to the whole Dominion. This Bill, as I understand, simply makes applicable to vessels owned in the Province of Ontario a law which was passed some years ago, extending to vessels out of the Province of Ontario, and that being the case, I do not see any reason why it should not become law. Those of us who live on the shores of the great lakes in the west, know that there are hardships which this Bill proposes to cure with respect to claims for repairs to vessels, for equipment, for building, for materials supplied. Is there any reason why claims of this kind should not be claims on the vessel, whether the owner happens to live within the Province or out of it? I think precisely the same rule should apply in both cases. For instance, a vessel may be owned

and registered in the port of Kingston; she may go to the extreme west and contract debts for repairs. It might be very difficult to find the owner, and the creditor might have to search all the ports of the lakes to find him, and in that case he would be put to a great disadvantage. It appears to me that such a measure as this is as much in the interest of the owner of the vessel, as of the person doing the repairs or supplying the materials, because, otherwise, a vessel, at a long distance from where the owner lives, will have great difficulty in having repairs done or getting supplies, because there is nothing but a mere personal obligation against the owner. There is no lien against the vessel—no proceeding which can be taken *in rem*, but the whole matter depends on the personal responsibility of the individual who gives the order. I do not think the objections of the Minister of Justice have any practical bearing on this case, though I agree with the general rule as to the uniform application of our laws. But as this Parliament has passed the present law, surely it has the power of amending so as to make it as effective as possible. I find on enquiring in my own locality, that a great many of the business men are in favor of such a provision, though I was not aware of it when the matter was under discussion before.

Mr. McCALLUM. We had formerly a law in Ontario of this kind, but what we want now is an extension of its provisions. Formerly, in Ontario, before the establishment of the Maritime Court, I have known American vessels changing owners during the winter in order to get rid of paying Canadian debts. Of course, there are now certain claims which can be collected against a vessel, such as claims for towage, wreckage or salvage; but I would like to see the law extended, so that a vessel would be liable for all supplies furnished to her. Any man who wants to pay his honest debts would find this no detriment to him; in fact it would be a benefit to him, because it would enable many vessels to get supplies which could not otherwise get them. I have owned vessels myself, and I have found no inconvenience from the law so far as it goes. The hon. member for North Grey deserves the thanks of the mariners for having introduced this Bill, but I think it should be extended to make the vessel liable for everything.

Mr. LISTER. Living in a county bordering on a lake, some of my constituents are interested in this Bill. I concur in the remark of the hon. member for North Essex (Mr. Patterson) that the Bill does not go far enough. The maritime law of Ontario is a special law passed by this Parliament. The maritime law of England does not apply to the inland lakes, and it was thought, in the interest of supply men, particularly in the Province of Ontario, that this maritime law should extend to them. The same jurisdiction was given to the Maritime Court of Ontario as existed in the courts of the Maritime Provinces, viz., when an owner or part owner of a vessel lived in the Province no lien was given, but if the owner resided outside of the jurisdiction of the court a lien was given. The law recognises the right of a vessel to become a debtor, but why it should stop at the liability, when the owner resides in the country, is more than I can understand. I know from my own experience that very many people who have supplied goods to vessels, in order to enable them to continue their voyages up the lakes, have lost their debts. Only a short time ago a gentleman in the county of Essex lost a very large sum of money. There is a general impression among the commercial people throughout the country that if they furnish any sort of supplies to a vessel, they have a lien against the vessel itself, and they do not consider it necessary to enquire as to who the owners of the vessel are. In many instances, the owners are worth nothing, the vessel being covered by mortgages, and the people who have parted

with their goods, find that they have no remedy and cannot recover a debt which has been incurred to enable a vessel to prosecute its voyage and to derive the profit therefrom. In the United States they have not only a general maritime law, which exists on the lakes, but they have also recognised the right of the different States to pass laws, fixing the liability of vessel owners. I think I am right in saying that every State bordering on the lakes has its own particular law, and those State laws give a preference to foreign claims. A Canadian who furnishes goods to an American vessel, has a preference over the American supply man, while our courts do not enforce that sort of claim against a vessel; they have no power to do so. There is no reason why a vessel should not be responsible for every debt that enables the owner of that vessel to prosecute his voyage or to reap the profits of that voyage. Upon what principle or reason can it be said that a vessel shall be liable for wages, towage, or any other claim recognised as a maritime claim, and shall not be liable for goods supplied to enable it to continue its voyage? A vessel was repaired in the county of Grey at a cost of many thousand dollars, and it has been lying in the port, and the supply men having a lien on the vessel have pressed for a decree of the Maritime Court to enable them to sell it for months and months; and it is doubtful if they will receive anything. At least \$2,200 will be lost to people living in my neighborhood for goods supplied to vessels, the owners of which have been found to be worth nothing. This state of affairs should not exist. If a vessel is to be responsible in the same way as any individual, then it should be responsible for every debt that vessel contracts; there should be no distinction between what are called maritime liens and liens that are not recognised as such. I believe the hon. member for Monck (Mr. McCallum) who has been a large owner of vessels himself, echoes the feeling of most of the vessel owners throughout the country, when he says they have no objection to this law. Because if they are honest men they will pay their debts, and if dishonest, it will give the trader an opportunity to realise what is his due. The hon. Minister of Justice says the present law is the law of England, but I would call his attention to the fact that it has been changed with respect to Ireland. There, while a vessel cannot be seized at her home port for supplies, she can be attached if she is ten miles from that port. So that an exception has been made of Ireland in that regard. I would also call the attention of the hon. the Minister of Justice, who opposes this Bill, to the fact, that a couple of years ago this matter was referred to a Special Committee of the House of Representatives in the United States, and the report brought in by that committee strongly approved of the principle of giving to the supply man a right of liens, and stated that no strong reason could be given why a person in the country, supplying goods, should not have a lien in the same manner as if the owner lived out of the country. This measure does not go far enough. It ought to include all supplies properly pertaining to a vessel. It is a measure, however, that has been anxiously awaited in Ontario, and I do not believe there is an honest shipowner from one end of the country to the other who would object to it. I trust that the hon. the Minister of Justice will see his way to allow it to pass, and I hope that at some future time it may be extended in the direction I have pointed out.

Mr. THOMPSON (Antigonish). I find it necessary to say a few words more on this subject, because either my friends who have spoken in favor of the Bill have supplied a great many additional arguments against it, or have entirely misunderstood those I advanced. I have nothing to say as to whether this Bill goes far enough or not. It may be that in the United States the law goes further, but I would ask

Mr. LISTER.

any hon. member of this House to point to legislation in the United States which makes one law for the State of Maine and another law for States interested in the navigation of the lakes in relation to this subject.

Mr. LISTER. I did not say that.

Mr. THOMPSON (Antigonish). I know the hon. gentleman did not, but he invited us to follow the legislation of the United States as going much further than this, while the principal objection I make against this Bill is that while Canada is a great maritime country, the Bill proposes to make the maritime law of one of the Provinces different from that of all the other Provinces. Will you find any instance in which the maritime legislation is different in one portion of a country from what it is in another?

Mr. LISTER. Yes.

Mr. THOMPSON (Antigonish). I quite appreciate what the hon. member for West Huron (Mr. Cameron) said with regard to the necessity for departing from the principles of uniformity in many subjects of legislation; but if there is any subject upon which we should endeavor to make our legislation uniform, it is that which relates to the maritime law. With regard to shipping, Canada has the good fortune to be a great maritime country, now standing third or fourth in rank, but it would be a serious blow to the prestige of Canada as a maritime country, if it were known abroad that the law on this subject is different in one Province from that which prevails in another, notwithstanding the fact that the whole subject is under the jurisdiction of one Parliament. So much for the question of uniformity. I recognise the force of what the hon. member for St. John says, that the maritime liens differ in name at any rate, from the liens created by Statute. But this Bill proposes to establish a new maritime lien in substance, although, perhaps, not in name. I do not agree with my hon. friend that there is any reason whatever why the Parliament of Canada should establish a different maritime law with regard to statutory liens in Ontario from that which prevails in the other Provinces. It is true that the Maritime Court of Ontario, is a court organised under the legislation of this Parliament, whereas the courts which exercise the like jurisdiction in the Lower Provinces are organised under an Imperial Statute; but it is equally competent for this Parliament to say what shall constitute liens in the Maritime Provinces as in the Province of Ontario. Notwithstanding the fact that the judges, and perhaps the officers of the courts, in the Lower Provinces, are appointed by Imperial authority, while in Ontario they are appointed by the authority of this Government, it is quite in the competence of this Parliament to say what shall constitute liens in all the Provinces. Therefore, there is no argument in that contention. But, furthermore with reference to the question as to how the courts are organised in the Maritime Provinces it has been deemed desirable, as one hon. gentleman stated, to obtain Imperial legislation with the view of placing those courts entirely within the control of this Parliament. That legislation has been urged upon the Imperial Parliament year after year, and it has been delayed in consequence of the peculiar circumstances which retarded legislation in Great Britain for the last two or three years. But we have the definite assurance of the Government of that country, conveyed to us during the past summer, that the legislation with regard to these Imperial courts in the Maritime Provinces will be withdrawn by an Act to be passed during the present Session of the British Parliament, and we have reason to expect that before the Session is through, those courts will be placed under our own control. We shall have, in the meantime, if we pass this Bill, made greater, the want of uniformity and the want of proportion between the way in which the jurisdiction of those courts shall be

operated in the two classes of Provinces, the Upper and Lower, and we shall establish a different maritime law in one Province notwithstanding the hon. member for St. John (Mr. Weldon) may call the one a maritime and the other a statutory lien—from that prevailing in the other four or five sections of the Dominion, with only the excuse that in the one we have the advantage of appointing the judge, registrar and bailiff. My hon. friend on my left (Mr. McCallum), and my hon. friend opposite (Mr. Lister), seem to me not to take into account the primary elements which enter into this question, when they say that there should be no indisposition on the part of this Parliament to enforce the rights of creditors against the ship, and that if the debtor intended to pay his debts he should not object to the Bill. Surely hon. gentlemen know that the fundamental principle lying behind all that, which they seem to ignore, is that creditors are not supposed to give credit on the security of the ship itself, when they are dealing with the owners of the ship, residing perhaps in the same place as themselves, but they sell them supplies and make contracts for repairs, &c., on the credit of the owners themselves, and now it is asked to give them, besides, what they did not bargain for, a lien on the ship itself before all other creditors. With regard to uniformity, it would very much damage the reputation of this Parliament if we have one law for a ship when she enters the Gulf of St. Lawrence and another when she sails up the river and enters the lakes. Hon. gentlemen propose that when in the gulf she shall be governed by the laws of Great Britain, but the moment she passes a certain imaginary line on her way up she shall be governed by a different system of laws. It is time enough to consider whether the law goes far enough, when the intention of Parliament is invited to this subject by a Bill professing to deal with it, and not by a Bill which was carried through two readings in the House under a name that led the House to believe it was dealing with a different subject altogether, that is, enabling the creditors to recover their debts in the Maritime Court of Ontario, but giving them no lien whatever as against the vessel itself.

Mr. MULLOCK. I do not agree with the hon. Minister that this Bill is in the slightest degree misleading. It would be quite unnecessary for any person to apply to the Parliament of Canada for assistance in order to obtain a personal remedy. The courts of Ontario supply that remedy, without our seeking to have an additional court such as the Maritime Court for that purpose. I think this Bill is plain and simple and easily understood, and it purports to declare that the jurisdiction of the Maritime Court of Ontario shall be extended, so as to cover liens in respect of certain matters. I cannot understand how the Minister can charge the mover of this Bill with smuggling its two readings through the House on a misleading title. It has been said by every hon. gentleman who has spoken on this question, that it is to the general interests of the shipowners as well as the creditors that this lien should exist—a lien that can be made practicably available. It seems to be conceded generally that this is a most desirable position in which to place the suppliers of these materials and those who supply labor for the purpose of equipping vessels; and, that being the case, it being admitted that that is an end which we should seek to attain; should we not rather seek to attain that end than to defeat that end? The Minister of Justice states, and gives it, as I understand, as his legal opinion, that we can confer jurisdiction upon the various Vice-Admiralty Courts, although they are created by an Imperial Act. If I understood him rightly on that point, it is the simplest possible thing to carry out the principle which has been admitted in argument here by the insertion of a few simple words. This Bill can be made to accomplish all that the Minister of Justice desires somewhat in this way. If you strike out the

words in the second line "of Ontario under the Maritime Jurisdiction Act, 1877," and introduce the words "or Vice-Admiralty Court having jurisdiction in any Province," you meet the case.

Mr. THOMPSON (Antigonish). And the title, and the second reading, which has already been secured under false pretences?

Mr. MULLOCK. Of course the hon. Minister may not be able to understand this Bill, but I deny that the mover of this Bill is capable of obtaining any decision of the House under false pretences.

Mr. THOMPSON (Antigonish). No, I do not mean to say that he has, but he would have if the amendment was made as the hon. gentleman suggests, making this a Bill affecting the whole of Canada. The mover never proposed anything of that kind.

Mr. MULLOCK. It is easy enough to get over the technicalities, if there is no desire to burke the Bill. If another second reading is necessary, let the Bill be referred back again. The amendment proposed is germane to the original motion. The motion is, that the jurisdiction in a particular Province shall be enlarged. It is quite proper for a member to propose that the jurisdiction in an adjoining Province shall be enlarged, or that the jurisdiction in all the Provinces shall be enlarged. Last Session this was often done. I remember that last Session, at the last stage of a Bill, a clause was inserted entirely altering the character of the Bill; and surely if that was done last year, parliamentary practice has not so far changed that it cannot be done this year. If it is not desired to interfere with this Bill so as to defeat it, and if it is admitted, as it has been admitted by the Minister of Justice, that jurisdiction can be conferred upon all the courts which is sought to be conferred upon the one court under consideration, there is no reason why any longer this legislative want should not be met. This is the third year that this Bill has been before Parliament. Last year this House assented to it, and the Senate assented to it with some amendments, and the Bill before us now is the result of the Bill of last year, with the variations suggested by the Senate; so it may be said that this is a surprise to nobody, with the exception, of course, of the Minister of Justice. I think he will be doing an act of injustice if he prevents this measure going through on the mere technical ground that the Bill is partial in its applicability at the present time.

Mr. McCARTHY. I do not think the hon. gentleman, who has last addressed you, understands the objection of the Minister of Justice. The Minister of Justice, as I understand, takes this position, that the Bill as introduced—and the title of the Bill tends in the same direction—simply confers jurisdiction on the existing court, whereas the amendment tends to change the law itself, though limiting the change to the Ontario Court. I do not think my hon. friend from North York (Mr. Mulock) grasped the point of the Minister of Justice.

Mr. MULLOCK. Yes, I did.

Mr. McCARTHY. If he did, he certainly did not leave that impression on my mind, and I do not think he left it on the minds of other members. I quite agree with the view taken by the Minister of Justice, and I think it would be an extraordinary proposition to accept, which is now presented to us, that the general law should be altered not only as far as one Province is concerned, but in regard to the whole Dominion.

Mr. ALLEN. It is not in the Bill.

Mr. McCARTHY. But the member for North York (Mr. Mulock) desires to make it so, without giving any notice to the Maritime Provinces, which are much more

interested in shipping matters than the Province of Ontario. If we agree that we have the power, and I think we are inclined to agree on that point, to alter the law in regard to the Vice-Admiralty Courts as well as in regard to this court of our own creation, and if it is desired to make that law uniform, I do not think the committee would desire that it should be dealt with by this Bill. The members from the Maritime Provinces would, no doubt, desire to consult their constituents before any such radical change was made. I should like to consult the people in my own constituency, who are largely interested in shipping.

Mr. MULOCK. It has been before you for three years.

Mr. McCARTHY. No, the clause which is proposed is not yet printed. The clause without which the Bill is of no particular consequence is not yet printed, and we are asked at the last moment to make the change which is not suggested by the title of the Bill, and which is not found in the Bill at all; and then the member for North York (Mr. Mulock) proposes that we should, by the addition of a word or two, apply the whole Bill to the Maritime Provinces, which are more interested in shipping matters and in regard to this Bill than the Province of Ontario. I think the committee should rise, whether it should ask leave to sit again is a matter which I think the Minister of Justice, as representing the Government, should deal with; but I think that at present we should not pass the amendment, and without that amendment the law would be ineffective, without giving some time to all of us to consult those who are interested in the matter, especially if it is to be made general, as suggested by the hon. gentleman.

Mr. WELDON. The Minister of Justice says the law should be uniform. If this Bill is passed as it now stands, it will not be uniform in the Province of Ontario and in the Provinces in which the Maritime Court exercises jurisdiction; but, if the hon. gentleman takes the Act which brought the Maritime Court into existence, he will find that Parliament undertook to give more extensive powers. The first clause of that Act is:

"All persons shall, after this Act comes into force, have, in the Province of Ontario, the like rights and remedies in all matters (including cases of contract and port, and proceedings *in rem* and *in personam*) arising out of or connected with navigation, shipping, trade or commerce, on any river, lake, canal or inland waters, of which the whole or part is in the Province of Ontario, as such persons would have in any existing British Vice-Admiralty Court, if the process of such court extended to the said Province."

Now the very first section of this Act makes certain exceptions, and the same power that enables them to except would enable them to extend. But there is a very important clause in the fourth section of the Maritime Act of Ontario which enables a person to follow a ship into the hands of a *bond fide* purchaser ninety days after the vessel changed hands. Now the Vice-Admiralty Court gives no such power at all. As I have already pointed out, there is a broad distinction between the meaning of the maritime lien and the statutory lien. By the maritime lien the parties may follow the vessel if she changes owners, but the express decision of the Privy Council has been that the statutory lien does not follow where the vessel passes into the hands of a third party, therefore, if a statutory lien is created, and a vessel subject to that lien is owned by A. B., and becomes next day the property of C. D., the vessel cannot be followed; but the Maritime Court of Ontario expressly states:

"No right or remedy *in rem* given by his Act only shall be enforced as against any subsequent *bond fide* purchaser or mortgagee of a ship, unless the proceeding for the enforcement thereof be begun within ninety days from the time when the same accrued."

Now the Vice-Admiralty Act of 1863 provides as follows:—

"Claims for necessary supplies, in the possession in which the court is established, to any ship of which no owner or part owner is domiciled within the possession at the time of the necessaries being supplied."

Mr. McCARTHY.

These two claims, therefore, are statutory liens, created by the Vice-Admiralty Act of 1863, and the same privilege should be extended to the Province of Ontario. Now I have pointed out that when the court gives a right to follow the ship into the hands of *bond fide* purchasers, it was going beyond the jurisdiction of the Vice-Admiralty Court by which the lien remained for ninety days in the hands of the *bond fide* purchaser. Now they are met by this difficulty in Ontario, that because the owners reside within the Province of Ontario the Vice-Admiralty Court has no jurisdiction, and so far as the jurisdiction of the court is concerned, it is practically rendered nugatory. The Maritime Court of Ontario to-day has the power of adjudicating on claims for necessary supplies and claims for building and repairing, but they are met by the difficulty that the owners reside in Ontario and they cannot exercise jurisdiction, and, therefore, practically, the jurisdiction is a mere shadow, because they have no power to enforce it. Now, it seems to me that this Bill will make their jurisdiction of practical utility, because the shipping which comes under the jurisdiction of the Maritime Court of Ontario, I think I may say without exception, is owned by men residing in that Province. It seems to me that the principle contended for by the Bill of giving a lien *in rem* against the vessel, is founded on common sense and justice, and I would like to see the Vice-Admiralty Court's jurisdiction extended. I pointed out that by the Maritime Act of 1877, there is a right to follow the vessel in the hands of the purchaser, within ninety days, in the Province of Ontario, whereas it is not twenty-four hours in the Lower Provinces, and in this sense I think the Bill meets the objection made by my hon. friend the Minister.

Mr. McCARTHY. What clause gives power to follow the vessel?

Mr. WELDON. Sub-section 4 of section 2, which shows that within ninety days from the time accrued, you can follow the vessel in the hands of *bond fide* purchasers.

Mr. McCARTHY. It is negative?

Mr. WELDON. True, but if you have it within ninety days, you have it.

Mr. McCARTHY. No. If you have it by the general law. As it is, when this Act was introduced, then, you must exercise the power within ninety days or you lose it.

Mr. WELDON. Then the section is perfectly useless?

Mr. McCARTHY. It may be. It does not give the power, at all events.

Mr. WELDON. You have got to give some effect to a Statute, not merely say it is redundant, or it is of no use at all. That section is used negatively, but at the same time it gives the power. My hon. friend will see on reading it over, that the statutory lien, the same as the lien under the law maritime, follows the vessel. In one exception it attaches all the time to the maritime lien, but in Ontario the statutory lien exists for ninety days against a *bond fide* purchaser or the mortgagee, providing proceedings to enforce are commenced within ninety days. It seems to me that while power was given to the Maritime Court of Ontario to enforce claims for necessaries and claims for repairs to a vessel, under the Vice-Admiralty Act this clause I have read took away that jurisdiction when the party resided within the jurisdiction of that court, and it, therefore, rendered the court practically useless for that purpose, and its jurisdiction became a mere nonentity. In Ontario there is no doubt, as I said before, that a great majority of the vessels coming under the jurisdiction of the Maritime Court of that Province are owned by men living in Ontario. If a New Brunswick vessel were on Lake Erie and if the hon. member for Monck supplied the necessaries,

he could arrest the vessel, but if the vessel belonged to Kingston he could not touch her. The same principle should be applied in each case. The Maritime Court of Ontario would have jurisdiction over New Brunswick and Nova Scotia vessels if no owner lived in Ontario. If the vessels engaged in the trade and commerce of the lakes are vessels registered in Ontario the result is that so far as jurisdiction is given to the Maritime Court of Ontario it is rendered nugatory by the explanatory clause that, if the owner resides within the jurisdiction of the court, the jurisdiction is taken away. It seems to me that this is a matter which is of importance to the people of Ontario and vessels should be placed on the same footing as regards lien as are vessels in the United States.

Mr. THOMPSON (Antigonish). The hon. gentleman would look with a great deal of surprise into the countenance of any person who in the Maritime Court, or any other court, proposed to enforce a lien, and stated, as his authority, a section of the Statute declaring that if you have a lien you shall enforce it within ninety days. The hon. gentleman's argument, if it amounts to anything, is this: That because differences exist between the procedure of the Vice-Admiralty Court of the Lower Provinces and Quebec, and that of the Maritime Court of Ontario, we ought to make the legislation as different as possible; that because there is a difference between the organisation of those courts it is desirable for us to make the principles, on which the rights of suitors in those courts are adjusted, as wide as possible, as if one suitor were in Austria and the other in England. That is the amount of the hon. gentleman's argument, if there is any logic in it. There is no use in the hon. gentleman calling attention to the fact that there are differences in the courts, unless he is prepared to argue that because there are differences we should multiply them as greatly as possible. The hon. member for St. John has taken a great deal of trouble to show that this proposition is just and fair. If it is just and fair in Ontario, I want to know why the hon. gentleman does not want it in New Brunswick.

Mr. WELDON. I should like to get it.

Mr. THOMPSON (Antigonish). If he does, why do we not have it in a Bill, in a Bill professing to deal with the substantive law instead of professing to deal with the procedure. The Bill has proceeded up to this point under the guise of a Bill which professed to give a remedy to creditors against vessels in the Maritime Court of Ontario, without increasing the rights of the creditors or giving them any lien which they did not possess before. It is now proposed to amend the Bill by altering materially the rights of every suitor in regard to those causes of action which the Bill enables the court to consider. There is no use in disguising the purpose of the Bill. The Bill having proceeded so far, and the mask of the title having been thrown off, the promoters of the Bill had now better fairly state to the House what the purpose is. It is to give special legislation to one class of creditors in this country, to one class of creditors in a special portion of this country, and that is the class of creditors which in the Province of Ontario by possessing dry docks or any other means acquire debts against vessels for repairs, and it places those special creditors—perhaps I should say one special creditor—in a different position from that which creditors occupy against vessels in any part of the British domain where the maritime law prevails which we operate in Canada. It is no use for hon. members to be asked to vote for the Bill on the ground that it does not go far enough. If it does not, let us have the hon. gentleman's Bill under an honest title; but if the Bill is to relieve some particular company or creditor or a particular class of creditors let us not designate it merely as this Bill is designated, let us not degrade the moral character of Canada by passing a Bill for the benefit of those particular creditors or that

particular creditor under a false title, and by smuggling it through the Parliament of Canada. I move that the committee rise.

Mr. MILLS. I cannot help expressing my surprise at the tone of the argument adopted by the Minister of Justice in discussing this question. The Minister knows very well the history of the Maritime Court of Ontario. He knows that before 1877 there was no Maritime Court, no court having admiralty jurisdiction in the Province. The remedy parties had against vessels, whether for supplies or for repairs, was one in the ordinary civil courts, and that remedy exists and is in force to-day as much since the passing of this Act as previously. When the Act of 1877 was adopted there was a desire to adopt measures so far as they could be adopted to meet the wants of the people of Ontario. That was the intention of the Bill. We were not considering whether the law was to be precisely the same in every portion of Christendom or not. I apprehend that has not been the practice in this Parliament or the Local Legislatures. We have not felt compelled to consider the proper classification and arrangement of legislative Acts. We have, as representatives of the people, undertaken to consider the wants of the community and adapt our legislation as far as possible to their wants. The Minister of Justice has not, in any one of the speeches he has addressed to the committee, pointed out that the propositions were improper, that they were not suited to meet the evils complained of and were not reasonable. What have been the objections urged? That the law in the Maritime Provinces, where the Imperial court sits and where the Imperial law is administered, is not precisely the same as the law which my hon. friend has proposed to place on the Statute-book. The law is not the same now. The remedies provided as regards liens are not the same as in any other portion of the Dominion. If one were to listen to the arguments of the Minister one would suppose, in ignorance of the facts, that we were endeavoring to break in upon that beautiful system of uniformity in which the hon. gentleman delights. The hon. gentleman is laboring under a misapprehension if he supposes that to be the case. There is no uniformity at the present time. By the third section of the Act which we placed on the Statute-book in 1877, it is provided that the courts shall not have jurisdiction in certain matters in which the Maritime Courts of the lower Provinces have jurisdiction. There is a very wide departure from the rule of uniformity, to which the Minister attaches so much importance, in the law as it at present stands. I could understand the arguments of the hon. gentleman if this were a uniform law and it were proposed to break in on that uniformity. That is not, however, the fact. We have a law which is supposed to be adapted to the particular circumstances of Ontario, situated as it is upon the inland waters, and the proposition we have to consider is what has been our experience in working out that law; what the experience of shipowners and those who supply them with necessary supplies? My hon. friend has undertaken to explain what the experience of these parties is. He comes here with a Bill, and says: Our experience is such as to show that this Bill will provide a remedy for some of these evils. Does the Minister of Justice say it will not? No; he does not for a moment contest the only really important question for the consideration of this committee. He admits practically, by refusing to argue that question, that the Bill is a reasonable one in its details, but he turns round and says: We have a different law in the Maritime Provinces, and because we have a different law which we have not sought to change here, we will not permit you to make any change you deem necessary in the law of the Province of Ontario; we will not consider your rights and interests; until the people of the Maritime Provinces are prepared to make the change, we will not budge

an inch to make the change you think necessary. I confess, Sir, that that position is one which much astonishes me, because I would suppose that the hon. gentleman, if he were such an ardent advocate of the principle of uniformity, would have come down with a measure to make the law uniform. Has he proposed to change the law as it exists at the present time? He admits that there is not uniformity, but the hon. gentleman says that the present diversity should not be increased. That is not a question which should influence us for a moment. The question is, is there a grievance, and will the Bill remedy the grievance? My hon. friend who introduced this Bill, and who has had extensive experience in these matters, says it will. The hon. member for Monck (Mr. McCallum) says it will; the hon. member for North Essex (Mr. Patterson) says it will; my hon. friend from West Lambton (Mr. Lister) says it will. Every hon. gentleman in this House from the Province of Ontario who is experienced in this matter, whose constituents are interested in this subject, approves of this Bill; and the hon. the Minister of Justice says: No, I will not favor it, because it does not give us uniformity throughout the Dominion. Well, Sir, uniformity is an excellent thing if we do not sacrifice the public convenience, and the practical necessities of the country, to uniformity. There is diversity in our circumstances, and I can easily conceive that a vessel situated on the lakes may be in a wholly different position from one situated in the Maritime Provinces. But I do not care how that may be. This I do know, that I think under a fair construction of the British North America Act, we ought to have had no Imperial maritime courts in this Dominion, after this Parliament was organized. The Imperial Government have, however, taken a different view, and they have contested our right to legislate on the subject of maritime law; they have contested our claim to the establishment of maritime courts. The Minister of Justice says that we can alter the jurisdiction of these courts; we can give them powers they do not at present possess; we can alter the procedure, and so on. But the Imperial Government have taken a different view, they have denied our right, and the hon. gentleman himself has said that they have promised Imperial legislation, for what purpose? To abandon the jurisdiction they now claim.

Mr. THOMPSON (Antigonish). I did not say anything of the kind, and I think the hon. member for Bothwell (Mr. Mills) knows perfectly well I did not.

Mr. MILLS. I know what the hon. gentleman said. He said the Imperial Government had agreed to legislate on the subject.

Mr. THOMPSON (Antigonish). For the purpose of withdrawing their courts—not for the purpose of changing their jurisdiction.

Mr. MILLS. No; but transfer jurisdiction from the Imperial Parliament to this. The hon. gentleman knows this: If it were perfectly clear, according to their view, that we had jurisdiction, then that would have power to supersede their courts. There can be no doubt about that, and if the hon. gentleman says they are legislating for the purpose of withdrawing their courts, does he pretend to say that if a court is sitting under the Imperial Act, we have power under the law, as it now stands, to alter the jurisdiction of that court so sitting?

Mr. THOMPSON (Antigonish). I say we not only have power but that we have done it in fifty different cases which the hon. gentleman has voted for and seen enforced in the courts day after day and week after week.

Mr. MILLS. Well, if the hon. gentleman will specify so that I can understand his contention, I will be better able to say whether I agree with him or not. My

Mr. MILLS.

opinion was when the British North American Act was carried, that it was intended we should have power to create maritime courts. I know there was correspondence on the subject between the Imperial Government and the Government of Canada, and I know the Imperial Government denied that right. They maintained they had no intention of terminating their maritime jurisdiction which they contend should be continued throughout the Empire, but they have seen that we forbore to exercise any power to create courts, which, at all events, would have only co-ordinate jurisdiction, and would not have superseded the Imperial courts already existing in the Dominion. But, however that may be, the hon. gentleman has here to-night contended for the principle of uniformity. He has proposed to sacrifice the interest and the convenience of the population in the Province of Ontario to this rule that he calls the rule of uniformity, and we have called the attention of the committee to the fact that there is no uniformity at the present time; that the wants of the community were taken into consideration when this court was constituted, and it is with reference to the practical mischiefs that exist at the present time that my hon. friend has proposed this legislation.

Mr. THOMPSON (Antigonish). I do not wonder at all at my hon. friend's surprise, but I really think his surprise was not at my statement or arguments, but at his own—I shall not call it misrepresentation, of my arguments, out of respect for the committee—but his misapprehensions—I use that term for the present at any rate—of my argument. I think the committee will unanimously agree with me that I would be justified in using a stronger term when I remind the committee that the hon. gentleman represented me as submitting to the committee that the law should not be changed because we were not ready in the Maritime Provinces to have it changed. I am sure that in this whole committee there is not one gentleman present—and I include the hon. member for Bothwell (Mr. Mills), in that statement—who imagines I presented any such argument. My argument, whether sound or unsound, was that this Bill was one which had found its way to the present stage under the title of a Bill to alter the jurisdiction of the Maritime Court of Ontario, by conferring on that court the right to adjudicate on certain claims; that it was now proposed at this stage to change its character, not merely as to the maritime jurisdiction of the court, but as to the right of suitors in the court, and the right of property owners, which came within the jurisdiction of the court, no matter what part of the world they come from. I did not propose to consider whether it was advisable or not advisable to alter the general law which prevails now throughout this Empire with regard to liens of this description. I proposed to defer any argument upon that branch of the question until we had a Bill before us which honestly invited us to consider it. When that Bill is before us, I shall direct the attention of the House to the principles by which that law has been regulated so far, and the principles which have induced persons in the British Empire, who have devoted at least as much consideration and experience to the settlement of this question as the hon. member for Bothwell has been able to do, to come to the conclusion that it is unwise to establish, as against vested interests and settled contracts, a maritime lien or a statutory lien, in favor of one particular class of creditors, when the owners of the ship upon whose credit the supplies or repairs have been given, reside in the country; in other words, to give the contractor a different set of rights altogether from those which he contracted for, and upon the faith of which the debt was incurred. These were the principles on which I undertook to oppose the Bill passing another stage. I did not oppose it on the ground that everything was uniform heretofore. On the contrary, I admitted that the

judges of the Vice-Admiralty Court in the Lower Provinces—if you will the registrars—if you will the bailiffs—if you will the women who sweep the courts—are appointed by one jurisdiction, while in Ontario they are appointed by another; but I did submit to the logical sense of this committee that that was not a reason for changing the rights of property, the procedure of the courts, and the rights of suitors therein; whereas, the hon. member for Bothwell, by his misstatement, not to say misrepresentation, of my argument, puts the case this way before the committee—that because those judicial officers are appointed by different authorities, they should have different jurisdictions, and different systems of adjudicating between the rights of suitors who come before those respective courts; and all that in respect of a matter, which more than any other matter should be dealt with in a uniform manner by the law of Canada, because it is that branch of our law in respect of which more than any other we attract attention abroad. With regard to the Vice-Admiralty Courts, I understand that the hon. gentleman has some peculiar view, which may offer some reason for his misinterpretation of my position upon that subject. I did admit that the judges of the courts of the Maritime Provinces are appointed by Imperial authority, and that they are Imperial courts. The hon. gentleman, however, went so far as to endeavor to represent me as stating that in consequence of that it would be impossible for us to make the law uniform; at any rate, he sought to drag the argument that far. He sought at least to drag the argument this far, that because the judges in the Vice-Admiralty Courts are appointed by Imperial authority, the Parliament of Canada cannot pass any law affecting their jurisdiction. I called his attention to the fact that the Parliament of Canada had already done so. In repeated instances, notably those relating to the collection of Customs penalties, jurisdiction has been conferred by the Parliament of Canada on the Vice-Admiralty Courts, although they are Imperial courts.

Mr. WELDON. They had that before. They have always had that.

Mr. THOMPSON (Antigonish). They had not before the jurisdiction I have referred to, which was specially conferred on them by Statutes of Canada passed within the last few years. The right of the Parliament of Canada to pass any such Act was contested in the Supreme Court of Nova Scotia, and that court took the view which has been so profoundly urged by the hon. member for Bothwell to-night. It declared that the Parliament of Canada had no right to alter the jurisdiction of Imperial courts, and if that view is right, of course the hon. member for Bothwell is right to-night, that we cannot attempt to make the law of Canada uniform, and that we must submit to the humiliating spectacle of seeing the Maritime Provinces, as well as the Province of Quebec, governed by the maritime law of Great Britain, which is good enough for the greatest maritime power in the world, but is not good enough for some section of the country for which the hon. member for Bothwell wants a special law. But in the case I refer to, of the *Queen vs. Flint*, the appeal was reversed by the Supreme Court of Canada, which practically decided that the Parliament of Canada has power to confer on those courts any jurisdiction it pleases, or to regulate the way that jurisdiction shall be exercised from time to time, in other words, that the Imperial courts are established and organised in the country and its judicial officers appointed in the country, by Imperial authority, but that the right of the Parliament of Canada to make use of those courts or to regulate their jurisdiction is not in any way affected or prejudiced, and exists much in the same way as it does with respect to the other courts. Therefore, that branch of the law can be made uniform with respect to the whole country, and therefore it is undesirable—leaving aside what

title this Bill bears, and by what pretence it has come to this stage—to have the maritime law one way in one section of the country and another way in another section; so that the moment a vessel comes to Canada, which is recognised as one of the great maritime powers of the world as regard her mercantile marine, a ship is to be subject to one kind of law in one section, and to another law in another; and I am sure that argument is not at all affected by the simple circumstance that already we have the fact, undesirable as it is, that in one section of the country there is an Imperial judge and in another section a Federal judge. The good sense of the Parliament of Canada has already pronounced that although that may be undesirable, both the Imperial judge and the Federal judge shall administer the same law. To tell me that because one judge is an Imperial judge and the other a Dominion judge we should make the rights of suitors and the status of the vessels that sail the waters of Canada different, is simply to pervert the argument, and not to throw any light on the question at all. Whether I am right or wrong in the views I have urged, I submit that those views were not accurately stated by the hon. member for Bothwell, who undertook to reply to them.

Mr. WELDON. The best argument my hon. friend has made as to uniformity, he made just now. He said that Acts were passed by the Parliament of Canada giving power to the Vice-Admiralty Courts with respect to Customs and revenue. My impression was that they had that jurisdiction before; but I will accept his statement; and if it is so, that same Parliament of Canada has taken away that very jurisdiction from the Maritime Court of Ontario. Therefore, the lack of uniformity in the jurisdiction has been created by this Parliament itself. It expressly takes away jurisdiction from the Ontario court with regard to breaches of the Customs and revenue laws, which, he says, it has given to the Vice-Admiralty Courts of the Maritime Provinces. He also speaks of their being Imperial courts. In the other Provinces the judges, I believe, have been so far appointed by this Dominion, and the power of selecting the judges of the Vice-Admiralty Courts is now vested in the Government of Canada. It is true, that is not the case in the Province of Nova Scotia, because I believe that under the Imperial Act, the chief justice of Nova Scotia is the judge of the Admiralty Court, and that in New Brunswick and Quebec the case is different. In Quebec Mr. Irvine is the judge of the Admiralty Court. Therefore, there is not uniformity in this case, the admiralty judges in Quebec and New Brunswick being appointed by the Canadian Government, while in Nova Scotia the appointment is made by the Imperial Government.

Mr. THOMPSON (Antigonish). The judge in Quebec is appointed by the same authority as in Nova Scotia.

Mr. WELDON. The appointments may be subject to confirmation by the Imperial Government, but they are made on the recommendation of this Government.

Mr. THOMPSON. No.

Mr. WELDON. Well, I understood so, but I may be wrong. Is not the Dominion Government however consulted with regard to those appointments and are they not made on the recommendation of the Dominion Government? There is another point. The only argument my hon. friend put forward is that this Bill will make a different jurisdiction with regard to vessels coming to the country; but as regards breaches of the revenue and Custom laws there is a broad distinction, and we might go further. He also says it would change contracts and interfere with existing rights, but the clause is not retrospective, and, therefore, cannot apply to any claim now accrued.

Mr. McCALLUM. It is not for a layman to take part in an argument of this kind, which is purely a legal one;

but I would ask: What had we in Ontario before we got the Maritime Court, because the jurisdiction of the Vice-Admiralty Court only extended to tide water? We had therefore in Ontario to have something or other to enable us to collect our debts. Of course uniformity is all very well, if the hon. Minister would only tell us when we are going to have it. Are we to suffer in the meantime by having to go to the registry office where a vessel is registered, and see whether there is a mortgage on her and who is the owner, before we can furnish her with provisions and supplies? Is it not reasonable that the builder of a vessel should have a claim on her for ninety days and that the one who furnishes equipment and supplies should have a claim on her for ninety days, after which, if he did not protect his claim, he would only rank the same as any other creditor? That is the case now, if I understand the maritime law aright. This Bill mentions only the managing owner, but I would like to have the master included as well, because he is in charge of the vessel. Suppose a vessel goes from here to Port Arthur and gets into trouble and loses some of her rigging, and the master wants a new supply, how is he going to get it? Is the merchant to send to the port of registry to find out who is the owner or whether there is a mortgage before furnishing the supplies? This Bill is in the interests of the owners themselves. In salt water, a vessel going from port to port, can obtain any supplies or have any repairs necessary made, through the master, since he can give a bottomry bond on the vessel for the amount, and then proceed to sea again, but on the lakes the case is different. The hon. gentleman talks about the difference in laws existing on the Lower St. Lawrence and on the lakes, but very few inland vessels go to sea at all, so that the difference cannot affect sea going vessels. With reference to his remarks about Vice-Admiralty Courts, why we had no court at all in Ontario until we got this one, because the jurisdiction of the Vice-Admiralty Courts only extend to tide water. We can collect from American vessels our debts now, and we want to have the same power to collect from Canadian vessels. If the owner lives here and there has a mortgage on his vessel, the master of the vessel ought to be in a position to put his vessels in proper shape to go to sea, without putting the man who furnishes the supplies under the necessity of looking to the registry office to find out who is the owner.

Mr. THOMPSON (Antigonish). My hon. friend (Mr. McCallum) really misunderstood me. I did not say the Vice-Admiralty Courts should have jurisdiction in Ontario. All I ask is that vessels should not be governed by different laws in the one Province from those which govern them in another. It is reasonable that a man who builds a vessel should have a lien upon it, and if he wants one he can have it. By the laws of Canada, the moment the keel is laid the builder can take a mortgage which shall cover every additional dollar's worth of property put in the ship. If a man wants a lien for repairs, he can get it by asking it before furnishing the repairs. The object of this Bill is to give one class a right for which they have not asked or bargained, in respect of advances which they made on the credit of the owners alone.

Mr. MILLS. The hon. gentleman has made an imputation against my hon. friend of having brought forward a Bill under false pretences,—

Mr. THOMPSON (Antigonish). I beg your pardon, I did not.

Mr. MILLS—of having brought forward a Bill with a misleading title, and he has told us, with regard to legislation, such as proposed by my hon. friend, that he ought to have come forward honestly, with an honest title to his Bill and not one calculated to mislead. I do not propose to

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enter into a controversy with the hon. gentleman on any such line. I beg, however, to say that the observations he has made with reference to the jurisdiction of the courts, the illustrations he gave are not quite pertinent. We have given in election cases jurisdiction to the provincial courts, and our right to do so was contested, but it was confirmed by the Judicial Committee of the Privy Council. But to give a court additional jurisdiction is one thing and to change the jurisdiction of a court, to take away the power it already has, to decide that the rights which existed in a particular form shall be varied, is a wholly different thing. The Minister of Justice has spoken of the Vice-Admiralty Courts of the Maritime Provinces as if they were Canadian courts, as if the Imperial Government appointed the judges and had no other connection with them. The Vice-Admiralty courts are the creation of the Imperial Government, and not of this Legislature, and so far as they are created by Imperial Statute, and so far as jurisdiction is given them by that Statute, we cannot alter their jurisdiction, unless the whole power to deal with the subject were transferred from the Imperial Parliament to this one. The Imperial Parliament maintain, both with regard to the question of the creation of Vice-Admiralty Courts and the question of merchant shipping, that these subjects are still subjects of Imperial legislation. And when the Merchant Shipping Act was amended in 1876, the Imperial Parliament contended that we had not the power to deal with the subject. It was made a matter of controversy. Sir William Vernon Harcourt entered into a controversy with the *London Times* upon this subject while the matter was before Parliament, and Lord Carnarvon, in a despatch which the hon. gentleman will find in the Department of the Secretary of State, denied the right of the Parliament of Canada to legislate upon that particular subject. So that, so far as the Vice-Admiralty Courts are concerned, they are the creation of the Imperial Parliament under an Imperial Statute, and so far as jurisdiction was given to them, we have not, under their interpretation of our constitutional authority, the power to change the law in that particular. I pointed that out, and, when the hon. gentleman said that the Imperial Government proposed legislation, I certainly supposed that they proposed it for some other object than simply to withdraw their power of appointing the judges of the Vice-Admiralty Courts. I supposed—and I think no one who will consider the law as it now stands can come to any other conclusion—that, if the Imperial Government intended to confer upon us any power, it must be more than the power of appointing the judges, it must be the power to create courts to exercise vice-admiralty jurisdiction—a power which we could not effectively exercise now, so long as the establishment of these courts is vested in the Imperial Government under the Imperial Act now in force.

Mr. PATTERSON (Essex). I think the point of the matter is that, when the Ontario Maritime Court Act was passed, it was passed to remedy grievances which were complained of by the people's representatives here, and the people's representatives complain to-night and tell the Minister of Justice that there are serious grievances still existing, and that this measure would be a partial remedy for them. I have not heard any member who represents a constituency bordering on the inland waters of Ontario oppose this Bill, except the hon. member for Simcoe, who opposes the measure because he has not had time to consider it, though last Session he supported a measure which went much further. For years we have been put off in our endeavors to obtain a remedy for these grievances. We have had ministerial platitudes year after year. We have not had a Minister of Justice in this House, and, however much we may admire the ability and the uniform courtesy of the hon. gentleman who filled that position, we did not have him here. Now, having the Minister of Justice in

this House, we did not think, coming here with reasonable grievances, representing our constituents in this matter—and I may say that I feel very strongly on the subject, and that I represent people who feel very strongly on the subject—we did not expect that we should find the Minister of Justice obstructing this legislation, taking advantage of technicalities, and talking all round the subject as he has done to-night. We were promised by the Government in former Sessions that uniform legislation would take place, and no possible interpretation, such as the Minister of Justice puts on it to-night, could be taken from what was stated to us. It was distinctly stated that the Imperial Government would legislate in such a manner that we should have jurisdiction over the maritime courts; but, if it is to be merely the power to appoint the judges ourselves, and not to have additional legislation, it was no answer at all to the demands that were made in those former Sessions. In regard to the principle of uniformity, which is said to be so desirable, I do not see that it is applicable to this Bill at all. The classes of vessels navigating our inland waters, and the purposes for which they are used, are entirely different from the sea-going vessels. The principle of this Bill has been recognised by the Ontario courts, in the Mechanics' Lien Act, and I do not see that any injustice will be done to any class by extending that to the building or repairing of vessels. I cannot see on the Government orders any measure of equal importance to the little Bill which has been brought in by the member for North Grey (Mr. Allen); and I trust that, if the Minister of Justice insists on voting this down, supported by gentlemen who do not understand it, we shall have this Session some other measure of a similar character.

Mr. ALLEN. I desire to make a personal explanation. I am charged with acting dishonestly with this Bill. I deny the charge and I leave it to the House to judge whether I have acted dishonestly or not. I represent one of the largest shipping ports in Ontario. The town of Owen Sound has the largest shipping yard and the largest dry dock in the Province. Perhaps we do the largest shipping business of any town in that Province. The solicitor of the dry dock company handed me this Bill. I am not a lawyer; I do not pretend to understand law. I merely took charge of this Bill in the interest of shipping in this House. About the time—I think the same day or the day before—this Bill got the second reading, I received a letter from the solicitor of the dry dock company in Owen Sound stating that an amendment was needed to make this Bill operative. To show this House that I did not act dishonestly, that I did not try to smuggle this through, that I did not try to do anything underhand, I may state that I handed the Minister of Justice the letter I received from the solicitor. I also handed him the Bill, with the amendment I desired to add written at the bottom. Was that acting dishonestly or like a smuggler? He received that, and one of the reasons, and the principal reason, why that Bill has been allowed to remain so long on the paper, was to allow the Minister to examine the amendment and to be prepared for it when it came up. I ask the House if that is smuggling a Bill through. I will not submit to the imputation from any gentleman in this House, no matter who he is or what he is. I emphatically deny the accusation.

Mr. THOMPSON (Antigonish). I desire to add one word of personal explanation. The hon. gentleman must certainly have misunderstood what I said if he supposed that I said that he had got the Bill thus far dishonestly. My hon. friend from North York suggested that in order to meet my objection as to want of uniformity we should add a few words to this Bill, making it applicable to all the Provinces of the Dominion. I said: "Then what about the title?" "Well," he says, "we can change the title too."

Then I said: "If you did that the Bill would have been got thus far under false pretences"—not at all in reference to what the hon. introducer had done, but in reference to the change proposed in the Bill making it applicable to the whole Dominion, changing both its title and purport. I had no idea whatever of applying that observation, which was upon a supposititious case altogether, to the hon. member's procedure with regard to this Bill. It is true he was kind enough to submit to me in writing a statement that he would move to amend the Bill in this way in committee. It is also true, however, that he only conveyed that intimation to me after the Bill had been read a second time, and it is only twenty-four hours since I asked that it stand over until I could examine his amendment. I believe that the Bill is framed simply in the interests of the dry dock companies of Ontario, and not in the interest of the country generally.

Mr. MULOCK. The Minister of Justice has done, of course, what is quite proper in trying to remove any misunderstanding, but I may remind him that when he made his criticism of the character of the Bill, so far as I recollect, it was in the direction complained of by the hon. member for North York.

Mr. THOMPSON (Antigonish). I did state that the Bill ought to bear an honest title, but I made no personal reflection whatever against the introducer of the Bill.

Mr. CAMERON (Huron). I think it is very unfair this Bill should be quashed now. I move in amendment that the committee rise and report progress, and ask leave to sit again.

The CHAIRMAN. You cannot move that amendment now.

Mr. McCALLUM. I would not like it to go to the country, that in this House I was advocating the interests of the dry dock men. I am here in the interests of the people of my county, and not of any dry dock men.

Sir RICHARD CARTWRIGHT. I may add, that having had a good deal to do at various times with gentlemen connected with the business of supplying articles to ship-owners, I know, as a matter of fact, that the objects my hon. friend proposes to obtain are matters of great interest to all those parties in almost every shipping town throughout the Province of Ontario. I am not going to continue the argument, but that is a matter of fact, and it is not right, or fair, or correct, to say that this Bill is promoted in the interest of a dry dock company, or any other corporation.

The Committee rose without reporting.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to; and (at 11:25 p.m.) the House adjourned.

HOUSE OF COMMONS.

THURSDAY, 8th April, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FIRST READING.

Bill (No. 87) to incorporate the Columbia Valley Railway.—(Mr. Tupper.)

HUBERT HÉBERT.

Mr. LANGELIER asked, Whether Hubert Hébert, Revising Officer for the Electoral District of Montmagny, is

the same person who holds the position of Station Agent of the Intercolonial at St. Thomas; and, if so, what steps have the Government taken in order that the service of the railway may not suffer while the said Hubert Hébert is engaged in the preparation and revision, both preliminary and final, of the electoral lists for the said district?

Mr. POPE. Yes; this is the same person, but he has retired from the service of the railway, and a new station agent has been appointed.

EDMUNDSTON TO RIVIÈRE DU LOUP RAILWAY.

Mr. WELDON asked, Has any application been made to the Government for the subsidy given for a railway from Edmundston to Rivière du Loup, or Rivière Ouelle, and by whom; and has any contract or understanding been made or entered into with any company for the construction of this railway, and with what company? What is the estimated cost per mile?

Mr. POPE. Yes; an application has been made by the Temiscouata Railway Company, but no contract has yet been entered into. \$18,000 per mile is the estimated cost of the road.

S. C. D. ROPER.

Mr. COOK asked, Is S. C. D. Roper in the employment of the Government? If so, in what Department? What is his salary, and what is the nature of his services?

Mr. CARLING. Mr. Roper is employed in the Statistical Branch of the Agricultural Department, temporarily, at \$2 per day.

RETURNS.

Mr. McMULLEN. I moved for the following return on the 4th March:—

1st. The name of each person on the superannuation list on the first of January, A. D. 1886.

2nd. The date at which each of such persons was superannuated.

3rd. The amount paid into the superannuation fund by each person now on the list.

4th. The total amount paid to each person now on the superannuation list up to the first of January, 1886.

That return has not yet come in.

Sir HECTOR LANGEVIN. The Minister of Finance is not here. I will call his attention to it as soon as he comes.

Mr. PATTERSON (Brant). I moved for a return of the report of the inspectors to whom samples of flour to be supplied the Indians were submitted.

Sir HECTOR LANGEVIN. I will enquire about it.

Mr. MULOCK. When may we expect the return ordered on the 4th March, which I had the honor of moving for, regarding the sufficiency of the food supply to the Indians?

Sir HECTOR LANGEVIN. I will enquire about it.

PROTECTION OF WOMEN AND GIRLS.

Mr. CHARLTON moved that the House resolve itself into Committee on Bill (No. 20) to punish seduction and like offences, and to make further provision for the protection of women and girls.

Mr. CAMERON (Huron). I do not rise for the purpose of opposing the Bill, because I am in favor of its principle, but I would suggest that it be referred to a select committee. The Minister of Justice will know, on referring to the Bill, that there are some very important clauses in it. It proposes to create some new offences, and to a large extent is taken from the English Act passed last Session, but in some respects it differs. Now, if the hon. gentleman will

Mr. LANGELIER,

look at clauses 5 and 6 of the Bill he will find, on comparing those clauses with the law as it now exists, that they appear to come into collision with it. It is not proposed to amend the law as it exists, but these are new enactments altogether. It is very difficult, in Committee of the Whole, where you have to refer to the existing law and compare it with the provisions of the Bill, to deal with the matter intelligently, and I am perfectly satisfied that this Bill will receive much more justice and will be made much more perfect and consistent with the law as it now prevails if my hon. friend from Norfolk (Mr. Charlton) will consent to refer it to a select committee, which would take the trouble to make it as perfect as possible. Section 5 of this Bill proposes to make it a misdemeanor to take, or cause to be taken, a girl out of the possession of her father, and against the will of her father, for improper purposes. Section 54 of our own Statutes declares that:

"Whosoever fraudulently allures, takes away or detains a woman under the age of twenty-one years, out of the possession and against the will of her father and mother, or of any other person having the lawful care or charge of her, etc., is guilty of felony."

Section 5 of this Bill only makes the person so charged guilty of a misdemeanor. It appears to me that the two sections come somewhat into collision. This Bill does not propose to amend the law, but to create a new enactment altogether. One would require to examine very carefully into the matter and see that these provisions are not inconsistent, and that we do not weaken the law. The same applies to section 6 to a considerable extent. Whoever detains a girl against her will for an immoral purpose is guilty of a misdemeanor. Now, on reference to our own Statute, we find that whoever detains a girl is guilty of a felony, and section 56 provides that—

"Whosoever unlawfully takes or causes to be taken any unmarried girl being under the age of sixteen years out of the possession and against the will of her father or of any other person having the lawful care or charge of her, is guilty of a misdemeanor."

I do not know whether the hon. gentleman has given sufficient attention to the Bill and has compared it with the existing law, but it appears to me that to make the Bill perfect it requires some consideration and reflection, and to compare the existing law with the proposed law of my hon. friend from Norfolk (Mr. Charlton). Therefore, my own opinion is that, however desirable it may be to pass the main portion of the Bill, it would be much better that the Bill should be referred to a select committee composed of gentlemen who are accustomed to deal with questions of this kind, in order that they may go over it carefully, examine its provisions, compare them with the existing law, and make them as perfect as possible. There are some other provisions in this Bill which I do not approve of, but which could be discussed in Committee of the Whole, such as the seventh clause of the Bill. That, however, is a matter which could be discussed without difficulty in Committee of the Whole, because it does not come in conflict with any existing laws in this Dominion of Canada. There is another difficulty which requires consideration. The offence which is created by the first section of this Bill is not now a criminal offence at all. There is a civil remedy for that wrong. It is not proposed to abolish that civil remedy. Of course that could not be done here, but it is proposed to make that a criminal offence, so that the victim would be liable to two penalties, one for the civil wrong, and then for a misdemeanor, for the crime which it is proposed to create by this Bill. I think it might be possible to place this clause in such a position that a man could only be convicted, so to speak, once for the same offence; that, if criminal proceedings are taken against him, and he is incarcerated for two years, or whatever time may be fixed, no other proceedings should be taken against him. I am not prepared to say now how far this could be done, but I think the Minister of Justice will

agree with me that it is difficult to deal with these matters in Committee of the Whole House, of which the majority of the members are laymen. I therefore suggest that the Bill should be referred to a select committee, which I believe could better deal with it than a Committee of the Whole House. I would suggest that the Minister of Justice and the member for North Simcoe should be on that committee.

Mr. CHARLTON. I regret that the hon. member for West Huron (Mr. Cameron) has seen fit to make the suggestion he has, that this Bill should be referred to a select committee. The reference of the Bill in this manner would, in all probability, mean its burking for this Session. The Bill may have imperfections, but I think there are none so radical as to prevent their being dealt with in Committee of the Whole. The difficulty occurred to my mind, and I thought it better, instead of referring the Bill to a special committee, to consult the Minister of Justice himself, and by his kind permission, I have done so, and amendments have been suggested by him which I think will make the Bill acceptable to the House and even to my hon. friend from Huron. With reference to the fifth and sixth clauses of this Bill, I do not know that either of them is objectionable or essential to the Bill. The fifth clause could be expunged if it were inconsistent with the existing law, and I think the sixth clause could be amended in such a way as to make it acceptable. The Minister of Justice has heard the objections of the member for Huron, and he knows what the member for Huron does not know, what amendments are to be proposed; and I will leave it to the Minister of Justice to decide whether the proposal of the member for Huron should be adopted or not.

Mr. THOMPSON (Antigonish). It is quite correct that the hon. member who introduced this Bill was good enough to have a consultation with me, and I suggested to him some amendments for which I only am responsible. I know that there are many differences of opinion in regard to this matter, and I would personally prefer that the Bill should go to a special committee, if the hon. gentleman is not convinced that that would result in the defeat of the Bill by lapse of time, which I think would not be the case. I stated to him yesterday that, although I would not ask to have it so referred, I would desire it, and, as the suggestion has been made and it is a question of great importance, I will say that I think all such Bills as this are better considered after investigation by a special committee. I think, as one member of the House, that it would be preferable to refer it to a special committee.

Mr. CHARLTON. In bowing to the decision of the Minister of Justice, which I have no doubt is correct, I may ask, parenthetically, if delay is occasioned by the reference, that the Government will be kind enough to allow the Bill a chance to be considered by the House, as it might not be reached in the regular order of business. I move:

That the Bill be referred to a Special Committee consisting of Messrs. Thompson (Antigonish), Casgrain, Patterson (Essex), Cameron (Huron), Curran, Temple, Shakespeare, Hilliard and the mover.

Order for Committee discharged, and Bill referred to Special Committee.

FARM OR REAL ESTATE BANKS.

House resolved itself into Committee of the Whole further to consider certain proposed resolutions to provide for the granting of charters to farm or real estate banks.

(In the Committee.)

On resolution 3,

Mr. ORTON. Before proceeding to the concluding resolutions, I wish to make a few remarks as to the object I have in view, and to answer some objections that have been raised against the Bill that is proposed to be founded upon these resolutions. It was strongly urged by the hon.

member for Bothwell (Mr. Mills) that the stockholders would not go into an operation of that kind, because there was no apparent margin of profit. Now, I wish to explain to the House that the margin of profit will consist, in the first place, in the difference in the amount of Dominion bills issued by the bank and loaned out upon mortgage security, and the amount of interest that they have to pay to the Government on the bonds which are given in exchange for these bills when the Government is called upon to redeem them. I also propose that the stock shall not consist alone of mortgages upon real estate, but it may consist of gold, specie, or any other equivalent, in the same manner as other banks, and that there shall be so much paid-up stock before any bank is chartered under this Act. The amount of that paid-up stock will be a detail for consideration. I propose also that this bank shall have power to loan, to a small extent, to farmers only at a higher rate than 5 per cent., that is, not upon mortgage security, but upon note security. I wish also to surround them as far as possible with every safety that can be devised, and I propose that they shall only loan to those farmers who are known to be of good standing.

An hon. MEMBER. They will not need to borrow.

Mr. ORTON. I will show you how they may need small sums. Sometimes farmers may require small sums to hire labor, to put in their seed or to harvest it, or they may desire to meet temporary losses by fire, or losses of cattle, or other embarrassments to which they may be subjected. I propose that this bank shall take the place of the ordinary private banks of the country. Those private banks, as we are all aware, borrow money largely from the ordinary banks at 7 per cent., and they are obliged, in order to obtain a profit, to have a much higher rate than 7 per cent. when they loan it to the farmers for those temporary purposes I have referred to. I also propose, by this Bill, to permit these farmers' banks to loan money at the same rates as other banks, at 7 per cent., but only in small amounts, such an amount as is commonly required by farmers in such operations as I have indicated. I think there is no doubt that this system of banking will result in a great deal of profit to the stockholders. Farmers will take stocks by mortgaging their farms, and get an interest upon that capital that is at present locked up in their improved farms, and those who do not require to borrow money can thus become stockholders in farmers' banks and receive an income upon their capital. An objection was also made that the Government should never assume such a responsibility as to issue to the people of the Dominion, notes redeemable in bonds upon mortgages, because there is a certain amount of risk. Well, we are well aware that such security is to-day the very best security that can be obtained. I have in the Bill provided means for ascertaining accurately the value of the farm, and the soundness of the title; therefore, I think the amount of risk the Government would run would be comparatively small, because the banks would become responsible to the Government for the payment of these bonds. Those banks will not be incorporated, until there is a large amount of stock paid up, so that the security is almost absolutely certain. Why, Sir, we have now before the Committee on Immigration and Colonisation a gentleman who was engaged in settling the North-West with Mennonites, under a plan by which the Government loaned to those Mennonites a large sum of money, \$95,000, to assist them in settling our North-West, and it has been a very successful venture. But the Government first secured themselves by bonds given by certain farmers in the county of Waterloo, and that this operation turned out very successfully indeed. Those Mennonites are to-day prosperous people, and many have become wealthy, and in the course of another year it is supposed that they will be able to pay off all their

indebtedness. That is a case in point where such kind of aid may be of immense value in the settlement of our new country; and, in the same way, the temporary accommodation that would be afforded to farmers through the operation of this bank, will be the means not only of settling up the land, but of aiding those farmers who are now living upon improved farms to compete with the outside world in the European market. Of course, Mr. Chairman, it is generally conceded that the primary object of monetary legislation is the convertibility of the bank notes. Under this Act that convertibility is absolutely secured; the notes issued by the Government are convertible into Government bonds; those bonds have their market value and will command gold at exactly the price of the credit of the Dominion of Canada. Another benefit that I claim is the absolute protection to the public against any loss. Another advantage is that the foreign drain, when excessive, can be met without any strain upon the business of the country, by borrowing at the lowest possible rate of interest, and the amount required to be borrowed the lowest possible sum. That would be a very great advantage to the country at large, and would reduce the amount of money we are required to borrow from abroad, because to that extent it would reduce the annual drain on our people in the shape of interest. Another benefit is that it secures that the rate of discount for foreign exchange be uniformly kept at as low a rate as the actual credit of our country will warrant. It does not interfere with, but rather strengthens the position and usefulness of the more purely commercial banks of the country. The Dominion Farmers' Bank notes will not depreciate, as the public would not keep out of circulation any more than was absolutely required for the transaction of their business. The bonds represent the gold basis, and whenever too large a circulation of Dominion Bank bills exist they are converted into bonds, and bring the owner interest on his money. If gold is required for foreign demand, the Government bonds are the cheapest and readiest means of obtaining that gold or its foreign equivalent, and will be used for foreign exchange, as it can always be convertible, at the current value of Dominion of Canada credit, into gold or its equivalent in any foreign country with which we trade, so that, practically, the Government will seldom, if ever, be required to pay in specie, and consequently gold will accumulate instead of decrease in amount in this country, which appears to be the tendency at the present time. It provides a negotiable security in which the humblest economiser who has saved \$10 can invest and receive interest therefrom. It provides a means of distributing amongst the borrowers of money on first-class mortgage security, a share in the profits made by the transactions of these farmers banks. It provides the wealth producing class of our country with facilities for carrying on their industry at the lowest possible rate which the credit of our country will permit. The result will be a benefit to all industrial classes by keeping labor employed at remunerative prices. It will afford a powerful aid to the settlement of our vast tracts of productive soil and prevent settlers from being handicapped by loans at exorbitant rates. I think that is a very important question for Parliament to consider in settling up our agricultural lands, namely, that the new settlers will be protected, as far as the Government can protect them, from exorbitant rates of interest. To-day, before the Agricultural and Immigration Committee, a fact was stated, which is known to members of the House, that the loan societies are not lending money in the North-West at the same rate as they charge in the older portions of the country, charging in the North-West seldom less than 10 per cent., in a few instances 8 per cent. I mention this as one matter which ought to receive the very serious consideration of this House at the commencement of settlement in a new country. Another

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benefit I may mention is, that the system I propose will stimulate healthily the development of our mineral, timber, fisheries, and other national resources by attracting the capital of those who desire high rates of interest in that direction, instead of being used for usurious purposes, and thereby will increase the home market for farm produce as well as manufactures. Those are some of the advantages I claim for this Bill, and I have yet to meet with any arguments that can be fairly advanced as reasons why farmers' banks should not be established. I have pointed out the extraordinary benefit of the system on the continent of Europe; and no more remarkable example could be found than that of France where, previous to the inauguration of the Crédit Foncier, the rate of interest for loans on farm lands was 12 per cent., whereas the rate has been reduced to 3, 4 or 5 per cent. That was brought about by the action of the Crédit Foncier, founded on principles similar to those embodied in this Bill; but I desire the farmers' banks in this country to be backed up by the credit of the Dominion as well.

Sir RICHARD CARTWRIGHT. I think the time is surely now come when the Government will give the House some information as to the course they propose to pursue with respect to this important question which has been raised by the hon. gentleman who has just taken his seat. I need not say that the Minister of Finance will see himself, in glancing at the resolutions, that transactions to the extent of hundreds of millions of dollars may be involved under these resolutions, and, no doubt, the Government will have maturely considered them and be prepared to announce what conclusion they have arrived at as to the policy set out in them.

Mr. McLELAN. The Government have not come to the conclusion to adopt any policy embodied in these resolutions. I understood, the other day, the proposition was to send them to the Banking and Commerce Committee to be discussed there, and to hear the views of the various gentlemen selected to represent that interest upon that committee, and to have them generally discussed. The Government have not agreed to adopt any principle in them; these resolutions have not been discussed by the Government as resolutions embodying any principle to be adopted by them, and they have not come to any conclusion, nor do I think they will very hastily come to the conclusion to adopt them. It may be desirable, it is but due to the hon. gentleman who introduces them, that they should receive the consideration of the Banking and Commerce Committee, and I think, without the House being committed to the principles involved, they should go before that committee. I think that was the understanding arrived at, the other day, that the resolutions should go to the committee, without the House being pledged to the principles embodied in them.

Mr. MILLS. The statement of the Finance Minister would show that Ministers are in the clouds—that they have no opinion on the subject. Here is a question which would seriously affect our banking institutions—in fact, change the whole policy of our circulation, one which would affect the interests of the Government to the extent of millions; and yet the Finance Minister tells us that the Government do not yet know their views on the question. If we are to draw any conclusion from the hon. gentleman's statement, it is that the Government have no opinion on the subject. They have admitted they have not yet become capable of forming an opinion, and they wished to be advised by an important committee of the House. That is certainly a very extraordinary position for the Government to take upon a question of such magnitude. This is a question upon which the Government ought to have an opinion. It is a duty they owe to the House. They have other duties to discharge besides occupying the Treasury benches and receiving the salaries of Ministers. It is their business to inform themselves on questions of this

kind, and to take the responsibility of determining what the policy of the country shall be on the subject. The Finance Minister says the Government have no policy upon the subject; they have not yet come to any conclusion. The hon. gentleman doubts whether the Government would adopt the views of the promoter of these resolutions; he thinks they would be very slow to accept the policy embodied in them; and yet the time of Parliament and the time of the Committee is to be taken up in discussing a measure and a policy that would be of the utmost importance to this country, and the Government have no opinion on the subject. I wish to say a word, Mr. Chairman, with regard to the observations of the promoter of these resolutions. The hon. gentleman has presented to us a scheme, and he tells us he is going to provide in these resolutions for the taking of a larger rate of interest than 5 per cent. under certain circumstances. When the loans are precarious, when the security is not of the highest order, then these banking institutions, when they are established under this arrangement, are to be allowed to take a higher rate of interest than 5 per cent. The hon. gentleman told us, the other day, that these parties were to mortgage the real estate of the country to the extent of half its value, and this security was to be the capital upon which these banking operations were to be carried on.

An hon. MEMBER. Part of it.

Mr. MILLS. If there is any other, I do not know of it. I wish to point out that the hon. gentleman assumes that these parties who pledge their real estate for the purpose of furnishing the means to carry on these banking operations to the extent of half its value, will receive 5 per cent. on the half, or on all the value of the real estate, and he went on to tell us that each farmer who went into the enterprise would receive this 5 per cent. on half the value of his property. That assumption is based on the theory that the whole of the capital of the bank is to continue for all time in circulation. I would like to know what banking institution in the world can show any such result as that. Who are to be the borrowers, the debtors of these banking institutions? The agricultural population, the population who furnish the capital by pledging their property as the basis of this circulation, and those people are supposed to be in such needy circumstances that they are going to borrow to the extent of half the value of all the farming lands in the Dominion of Canada, if all the farmers are going into the enterprise. Unless that were the case, unless they borrowed to the extent of half the value continuously of the whole of the agricultural lands of the country, then no such profits could be derived as the hon. gentleman has mentioned. I say it is a very extraordinary scheme that the hon. gentleman presents, and it is very extraordinary that the time of Parliament should be taken up, and, in addition, that the time of an important committee of this House should be taken up with the discussion of this scheme, when the Government will not assume the responsibility of saying they favor it—will not assume the responsibility of saying that if the House and the committee are disposed to favor this scheme, they will in the end accept the responsibility of promoting it. Now, Sir, if the Government wish, as the hon. Minister has vaguely hinted, to kill the proposition of the hon. gentleman, it would be better they should do it here, than that the time of the Committee should be taken up with its consideration, and that it should then be killed after a considerable portion of time has been spent to no purpose.

Mr. HESSON. It would appear that the hon. member for Bothwell (Mr. Mills) is not in favor of this measure, and that he is not going to render any assistance towards perfecting a measure which appears to be called for by a large number of the people of this country. Now, I should have supposed that the hon. gentleman could have seen sufficient

advantage in this Bill to the most hard-working and the most important part of the citizens of Canada, to have made some valuable suggestions to perfect a measure which I believe, and which he must conscientiously believe, if it can be put in a good working position, would be of great advantage to the farmers of Canada. The hon. gentleman wants to make it appear that it is a most unreasonable proposition to suppose that all the farmers of Canada will mortgage their farms to the extent of half their value for the purpose of lending it out at 5 per cent. It was never supposed that all the farmers would agree to do this. In the first place, all the farmers are not in a position to take advantage of this Act, so as to become parties likely to receive interest from the investment they make, when they involve their land under mortgage. Unfortunately, only a portion of the farmers of Canada are in the happy position of being able to say that their land is free from mortgage or liability of any kind whatever. Now, if that happy portion of the farmers of Canada can take advantage of their position and say that their farms are free, and that they are willing that those farms should be placed as a basis for a circulating medium to loan to the other more unfortunate portion of the farming population, who, as is well known to every hon. gentleman present, are now compelled to borrow at high rates of interest—I say if that class can put their property in as a basis of circulation, instead of the specie upon which the Government may furnish a circulation, and if they can lend it out at 5 per cent. instead of 7, 8, 9 and 10 per cent., which they have to pay in some instances at present, then I contend that there will be an advantage to both of those classes so great, that one would think it would be sufficient to induce the hon. gentleman to have given us the benefit of his intelligence upon this very important question. The hon. gentleman seems disposed to find fault with the Government for not expressing their views on this question. This measure has been brought before the House for the very purpose of asking the intelligent assistance, not of the Government alone, but of hon. gentlemen who are equally as capable of forming an opinion as to the wants of the public as members of the Cabinet are themselves. I hold that there is not a gentleman in this House who does not represent equally, with regard to his own constituents, as much responsibility as the members of the Cabinet do themselves in their individual capacities. Such being the case, I think opinions might well be discussed and formed here, and if in the multitude of councils there is wisdom, I should have hoped that the hon. member for Bothwell (Mr. Mills), who has had a great deal of experience in the legislation of this country, and who is frequently capable of throwing important light on the discussion of questions in this House, would join us in endeavoring to produce a measure which would be advantageous to the large and important class who are most deeply interested in it, instead of throwing cold water on a measure which is intended to benefit them. I see no reason why this measure might not be made to work successfully. I repeat what I said on a former occasion, that I have not a high opinion of the basis upon which the banking institutions of Canada are established to-day—the specie basis—as being the only really satisfactory basis on which banking might be done in the country. We know perfectly well that the large trade which is done in Canada to-day, if you put it on the basis of the specie which is held basis of about \$7,000,000, though the trade reaches as by the chartered banks of Canada, is being done on an aggregate of hundreds of millions of dollars. Now, if they are capable of doing that on the basis of \$7,000,000, may it not be done by fairness on a security which I hold—and I challenge any hon. gentleman to deny it—is a better security than the specie on which the bank circulation is based. May not farmers also accomplish some good purpose for their own particular class, whom we all feel anxious to

help, and whom we all sympathise with in their difficult position from time to time when they find their crops failing and large liabilities maturing. I do not wish to see this matter thrown aside, nor do I desire that the Government should immediately take up the question, or until they have received a more honest expression of opinion upon it from the representatives of the people of Canada in this House, as to what they believe would be the effect of such legislation and the advantages to be derived from it by the particular class for whom it is devised. I do not profess to adopt all that the introducer of these resolutions proposes. I do not suppose any Bill can be brought before the House that could not be improved to a considerable extent if referred to a committee; and the mover of this Bill from his standpoint may ask for provisions to be inserted in it which might be properly considered by the majority to be out of place in the Bill altogether. I am not prepared to say that it is desirable to give even a farmer the privilege of borrowing on a note unless it is secured by collateral security, or that the chartered banks should not be secured in the same way. Seeing that the stockholders in such a bank would have a clear dividend of at least 4 per cent. net after paying all expenses out of what is now dead capital in their estates, they might fairly be asked to lend to the unfortunate farmer who has to borrow, either on mortgage or notes well secured by collaterals, at the low rate of 5 per cent. instead of 7 or 8 per cent., as is charged by the banks at present. I hope that this matter will go before the Banking Committee, that it will be fully discussed, and that gentlemen on both sides of the House will declare their views on it. It is a very important measure indeed—so important that I have no doubt the Government will be obliged, eventually, to take hold of it; and if any member of this House goes before his constituents, and places honestly before them the manner in which bank transactions are conducted under our present system, and the proposition at present before the House, I venture to say that nine out of ten of the intelligent electors will say, "God speed your measure." I am satisfied that the adoption of this measure would be a very important step towards enabling the Government to provide and protect the circulation. As I have before pointed out, it is at the basis and foundation of the success of this question that until the chartered banks of Canada are deprived of the privilege now enjoyed by them of circulating their own promises to pay, and the Government substitute the circulation of Dominion of Canada notes for them, the Government cannot divest itself of the responsibility of providing for that circulation as they now provide for the Government circulation of \$15,000,000. Every hon. gentleman who has investigated the returns made from time to time by the chartered banks of Canada, must know that the Government are to day in the unfortunate position that the chartered banks of the country can lock up the whole of the Government issue by substituting their own notes for Dominion notes, keeping them in circulation; and they could come any day and clean out the Government's whole reserve of specie, which is only \$2,000,000 or \$3,000,000. I say, therefore, that the only course for the Government to take is to require the chartered banks to give up their circulation, and to substitute for it a straight circulation of Dominion notes. That will do away with the practice of the banks holding Government notes, as they are holding four-fifths of them to-day, by which we lose the benefit of wear and tear, and the banks hold the Dominion notes as specie; they are compelled by law to hold 40 per cent., but they hold more than that for their own convenience. I strongly favor this Bill, and I think there is intelligence enough in this House to give the people that advantage which it is designed to confer upon them.

Mr. CHARLTON. It is incomprehensible to me, Sir, if the Government are not about to adopt the principle of
Mr. HESSON.

issuing incontrovertible currency, that they should allow discussions of this kind to proceed in this House without an expression of their policy. If they desire to foster and promote the manufacture of a sentiment of this kind to the extent that will warrant them in departing from what the whole financial world consider to be sound principles, they could not take a better course than they are now taking—that of silence.

Mr. ORTON. This is not incontrovertible currency.

Mr. CHARLTON. The Finance Minister says the Government have not agreed to adopt that principle. That may be true, but the Government have given no expression of opinion upon it, and I hold that if the Government have an opinion on what is the true basis of financial circulation, it is their duty to manifest that opinion when a question of this kind is under discussion. The Minister also tells us that he proposes to allow the hon. gentleman who has introduced this Bill to refer it to the Committee on Banking and Commerce. Well, the more this question is discussed and the more attention it receives from the members of this House, the more danger there is of a departure from the sound financial basis on which business is done, provided that basis is sound. The hon. gentleman who last spoke says the Bill would be of great advantage to the farmers. If I thought it would be advantageous to the farmers, as my constituency is composed of farmers, I would support it. I have no doubt the hon. gentleman who last spoke, and the hon. member for Centre Wellington, are both very earnest and honest in their support of this measure; I give them full credit for earnestness and honesty; but I believe they are radically mistaken. The hon. member for North Perth tells us that this Bill is brought before the House to elicit the opinions of men who know as much, if not more, about financial questions than the Government of the day. Well, judging from the silence of the Government, perhaps he may be justified in casting that reflection on their knowledge of financial questions. He tells us—and he betrays in that expression the whole animus that controls both himself and the mover of these resolutions—that he has not a very good opinion of the specie basis; he does not believe it is the proper basis for banking business. The whole scheme revolves itself into a proposal to adopt a banking scheme that will do away with specie payments in this country. It is incontrovertibly *fiat* money under disguise. If the Minister of Finance holds the opinion I do as to the danger of this principle, he would not fail for a moment to give expression to the opinion and to the wishes of the Government in regard to this matter. The hon. member refers to the small specie basis in this country. I am free to confess that the specie basis held by the Government is dangerously small, but it has hitherto served the purpose. We have not suspended specie payments; our notes have been redeemed in gold, and they have maintained a high character as currency. It may be true the basis is too small, but that is not an argument that it should be done away with all together; on the contrary, if it points in any direction, it points in favor of increasing the specie basis and strengthening the hands of the Government in this respect. The first resolution of the hon. member for Centre Wellington laments the drainage of money from this country for the payment of interest, and proposes this scheme as a cure to that evil. I think I could suggest to the hon. gentleman a scheme that would work more advantageously than this, and that is to cease accumulating the debt, to cease piling up liabilities against the Government, requiring every year a larger drain for the purpose of paying interest on the public debt. The second resolution provides that Dominion notes shall be exchanged for mortgages redeemable in Government bonds based upon such mortgages, or bonds drawing 4 per cent. interest; that is, that the Government shall be

obliged to issue its notes in exchange for mortgages given for real estate, under the conditions of this resolution. The mortgages are to be for not more than half the value of the real estate mortgaged; but we have in other countries, where real estate has been used as a basis of banking, the fact that great abuses exist through over-valuation, and there is no guarantee that the Government would not exchange its notes for mortgages on real estate given for more than the worth of the real estate.

Mr. HESSON. Does that not apply to over-valuation of real estate in cities and towns?

Mr. CHARLTON. I said that mortgages placed on real estate, under the provision of these resolutions, that are to be taken by the Government in exchange for their notes, issued to the parties giving the mortgages—I said that while the resolutions provide that these mortgages should not be for more than half the value of the real estate, yet over-valuation could be resorted to, and there was no guarantee against frauds on the Government of that kind, namely, that the supposed one-half value of the land would be really in excess of the value, and the Government would find itself issuing bonds on mortgages really worth less than the amount of the issue. The hon. gentleman proposes to establish land banks having as their capital stock these mortgages which are to be exchanged with the Government for Dominion notes and specie. He says, when challenged on this point by the hon. member for South Huron (Sir Richard Cartwright), that the land mortgages would be a part of the capital only. In the very circumstances of the case, the land mortgages would be the sole capital of the bank. Banks would be established based upon these mortgages given on real estate and passed over to the Minister of Finance in exchange for Dominion notes; these banks would proceed to do business on these notes, and no provision is made or contemplated for their redemption by the banks. The notes are to be redeemed by the Government. As I have said, the Government reserve of specie is altogether too small; it is dangerously small for the issue at present, but if we adopt the scheme which may lead to the issue of scores of millions of Dominion notes in exchange for possibly worthless mortgages, the Government will be unable to provide a specie reserve sufficient to actually provide for the redemption of its notes, and we will have reached a period of irredeemable currency. That is the inevitable result that will follow the adoption of this policy. The danger that menaces us in this direction is very grave. Already we are heavily burdened with debt; this would greatly increase the burden, and if we were to attempt, after incurring these obligations, to retrace our steps and enter the way of economy, it would be impossible to stop short before we had increased our debt many millions. If matters go on as they have been going on, the financial necessities of the country will be a strong inducement to some weak-kneed Finance Minister, if we should ever have one, to issue floods of Dominion notes, so as to tide over temporarily the difficulty; and if once we enter on this course, the end will be financial ruin. We will be unable to maintain the character of our currency, when we are unable to redeem it in gold, and the door will be opened for disasters and evils that every student of history can well understand; but that, doubtless, the hon. member for North Perth (Mr. Hesson) and the hon. member for Centre Wellington (Mr. Orton) may not be aware of. This scheme for the establishment of land banks that is launched upon us has not the charm of novelty. It does not belong to this year, or this generation, or this century. We have heard of land banks being established long ago.

Sir RICHARD CARTWRIGHT. John Law's was the first.

Mr. CHARLTON. Their projectors promised that they would work wonders, and they never failed in any instance to entail financial disaster. I will read for the benefit of my hon. friends a little extract from a standard work on history: England, by Macaulay. The circumstances related here occurred in the year 1694, some time ago. He says:

"Some pamphleteer maintained that a national bank ought to be under the direction of the king. Others thought that the management ought to be intrusted to the Lord Mayor, aldermen and common council of the capital. After the Revolution the subject was discussed with animation before unknown. For, under the influence of liberty, the breed of political projectors multiplied exceedingly. A crowd of plans, some of which resemble the fancies of a child or the dreams of a man in a fever, were pressed on the Government. Pre-eminently conspicuous among the political mountebanks, whose busy faces were seen every day in the lobby of the House of Commons, were John Briscoe and Hugh Chamberlayne, two projectors worthy to have been members of that academy which Gulliver found at Ladado. These men affirmed that the one cure for every distemper of the State was a land bank. A land bank would work for England miracles such as had never been wrought for Israel—miracles exceeding the heaps of quails and the daily shower of manna. There would be no taxes; and yet the exchequer would be full to overflowing. There would be no poor rates, for there would be no poor. The income of every landowner would be doubled. The profits of every merchant would be increased. In short, the island would, to use Briscoe's words, be the paradise of the world. The only losers would be the moneyed men, those worse enemies of the nation, who had done more injury to the gentry and yeomanry than an invading army from France would have had the heart to do. These blessed effects the land bank was to produce simply by issuing enormous quantities of notes on landed security. The speculations of Chamberlayne on the subject of currency may possibly find admirers even in our own time."

They do. It seems a couple of their admirers in that line are in our House of Commons.—

"They insisted on referring Chamberlayne's plan to a committee; and the committee reported that the plan was practicable, and would tend to the benefit of the nation. But by this time the united force of demonstration and derision had begun to produce an effect even on the most ignorant rustics in the House. The report lay unnoticed on the Table, and the country was saved from a calamity compared with which the defeat of Landen and the loss of the Smyrna fleet would have been blessings."

In after years a land bank was established. This was two years afterwards. Macaulay says:

"But the united force of reason and ridicule had reduced the once numerous sect which followed Chamberlayne to a small and select company of incorrigible fools. Few even of the squires now believed in his two great doctrines: the doctrine that the State can, by merely calling a bundle of old rags ten millions sterling, add ten millions sterling to the riches of the nation; and the doctrine that a lease of land for a term of years may be worth many times the fee simple."

Well, the bank was established, it was to loan not less than five hundred millions sterling to landholders at 4 per cent. It went into operation, but it failed to make the loan to the Government which it stipulated to make, and it failed to make the loan to farmers, and it proved an ignominious failure, though it was less injurious to England than any similar scheme was to any other country.

Mr. HESSON. Come to something later.

Mr. CHARLTON. Yes, I am coming to something later. The hon. gentleman evidently does not believe in the maxim of a very wise old man who says that there is nothing new under the sun. Now, we come down to the year 1716, when there was a land bank established in France by a gentleman of the name of George Law. He advocated, as my friends do to-day, the idea that land was as good a basis as gold for the issue of currency, and his views were adopted by the French Council. A royal bank was established, a land bank, and it issued currency based on State lands and State property.

Mr. HESSON. Confiscated lands.

Mr. CHARLTON. No; my friend is wrong. We are coming later to the confiscated lands. The bills of George Law were issued on the basis of State lands and State property, and issue after issue was made until the Bank of France had issued 3,000,000,000 francs. This was followed by wild speculation, and the Mississippi scheme was one

characteristic result of that speculation. In four years, the speculation ran its course, and that was followed by general collapse. The whole thing went to ruin, the notes of the Bank of France were worth no more than waste paper, and George Law was a fugitive from justice. Then we come to the event which is evidently floating around dimly in the memory of my friend from South Huron.

Sir RICHARD CARTWRIGHT. Not South Huron.

Mr. CHARLTON. I ask the hon. knight's pardon; I mean the hon. member for North Perth (Mr. Hesson). In 1789 the Government of France, though they had a terrible lesson before them in the failure of the scheme of George Law, were asked to issue bills based on land. They shrunk from doing it at first, but they were advised that, by being careful and avoiding over-issue, they would be perfectly safe. They had confiscated the Church estates, and they had a large basis of land and property to go upon, and they issued assignats based upon the Church estates and other property in France. First they issued 400,000,000 francs, and then 800,000,000 francs more, and the more they issued the less became the purchasing power of the assignats and the greater the necessity to issue more. Then they issued 600,000,000 francs more, and by 1792, three years after the first issue, the issues amounted to 3,400,000,000 francs. There was great distress, and it was said that a man went to market with a wheelbarrow full of money and came back with a market-basket full of what he bought with it. The Government officials had to resign, as their salaries were not sufficient to purchase the necessaries of life, and the Government could scarcely be carried on. In 1795, 100 francs of assignats were worth only 5 sous. Then mandats were issued, one franc representing 30 francs in assignats, and these were at a discount very quickly, to such an extent that it took 1,000 mandats to buy one, so that 30,000 francs of assignats were worth only 1 franc in silver. The scheme failed, the fabric crumbled into ruin, and the results to France were more disastrous than all the consequences of the wars she passed through from the time the French rebellion broke out to the time that Napoleon was made a prisoner and sent to Elba. History abounds in similar instances of the ruin that results from the disregard of sound financial principles. The American colonies issued money payable in Spanish mill dollars, but though it was to be payable, it was not payable for the time being. These issues of Continental money were made to such an extent that great financial disaster followed, and finally the whole issue was obliterated and was never redeemed. It was worth no more than paper rags. I might multiply instances of this kind. We have instances to-day. We might point to the South American States or to Turkey, and the sickest thing about Turkey is her sick financial state, her irredeemable currency. We might point to Russia also. But I will not refer to these cases. I will only point to the United States. During the civil war, the Northern States carefully abstained from an over-issue as far as they could do so, and their greenbacks were based upon a promise to pay in gold, and were ultimately paid in gold, and yet, in 1863, those greenbacks were worth only thirty-four cents on the dollar, and the result was great derangement of business and financial distress. The Confederacy issued scrip promises to pay, and, before the rebellion was subdued, their notes were not worth four cents on the dollar. This House has already pronounced on the question of irredeemable currency, but this land bank scheme is a move in that direction, a concealed and dangerous move in that direction, and the Government ought to pronounce an opinion upon such an important matter. The issue of an irredeemable currency is dangerous, and history shows that it is dangerous, there is no case in all history where a nation has departed from specie payment without disaster resulting from that departure. As to money, one would think,

Mr. CHARLTON.

to hear hon. gentlemen speak, that we had no money in this country. Why, the fact is that the banks are unable to circulate the money which they have. They are trying every means to put that money into circulation, and money can be borrowed from the banks for six per cent., and in large sums possibly for five per cent. They cannot get circulation for the money which is now in their vaults. What sense is there then in flooding this country with irredeemable and worthless trash when we have plenty of good money for all the wants of the country, and a reserve of more if we desire to use it? Some gentlemen seem to think that there is a short cut to fortune. Men are looking for the philosopher's stone which will turn base metal into gold. Men are trying to escape the results of the primal curse which declares that they shall be obliged to earn their bread by the sweat of their brow; but we cannot possibly escape from these conditions by visionary schemes for increasing wealth. We cannot get something for nothing. If you are going to attain to value, you must give something valuable for it. The object of our friends here is to get money cheaply. No doubt they can do it, but it will be a cheap and worthless kind of money. These visionary schemes for getting money cheaply are always worthless. A warehouse receipt may be a legal tender for the amount of grain it represents; a land warrant may be good for the number of acres of land it calls for; a receipt for a certain amount of pig iron is good for the quantity of iron it calls for; but none of all these representations of value are convertible into other values. For 3,000 years, aye, for 4,000, the world has adopted a convertible medium, which has stood the test of time, and every attempt that has been made to substitute something else for it has been a dead failure. Gold and silver, at an early date, were adopted as representations of value, something interchangeable into anything else. A warehouse receipt could not be made that; stocks, grain, or any other kind of property are not interchangeable and convertible into other kinds of property, and for this reason gold and silver serve admirably the purpose of a medium of exchange, and nothing else does it. No scheme of banking can be adopted that will substitute something else for specie as a medium of exchange, a basis upon which currency shall be issued, and no such schemes as proposed can be successful. Of course, land scrip or anything of this kind may be issued at a certain value, and the fluctuation of its value carry it down below par. That is a difficulty that all kinds of representations of value are subject to, except gold and silver. They are an absolute and sure standard of value. As such they cannot be changed, and there is nothing else in the line of property you can suggest that cannot be changed. Other things will fluctuate in value, personal property of all kinds will fluctuate in value, and for this reason alone nothing but gold and silver are a proper basis upon which to issue currency. I hope, Mr. Chairman, that the Government will not allow a discussion of this kind to proceed, a discussion that threatens the very basis of the finances of our country, without giving some expression of their opinions upon the very grave and important question as to the proper basis for banking, and the proper mode in which the business of this ought to be transacted.

Mr. O'BRIEN. I am not going to enter into a discussion of banking itself, as it is a subject I do not pretend to understand, but I wish to point out to the mover of the resolutions the great danger there is in setting up the farmers as a distinct class in this community. I utterly deny the proposition that the farmers are, or ever can be, or ought to be, a distinct class in this community. The hon. gentleman talks about the legal profession, but that sneer is not applicable to me. Lawyers are not a distinct class in this community; lawyers are workingmen

just like the rest of us, as well as the doctors and other professional men in this country. In point of fact we are all workingmen in this country; we all stand exactly upon the same footing. The farmer is not only a manufacturer, but he is also a trader. Therefore, whatever sound economical principles may be applied to other trades and professions, are equally applicable to the farmers, and to attempt to set up a system of finance for the farmers specially would be just as absurd and dangerous as to set up a separate system of law, or social custom, or anything else for the farmer. He must stand or fall with the rest of the community. I admit that in this agricultural country, as in almost all other countries, the produce of the land must be the ultimate basis of wealth, but beyond that the farmer's relations to all other classes of the community are just the same as those of any other class. I have perfect confidence in the integrity of the hon. member for Centre Wellington (Mr. Orton) in bringing in these resolutions, but I believe he is the victim of what might be called an innocent, but a very dangerous fad. I would not like to apply to him an expression which was once used by the celebrated Dr. Dunlop with regard to responsible Government—perhaps some hon. gentleman here may remember it; I do not apply the expression to my hon. friend, nor to any of those who advocate the scheme in this House, but I say it is a scheme to which, so far as I can form an opinion of it, that expression might be applied—"a trap set by knaves to catch fools." I entirely acquit the promoters of these resolutions of any such idea. I believe they are extremely mistaken; but, at the same time, a man's mistakes, though perfectly innocent, may be exceedingly dangerous, and I think that nothing can be more dangerous than to attempt to lead the farmers of this country to believe that there is some patent process by which they can be made rich. Their general opinion is, I believe, that they have to stand or fall with the rest of the community, and I think any attempt to make them think otherwise must end in disaster and result most disadvantageously to those who bring in such a scheme as that now before the House. It is, I have no doubt, a cheap way of gaining popularity in a rural district, to devise a scheme by which the farmers may apparently get rich without working. I, for one, might just as well take advantage of this scheme as the hon. members who support this resolution, as I also represent an agricultural constituency. But I have no confidence in the scheme, and putting aside its merits altogether, putting aside the possibility of having a land bank, I believe the attempt which is being made to put the farmers into a special class, having special interest, and requiring special legislation, is one likely to work great evils in this country, and it is on that ground, mainly, that I express my opinion on this matter; and as being the representative of an entirely rural constituency, I might be supposed to have an opinion on the subject and at the same time be afraid to express it.

Mr. ORTON. I merely want to reply to the remarks made by the hon. member for North Norfolk (Mr. Charlton). This is not the first time the hon. member has treated us with the identical same speech—at least, the identical same arguments, the identical same references, about certain bubble schemes in England and on the continent. Sir, he commenced his argument by stating, without any ground, that the scheme before the House was on a similar basis. Now, I deny it altogether; I deny that the scheme I propose is in any sense one for an inconvertible currency, or in the direction of asking for an inconvertible currency. On the contrary, I have laid down the fact that it is, beyond all dispute, a currency convertible into gold, but with the intervention of bonds, and those bonds can be used by our people. People who have money in the banks, instead of allowing it to lie idle, can, if they like, invest it in these bonds. There will only be so much of this money in cir-

ulation as is absolutely required by the business of the country, because, so soon as there is more in circulation than is required, it will be converted into bonds, and if gold is required these bonds will be converted into gold. Why, how do the loan societies of this country obtain their money? Do they not obtain their money to loan out on the same principle?—those loan societies in which the hon. member for West Durham is a large stockholder, and I have no doubt other hon. members in this House are large stockholders in loan societies. How do they get their money? Why, Sir, a large portion of that money is obtained by converting mortgages into bonds and selling those bonds in the English market for gold or its equivalent. I propose that this plan should be adopted in the most economic manner in order that the farmers shall have directly the money they require for their operations, and no more. It is absurd to talk about the farmers borrowing more than they require; they will not do anything of the kind. I say that the basis of this banking scheme is far superior to the basis of our present banking scheme. We find to-day that the banks of Canada virtually control the Government of Canada. They hold twelve millions of the promises of the Dominion of Canada in their vaults to-day, and any day they can come to the Government and demand gold for those notes. Sir, do you mean to tell me that that is not a great power to give to any one institution? I maintain that this will be the means, to a large extent, of removing the danger which now exists in our present banking system. Instead of increasing the public debt, it will result in decreasing it. A large amount of the bonds will be absorbed by our own people, and they will borrow only as much as they require for their business. I desire to point out the absurdity of the remarks of the hon. member for Simcoe, in regard to land banks in England and France. We know that those banks entered into all kinds of speculative operations—they were not confined to lending money on farming lands. In my proposition I seek to confine their operations to the legitimate industry of farming, and not in speculation in railways and in Mississippi stocks.

An hon. MEMBER. Hear, hear.

Mr. ORTON. An hon. member says, "hear, hear," in a sneering way. If the hon. gentleman would try to grapple with the question he would show more respect for the constituency which has sent him here. I have mentioned that all those land banks in France entered into speculations, the building of railways in foreign countries and in their own country; and it thus became an entirely different system from the one I am asking this House to consider. In France, Germany, Russia, and in almost every continental country, such banks have been established, and they have reduced the rate of interest to 3 or 4 per cent. for farmers who require to borrow to carry on their operations. The hon. member for Muskoka has treated this question and myself to a certain amount of ridicule. The hon. gentleman spoke about my laboring under a delusion. If he had given the same thought to this question as I have, he would have the same delusion. He spoke in that manner, because I venture to say he has not given the question a moment's consideration. If he were to visit the library and read the works on banking business he would know the principles of money legislation, and he would find that my Bill is based on the soundest principles laid down by all writers on banking legislation. He told the House that it is a scheme of knaves to catch fools. He did not say that the hon. member for Perth (Mr. Hesson) and the hon. member for Centre Wellington are fools, but by innuendo he would lead every one to believe that there is some knavery at the bottom of this scheme. There is no such thing. There is nothing but honest dealing, and it is proposed that these

banks shall lend money on the best security offered in the world, and on the same principles, though in an improved degree, as those which control many of the present financial operations. I have purposely provided in the Bill a means by which farm property cannot be mortgaged to its full value. I have provided that satisfactory evidence to the Treasury Board shall be furnished in regard to the value of land covered by every loan. In the county of Wellington we have an accurate valuation by valuers appointed by the County Council, and it is known that that valuation is not an excessive one. I propose there shall be some means of obtaining an exact knowledge of the value of the land upon which the Government shall issue their notes to farmers' banks. Further, I propose that the title shall be looked into by properly appointed legal authorities, such as will be satisfactory to the Treasury Department. With respect to the charge that I am endeavoring to catch cheap popularity, I desire to say that, though it is not directly charged against me, yet it is made by innuendo. I remember a similar charge was brought against me when, year after year, I sought to induce the Government to impose a duty on American produce which came directly into competition with that of our farmers in our home market. Does anyone now believe that I then sought to gain cheap popularity, or that the result of my action has not resulted in benefit to the country? I maintain that the adoption of my proposal will result in an equal or greater amount of good being done than was done by imposing a duty on American farm produce, and it cannot be denied that the imposition of those duties has resulted in an immense benefit to our farmers, and that it has given them our home market.

Mr. CASEY. The hon. gentleman who has just taken his seat appears to feel very deeply the slight amount of ridicule which was cast upon him by the hon. member for Muskoka (Mr. O'Brien). He seems to have imagined that the hon. gentleman wished to insinuate that he and his assistants in promoting this measure were knaves. I did not at all so interpret the remarks of the hon. gentleman. He quoted a proverb—"a trap set by knaves to catch fools"—applied to a similar case, but I rather understood him to hint that he was afraid the hon. gentleman and his friend behind him had been caught in a trap by some other designing parties. That was the impression produced on the House by the remarks made. But he says now that he is accused of trying to obtain cheap popularity, and that the same accusation was made when he urged the imposition of duties on American grain coming into this country. That accusation was made. I do not suppose that charge against the hon. member for Centre Wellington is any stronger now than it was then; the evidence that he was trying to obtain cheap popularity is as strong now as then. The question is whether he obtained cheap popularity or not. As to that I cannot say with any positiveness; I do not know that he is any more cheaply popular than he was in 1876-77—whether his popularity is cheaper or dearer. I am certain, however, that the Canadian grain which he wished to protect is very much cheaper now than it was then.

Mr. HESSON. If the duty was off, it would be cheaper still.

Mr. CASEY. If the hon. gentleman wants to claim that it is the National Policy that has affected the price of grain, he is welcome to all the benefit he can get out of that contention. We are not, however, discussing the National Policy now.

Some hon. MEMBERS. Hear, hear.

Mr. CASEY. I notice that hon. gentlemen opposite are very glad when I leave that subject.

An hon. MEMBER. Or any other.

Mr. ORTON.

Mr. CASEY. My hon. friend says: "Or any other." Well, Sir, I do not deny that I have always thought myself a somewhat powerful debater, but I did not know that I was so universally feared by hon. gentlemen opposite. Coming to the matter particularly before us, the hon. member for Centre Wellington (Mr. Orton) denies that this scheme leads to an inconvertible currency, because the currency which he proposes is to be redeemable in bonds to be issued by the Government, and these bonds are to be redeemable, as I understand the scheme, in the mortgages which are to form the capital of the farmers' banks. If I am not correct in that statement, I hope the hon. gentleman will signify it.

Mr. ORTON. Partly correct.

Mr. CASEY. I must confess that, taking the advice which the hon. gentleman gave to the hon. member for Muskoka (Mr. O'Brien), to grapple with his scheme, I find myself in some difficulty. It is slightly difficult to make out exactly what it does mean. In endeavoring to grapple with it, one is placed somewhat in the position of the American humorist who went out early one morning into a back yard, and suddenly found himself wrestling with a wheelbarrow. He said that as soon as he threw the critter down it kicked up and hit him somewhere else; and so it is with this scheme. When you think you have got to the bottom of it, a new feature crops up which you did not see before. The hon. member for North Norfolk (Mr. Charlton) evidently thinks that the bonds based on the mortgages were to be the basis for the issue of Government notes. It appears that they are not to be the basis for the issue of the notes, but the basis for their redemption. That hon. gentleman is generally pretty clear in his ideas of what he reads, and I think this misapprehension on his part is a clear proof of the fact that the resolution is not as transparent as it ought to be. But, Sir, we are told that this does not mean an inconvertible currency, but that the currency remains redeemable in specie. Well, Sir, I cannot see, for the life of me, where the redemption in specie comes in. Are the notes to be redeemable only in gold? Are you to present the bonds to the Government and get gold for them?

Mr. ORTON. Certainly.

Mr. CASEY. Well, that is another of those wheelbarrow points that are not explained in the resolution itself. The resolution states that such notes are to be "redeemable in Government bonds based upon such real estate mortgages and bearing interest at the rate of 4 per cent per annum." Well, I do not understand the meaning of the words "bonds based on mortgages and bearing interest at the rate of 4 per cent per annum," unless the bonds are to be redeemable in mortgages. Under these circumstances, we will have to be content with the hon. gentleman's word, that he means them to be redeemable in specie somehow and somewhere in futurity, though we cannot see it in the resolution. Then the hon. gentleman says that this scheme is in vogue in France, Germany, and Russia, and that if we would go to the Library and get the books we would find this to be the case, and that his principles of banking are those urged by the best authorities on banking and commerce. Well, I have read a few of those authorities, and I have never found one of them in which such schemes were endorsed. I have found books in which they were endorsed, but I do not think that even the hon. gentleman would call them authorities. They were the writings of visionaries whose schemes never came to anything. As to their being in vogue in France, Russia, and Germany, I should like the hon. gentleman to give us his authority on that subject.

Mr. ORTON. What is the *Credit Foncier*?

Mr. CASEY. I am not very clear as to what the *Credit Foncier* is, but as I understand—we had a branch of it here,

as the hon. gentleman remembers, and I suppose the plan is the same in France—it was simply an institution like our loan companies for lending money to farmers at a rate of interest which seemed low to us, though it was comparatively a high rate for those who imported cheap capital from France. I do not understand that the *Credit Foncier* is an institution of this kind based on real estate mortgages, and issuing Government notes; and if it is such an institution, I should like the hon. gentleman to show it. I was much pleased with the remarks of the hon. member for Muskoka (Mr. O'Brien), for the reason that he urged that the farmers were not to be regarded as a separate class of the community, in the sense of requiring any legislation tending to make them the pets or favorites of the Government. Now, Sir, as he says, all classes of the community are alike workers, traders, and producers of wealth. The farmers are, in one sense—and I think the hon. member for Muskoka (Mr. O'Brien) will agree with me in this—divided a little in their financial needs from the rest of the community. They want money, as a rule, for longer terms, than people in business, and the reason farmers do not obtain cheap money from the banks at present is, that they are not so sure of being able to pay that money promptly as business men and merchants are. When the banks at the present time are lending at 5 and 6 per cent., on short terms, to merchants and other dealers, they will not lend on the same terms to farmers, because the farmer cannot give them the same surety of having their money back exactly at the time bargained for when the money was lent. It seems to be the case that the farmers require the money to remain longer in their hands, although the security is just as good as anybody else can offer. What I think the farmers require in the way of further facilities of obtaining money is, the establishment of banks or money-lending institutions of some kind—whatever you may choose to call them—banks dealing exclusively, or almost exclusively, with the agricultural population, and prepared to lend them money for such terms as the farmers require to have it, and on such security as the farmer can most conveniently give. I have no doubt that the hon. member for Centre Wellington (Mr. Orton) thinks he has provided such institutions by the resolutions which he proposes; but, for my own part, I am quite unable to see that his scheme offers any probability of affording such an institution, and it is for that reason that I oppose going any further with the resolution which is before us. The hon. member for North Perth (Mr. Hesson) accuses the hon. member for Bothwell (Mr. Mills) of throwing cold water on this scheme because he objected to it for the reason that it did not seem sound, and he said, we should not go on with it further. Now, that is the device adopted by everybody who is supporting an indefensible, wild, or visionary scheme before this House, or any other legislative body. When the scheme appears unsound or absurd on the face of it, and anybody says so, we see the promoter rising with great indignation and saying: You are throwing cold water on an attempt to benefit such or such a class of the community; and he expects thereby to gain sympathy from the particular class which this wild, visionary scheme professes to benefit. If his is not a wild, absurd, and visionary scheme, the hon. member for North Perth (Mr. Hesson) should not have adopted in support of it the devices which are usually confined to the support of schemes of the nature I refer to. If the hon. gentleman wishes to have it considered a sound and reasonable scheme, he should support it simply by argument, and not by throwing reflections on the actions of those who declare it in their opinion to be unsound and absurd. If I saw anything in it tending to benefit the farming community, or the germ of anything which might be worked out to their benefit, I should give my best support to the resolution, and do my best to assist in perfecting it at a later stage.

The hon. member for Centre Wellington (Mr. Orton) did bring in a measure some years ago which had the germ of something useful to the farming community. It did go to a committee. It was there elaborated with the best assistance which could be given to it from this side of the House, and certainly, although the Bill, as finally reported, was very little like what it was when first introduced, we got something that proved useful to the farming community. If the present measure was a similar one, I would support it; but it is not a similar case, and, therefore, I cannot support it. The hon. member for North Perth (Mr. Hesson) says that if the banks can do a business of \$100,000,000 with \$7,000,000 of specie, why should not these banks do a large business with the capital they are to have? Now, Sir, he is evidently confusing two ideas; he is confusing the specie reserves of the banks with the capital of the banks. It is not with specie alone that the banks do their business; that is only one part, and a small part, of their resources—the part kept on hand for immediate use in redeeming notes. What the bank loans is not the specie reserve. The bank lends its own credit—the credit of all the shareholders of the bank to the extent of their paid-up shares, and the credit of the bank based on its entire assets; it lends its own credit as well as the notes which represent the actual specie reserve which it keeps on hand. A bank is a machine, not for lending specie and all kinds of paper money, but for dealing in credit. It allows a person who gives it security to substitute the bank's credit for his own, and to put in circulation a note of hand of the bank, which will be accepted by everybody in lieu of the man's own note of hand, while the bank takes the man's note of hand as its security. It is not the specie which the bank lends; therefore the hon. gentleman's argument has no application at all. Then, Sir, he says the rate of interest would be reduced under this scheme. He thinks the proposed bank can lend farmers money at a lower rate of interest than they now pay. Well, if the hon. gentleman believes that by any patent machine of this sort he can enable anybody to lend money at a lower rate of interest than the average rate of profit procurable in the country from the use of money, there is no use in arguing any more with him; because a person who believes that is unassailable by arguments based on political or financial economy. But if he merely means to urge that this bank will enable farmers to get money at the lowest current rate of interest, I am prepared to argue with him on that point, and we must go a little into the constitution of the bank to do it. As I understand it, the capital is to consist of mortgages put in by farmers, who will thereby become shareholders in the bank. I do not know whether it will lend to those farmers only, or to farmers generally. I would ask the promoter of the Bill how that is.

Mr. ORTON. Loans confined to farmers.

Mr. CASEY. To farmers generally, as well as to those who put in their mortgages. Well, either those mortgages will bear interest, or they will not. I do not understand from the resolution whether they are to bear interest or not; but if they are, I do not see what profit the shareholder is to get from his investment, if he gives an interest-bearing mortgage on his farm, and only gets a profit from the bank which lends money at 5 per cent. If, on the other hand, the mortgages do not bear interest, the security to the Government is not so good. Then, the Government are to issue notes to the banks, to be reissued by the banks to an extent equal to the amount of the mortgages. Now, if the mortgages are to be transferred to the Government for those notes, then the mortgages are all that the Government will hold for the notes they issue; and as the hon. member for North Norfolk (Mr. Charlton) pointed out, the Government are subjected to

the whole risk of over-valuation of property. Every one connected with a loan company knows that notwithstanding the greatest care they can exercise, there is considerable risk run from the over-valuation of land on which they effect loans; and I do not suppose the valutors of these land banks would be more infallible than others. Then the farmer who gives the mortgage, in order to make the title secure, is to be subjected to the expense of proving his title, which we all know is one of the most troublesome and expensive things connected with obtaining a loan from a loan company; it is one of the things which borrowers most object to in their dealings with loan companies; and the hon. member for Centre Wellington (Mr. Orton) proposes to subject the farmers, who become shareholders in this bank, to that same trouble, which is found to be a considerable part of the expense of the transaction. Then he will be put to the expense of making the mortgage. Altogether, I do not see how the mortgagor is going to get any advantage from giving a mortgage to the farmers' bank and borrowing money from it that he will not get by giving a mortgage to a loan company, and borrowing money from that. I do not see how the transaction is to be less expensive, or the rate of interest any lower, unless he can show us that an Act of Parliament will enable these banks to lend money at a lower rate of interest than the ordinary rate, which he has not shown. There is another evil. The mortgages are to go into the hands of the Government. The Government will therefore practically become the great money lender of the country, if this banking system prospers and extends, as the hon. gentleman hopes it will. Many of the farmers of the country, perhaps the majority of them, would become directly indebted to the Government to the extent of half the value of their farms. I do not think that would be a wholesome or desirable state of things. I do not think the farmers of Canada would desire to stand in the relation of debtors to the Government, and I do not think any self-respecting Government would desire to stand in the relation of creditor to the farmers of the country. I think such a state of things would give rise to any amount of wire-pulling and corruption in our political system. An hon. gentleman at my left says there is nothing in that way left to do. One would almost think so on occasions; but when one looks at the prospect opened up by this proposal as to the new relations to be created between the Government and the electorate, I do not think there is nothing left to be done. I think the hon. member for Centre Wellington has invented a plan which would leave any amount of it to be done yet. These are all the criticisms I have to offer to this scheme. I wish to renew the protest made by several gentlemen against the course of the Government in this matter. The hon. member for Perth (Mr. Hesson) has said that several members of the House are quite as well qualified as the Finance Minister to consider this matter. That may be, but these gentlemen, whatever their qualifications, are not responsible to the House or country for the legislation they propose, while the Finance Minister is. It is his duty to see that no unsound financial legislation passes the House. If he considers this proposed legislation sound, he should say so, and urge the passage of the Bill. If he considers it unsound, he should say so. If he has not condemned it or was unable to form an opinion after having considered it, he is justified in taking the course he has taken, namely, of allowing it to go through in silence. That is exactly the course one would expect from a Finance Minister, who either had not studied the question or wished to declare by his inaction that he was unable to form an opinion on it. With these few remarks I will close, except to say that if a division be called for, I will vote against the resolution.

Mr. CASBY,

Mr. HESSON. My hon. friend pretends to be the farmers' friend and he is also a farmer, but his course in this debate does not indicate that he has the interest of the agricultural community at heart. Were he a friend of the farmer, instead of opposing this measure he would give whatever assistance he could to formulate a measure for the purpose of achieving the object desired by a large proportion of the people. He is not so ignorant of this question as he professes to be; I am certain he knows more about it than he has disclosed in his remarkable speech. He has gone to work to show that the chartered banks of Canada to-day are not doing their business upon a gold basis but upon credit. Now I venture to say that ninety-nine out of every one hundred people in Canada have been led to believe that the banks are doing business upon a gold basis instead of credit. The banks have discounted \$140,000,000 odd to the people of Canada for various purposes of trade and commerce and for speculative purposes; and they have done that upon the basis of \$7,000,000 in specie. I grant they do not pay out the specie, and I say they dare not, for if they should the result would be disastrous to themselves; they would be compelled to close their doors. My hon. friend maintains that the course asked to be pursued now would be one which, if followed, would drive every dollar of specie out of the bank and out of the country. I hold the contrary view. My impression is that instead of the banks being possessors of \$7,000,000 specie, they would find themselves, like the American banks, with an enormous accumulation of specie in their vaults, which would suffice to meet every possible contingency. Since Confederation the Government of Canada have paid out about \$115,000,000 interest, which has gone out of this country in the shape of specie or its equivalent; it is equal to an absolute exportation of gold to that extent, and we have paid that out in interest upon foreign loans. Had the Government in 1867 adopted a different policy; had they, instead of going abroad to make these loans taken the responsibility of issuing a circulation here, the case would have been entirely different. Had they asked the people to accept their circulation for the public works of the country, paying the civil service, and carrying on all the industries of Canada, would they not now be in that pleasant position in which, instead of having a debt of \$200,000,000 due foreign capitalists, their indebtedness, whatever it would have been, would have been to the people of Canada, and the interest would have remained in Canada. They would have also the use of the money they themselves issued, at the cost of printing. I know hon. gentleman will say that is not based upon specie, simply because the Government would not hold \$6,000,000 or \$7,000,000 in their treasury, in order to be in the same position the banks occupy to-day. They say the Government ought not to be trusted as regards their ability to redeem that circulation. Such a proposition is monstrous. The Government have power to levy taxes, they collect \$30,000,000 odd each year, which is equal to the total circulation of the banks; consequently the Government could redeem this year a sum equivalent to the present circulation of the chartered banks of Canada. The hon. member for West Elgin (Mr. Casey), threw more discredit upon the banks than I am prepared to do, by saying that they deal on credit only. I do not, however, consider that the paid-up capital of the banks represents anything like what their specie deposits should reach. It has been paid in in days gone by, it has gone into circulation, and it remains now in the shape of \$140,000,000 of notes maturing and maturing in the hands of the banks. So that, in the case of a great crisis, these could not be redeemed, as the people could not find the gold to redeem them with, and the banks would insist upon having gold; and in consequence of that, it seems to me, as if a greater disaster would be averted by doing away with the bank circulation and

adopting a Government circulation that could be redeemed on presentation to any Government office. The Receiver General would redeem them on presentation, and the chances of their ever being presented for the purpose of demanding gold, would be very small indeed. No one doing business wants to do it with gold and silver, because these metals are too heavy to carry round. We simply ask that the Government should issue more Dominion circulation, which is known to be the safest and best circulation we have, as a paper medium, to-day. The hon. member for North Norfolk (Mr. Charlton), in his most remarkable speech, which I have heard on a former occasion in reply to an hon. member who has left this House (Mr. Wallace), who was then dealing with what was called "the rag baby." The hon. gentleman has repeated for our benefit the same speech to-day. I asked him for something new, and he said he would gratify me; but although I paid very careful attention to his remarks, I did not see anything worth taking note of in his remarks. When he dealt with that question, he dealt with speculations which were entirely different from the propositions of this Bill. The schemes he referred to were schemes of the most dangerous kind, they were the schemes of speculators who have borrowed large sums for purposes which I need not name. I might mention one, the Mississippi scheme, which the hon. gentleman also mentioned among others of the same kind. The issue in those days was for speculative purposes, and the promoters were not men in position to give collateral security, such as the mortgages required under this Bill. Moreover, in coming down to a later issue, the issue of greenbacks, to which my hon. friend referred, and which were circulated at a depreciation as low as 30 cents per dollar, what are the facts? The hon. gentleman knows the history of that circulation as well as any other hon. gentleman, and he dare not deny that that issue was repudiated by the Government, the Government itself refusing to receive it in payment of any Government debt. Do we ask such an issue as that? Is it right, or fair, or honorable to raise such an argument in advance against us? The hon. member knows perfectly well that that is not the object in view by this Bill. He knows it is for a different purpose. He knows that this money is asked, not for the purpose of destroying the trade and commerce of our fellow men, not as on the American side \$700,000,000 were issued to aid in the destruction of the lives and the property of the country, but in order that the honest, hardworking, toiling farmer, shall have the means of paying his large liabilities which are now carrying a high rate of interest, that he may be allowed to change that for a reasonable rate of payment. I say it is most unfair to drag in this as a contrast to the present proposition, and to insinuate that we are acting like a lot of fools, as the hon. gentleman might have said as well as insinuate. I do not feel that we are taking up a position which will be popular with a large class of people in this country who are engaged in the banking business or identified with the mortgage or loan companies; but I say that the people need these better terms, and the farmers do need them at times, and I challenge any hon. gentleman to say they do not, even the hon. member for Muskoka (Mr. O'Brien). I challenge him to say that no special legislation is required for the farmers. I say that members of his profession and of other professions have been compelled to come here and ask for special privileges, and he knows perfectly well that, if I had the capacity to handle cases in the courts of law, I would not have the right to do it. He knows perfectly well that the farmers are at a disadvantage. Let him deny that. He knows that the farmers cannot go to the banks and borrow money on the same terms as business men, that they do not want it for the same time, and that the banks do not desire to deal in that way. He knows that they cannot put up collateral security, as chartered banks cannot receive

such security, and that even in his own county the farmers are in need of some such system as this, so that they may not have to fly to the note-shavers, or to those companies with which, for anything that I know to the contrary, the hon. gentleman may be identified. I say that, in the old counties as well as in the new, where people in poor circumstances have to go into debt, the cheaper the rate of interest which they can get, the more advantageous to them; and I say it is the duty of the House to consider that matter without dragging in matters which occurred two or three centuries ago, schemes which were got up for speculative purposes entirely, and not for honest purposes such as this Bill proposes. I am sorry to say that the hon. member for West Elgin (Mr. Casey) has left his seat, because he seems to require some light; he seems to be in doubt as to the advantages a borrower would get, and whether a man would pay interest for a mortgage. In some cases he would. If a farmer had \$10,000 worth of farm land, and choose to put in his stock to the extent of \$5,000 in the bank and put a mortgage on the \$10,000 worth of real estate, he would receive the interest on \$5,000 of stock, according to the net earnings of the bank in the year, which would probably reach 4 per cent. On the other hand, the unfortunate borrower, who obtained money from the bank and gave his mortgage for that, would get his money from the bank and would have to pay interest for it at the reasonable rate of 5 per cent. I think the hon. gentleman ought to be able to see that one mortgage pays interest and the other does not. I do not think this question is brought up to make any popularity for the hon. member for Centre Wellington (Mr. Orton). I do not think this is required more particularly in his county than in any other county; but the farmers, as far as I have had conversation with them, all express a great anxiety that some such legislation should be provided by the Government; and I feel it is in the power of the Government to help them in this matter, and that hon. gentlemen, on both sides of the House, should approach this question with a more earnest desire to aid us, and not to drag in matters which occurred years ago and are not at all relevant to the issue. The hon. member for West Elgin said that the Government were not willing to express their views on this subject. The Government appear to be very willing that hon. gentlemen should express their views on both sides of the House. They were so willing that they were prepared to allow this to go to a committee which might deal with it in the best interests of the country. I do not see why any hon. gentleman should endeavor, by any side issue, to draw away the attention of the people by reference to a question of irredeemable paper circulation which is not involved in this at all, and is not near it. The question was decided by the House some years ago when my hon. friend, Mr. Wallace, used to talk on the subject. But these gentlemen now try to introduce the same arguments with a view to inducing people to imagine that we are proposing something of that kind. The hon. gentleman says that we are setting traps to catch fools. The hon. gentleman who makes that statement can probably speak from experience on that matter, because most of those who belong to the same profession as himself are the traps, and those who fall into their clutches are the fools.

Mr. BERGERON. We have heard a long discussion on this Bill for two sittings in this Session, and new members might suppose that that is all we have heard about it. We may tell them, however, that we have heard the same discussion on the same Bill for eight years before.

Mr. HESSON. No.

Mr. BERGERON. Knowing the promoter of the Bill as I do, I am perfectly convinced that he is very sincere in giving his reasons for introducing the Bill, but there is

something which surprises me very very much in regard to him and in regard to the attitude of my hon. friend from Perth (Mr. Hesson) who just sat down, and who is such an enthusiastic supporter of the Government. He might have asked himself before why the Government of the country do not bring down such a good measure themselves. It seems to me that either the measure is good or it is not. If it is, why do not the Government take it upon themselves to bring it down to the House. I am sure they would put it through if they did, and if it is as good as the member for Centre Wellington (Mr. Orton) and the member for North Perth (Mr. Hesson) say, the farmers would have had the benefit of this measure some time ago. But it must not be like that. It might be that the farmers of the country are better without a Bill like that than if such a measure were to pass the House. It seems to me, after hearing the discussion of members on both sides of the House, that it comes from the same quarter, the same rounding of counties, where they must have been talking about that during election time, and where some have said, we must put a measure like that through the House, and others have challenged them to do it. Some of them have said, we must put a measure like that through the House; others have said, no, you can't do it. They must have been fighting about that, and now they come into the House of Commons and fight about it again. But is it in the interest of the whole country? Is it in the interest of the farmers themselves? That is the question. If it is in the interest of the farmers, let the Government bring down a Bill and we will vote for it. If it is not in the interest of the farmers, why take up two sittings of the House in making long speeches to humbug the farmers and make them believe that these men are working in their interests who bring down this measure, and try to make the farmers believe that their condition is different from the condition of that of other people in this country. Sir, I deny that I believe that the farmers in this country are in the same position as other classes of men; I go further, I say that the credit of the farmers is higher than the credit of any other class in this country, and the proof of that is that they can go to any bank to-day, and by mortgaging their farm, they can borrow money cheaper than any other man in this country. I think we ought to have an end to this discussion, and have an end of this humbugging the farmers. It is the same as when some people come to them and say: We will bring you a fine candidate; we will bring you a farmer as a candidate, who will defend your interests. This is another way of deceiving them, and this measure of my hon. friend, although I am sure he does it with perfect sincerity, is doubtless the result of a rash promise he made them. Still, he should not have made that promise, and the House of Commons to-day, with the Government at the head of us, will tell him that he should not have done it.

Mr. McMULLEN. I am quite in sympathy with the motion of the hon. member for Centre Wellington (Mr. Orton) in desiring to inaugurate a system of this kind, that will be a benefit to the farmers, and I would be quite willing to assist in any way I can in order to secure that end. The farmers are a very important section of the people; we may honestly call them the backbone of the Dominion. I believe the hon. member is quite sincere in his efforts to secure this boon to the farmers if he can. I was sorry to hear the hon. member for Muskoka (Mr. O'Brien) say that this was a scheme set by knaves to catch fools. I can hardly believe that, because I am satisfied that the Government, if they saw that it was such a scheme, would adopt it themselves, hoping that it would enable them to catch the people. But I do not think they see it in that light. I do not think they expect that it will catch any one, and I think that is the reason they have not adopted it. So far as I am concerned I want it to be understood that I shall be

Mr. BERGERON.

quite willing at all times to give any assistance in my power to help forward the best interest of the farming community. I care not from what side of this House a proposition comes, if it is likely to be a benefit to that class, I shall give it my support. I believe that if there is any class of the community in this country that requires assistance it is the farming community. They have been suffering very seriously from bad crops in the past, heavy rates of interest, and other causes, and it is the duty of every member in this House, particularly of those representing agricultural constituencies to do any thing they can to better their condition. If this scheme is not going to be a success, let another scheme be found that will be. The fact of the matter is that the addresses delivered by hon. gentleman from the other side of the House, show that there is a good deal of financial ability on that side. The hon. member for North Perth (Mr. Hesson) stated that there were members in the House as capable of dealing with questions of this kind as the Finance Minister, and for my part I do not deny it. I dare say there are some hon. gentlemen on the other side of the House who feel that possibly they could fill the position better than the Finance Minister himself. If the Finance Minister was here I would compliment him upon the material he has got to fill his position. The hon. member for North Perth has handled the question with a great deal of ability, and I dare say he is looking forward to the time when he will have the Minister's place, and I have no objection to him personally, by any means. I want to say that if this scheme cannot be made a success, and another scheme can be introduced that will give to the farmers better facilities than they now have for getting money cheaply, it will have my hearty support.

Mr. WHITE (Renfrew). I have listened with a good deal of attention to the discussion that has taken place on this matter, and have tried to ascertain from the views expressed by the promoters of this measure, how they were going to promote the interests of the farmers by means of it. In the first place, I deny the proposition that the farmers of this country are in so destitute a condition that they require special legislation which is not afforded to any other class of the community.

An hon. MEMBER. How do you know?

Mr. WHITE (Renfrew). I know from my experience in my own county, and from the fact that the agricultural interests of this country are, so far as one can judge from the public documents and from other sources, in a condition that does not require any special efforts from any one in this House to promote their interests in contradistinction to those of any other portion of the community. At the same time, I am free to confess that if by this measure money could be loaned to farmers at a lower rate of interest than they can obtain it at present, or than any other portion of the community can obtain it, there would be some wisdom in adopting a scheme of this kind. But so far as I can judge from this proposition it seems to me wholly and entirely impracticable. Do these hon. gentlemen pretend to say that a farmer, having money in his possession and who can obtain for it a higher rate of interest than he would obtain through the instrumentality of this bank, would place his money in this bank to be loaned exclusively to farmers? Do they pretend to say that the farmers have such a community of sympathy, such a spirit of brotherhood amongst them, that they would be disposed to lend to each other at a lower rate of interest, than to commercial men? That is a proposition that is wholly indefensible. I believe that banking is, if I may so express it, a business by itself, that it is a business that can be well conducted only by those who have learned it, and have had experience in it, and I do not see how an institution such as this

could succeed. If I could be convinced—and I have listened with the greatest attention to the arguments adduced in support of this measure for the purpose of being convinced—that this scheme would be beneficial to the farmers, I would be disposed to support it; but so far as my judgment goes, it is not going to offer any benefit to that community, and therefore I cannot support the scheme.

Mr. COOK. I rise to ask a question. I would like to hear the Minister of Agriculture on this question—the gentleman who presides over that Department with so much skill. I think he ought to give his views on a question that interests the agricultural class.

Resolution negatived.

Mr. COOK. I rise to a point of order. I notice that the Minister of Customs, the Minister of Finance, the Minister of Justice, the Minister of Agriculture, and all the rest of the Ministers did not vote on this question.

It being Six o'clock, the Committee rose, and Mr. Speaker left the Chair.

After Recess.

House again resolved itself into Committee.

(In the Committee.)

On resolution 4,

Mr. WHITE (Renfrew). It is very evident from the expression of opinion given this afternoon that this Bill does not meet with the approval of the House. I move that the Chairman do now leave the Chair.

Mr. ORTON. The resolution now before the committee, is one expressing the opinion that it is desirable to have a Dominion issue, a national currency, a national issue for all the banks, so that uniformity might exist in all the banks throughout the country. This is held to be a sound principle; it is in operation in the United States, and the resolution proposed is to withdraw the privilege from the banks of issuing their own notes, by paying them for any loss they may sustain by having that privilege taken from them. I hope the committee will allow the resolution to pass, and as two other resolutions have been adopted, there will be sufficient reason to justify me in bringing in a Bill and taking it at least to a first reading.

Mr. HESSON. It is only fair to the House that after the debate we have had, the hon. member should have the privilege of having his Bill printed so that it can go before the country. Let us see what the Bill contains, and if the details require to be amended, that can be done during this Session, and, if not, during the coming year.

Motion negatived, yeas 16, nays 34.

Mr. WHITE (Renfrew). This resolution, in my opinion, is based upon the one which preceded it, and which was declared lost by the chairman. That resolution stated:

"That it is expedient to grant charters to farm or real estate banks the capital stock of which may consist not only of specie and Dominion of Canada notes and bonds, but also of first liens upon improved farm lands equal to one-half the value thereof; and that as the main source of wealth in Canada is agricultural, it is expedient that the rate of interest charged by said farmers' banks shall be restricted to 6 per cent. per annum."

The resolution now before the committee reads as follows:—

"That in order to prevent any clashing of interests between such farmers' banks and ordinary chartered banks, as well as for the general convenience of the public, it is expedient that there be uniformity in the circulating medium, and that all banks be compelled to circulate only Dominion of Canada notes," and so on.

If we do not grant any charters to those banks, and there are no farmers' banks established, it is impossible that there can be any clashing of interests between them and the ordinary chartered banks. While I do not express any very decided opinion against the proposition that the Government should take into their own hands the issue of paper money through the ordinary banks of the country, yet I

think that proposition should come from the Finance Minister. In this resolution there is also a proposition that payment should be made to the chartered banks for depriving them of the circulation of which this resolution proposes they should be deprived. If any such proposition is to be made to the country the Government ought to submit it.

Mr. ORTON. The committee has already approved of the second resolution which is virtually the basis of the whole Bill. I do not see how the committee can very well refrain from allowing the Bill to be printed and placed in the hands of members.

Mr. HESSON. It is very evident that the hon. member for Renfrew (Mr. White), wishes to burke the Bill. Certainly the committee should allow the mover the privilege of having it printed. We do not say that the Bill in its present shape would be accepted by the House or the people, but at least it should be printed.

Mr. VAIL. It is very difficult to understand the policy of the Government in regard to these resolutions. Here is a proposition to grant a charter to certain banks, and it is evidently expected that the Government will furnish the money to recoup the chartered banks for loss they may have sustained. Consequently it is a very important measure so far as the Government is concerned, and I do not see how they can shirk their responsibility in connection with it. They have had two years to consider the matter, and it is more than a week since the subject was brought up in the House. It is almost time to ask whether we have a Government.

Mr. HACKETT. I see no reason why the resolutions should not be allowed to pass. I fail to understand why hon. members are opposed to granting measures to the agricultural community which they grant to other classes. We know that the farmers are laboring under great disadvantages. An hon. member stated this afternoon that farmers had the same privileges and rights and could go to the chartered banks and borrow money as other individuals had an opportunity of doing. I know from my experience that such is not the case. A farmer in the county I represent, one of the finest agricultural counties in the Dominion, who had a large farm, but was anxious to purchase another valuable farm lying along side his own, as it was then in the market. He took with him his neighbor, who was also a good farmer, and they went to at least a half a dozen different banks and offered their own security to raise the necessary money, but they were refused. I happened to meet that gentleman in the town, and he said to me: "They appear, in this place, not to know me; you know my position and circumstances, will you come to some of the managers of these banks with whom you are acquainted and recommend me." I went with him, as he desired, to one of the banks and introduced him to the manager. I said: "Here is a gentleman from my own part of the country who is possessed of a large farm; he has it well stocked, and it is one of the finest properties in that part of the country. He is desirous of raising about \$500 on a note endorsed by his neighbor, who is also the owner of good property." The manager said: "I am glad indeed to make your acquaintance, and I will take the note and discount it at three months." The farmer said: "My harvest will not be reaped by that time, and I will not be in a position to meet the note." "Well," said the banker, "if you meet half of it, I will renew the balance." The farmer replied that he could not do that, and that he thought he would be able to borrow the money on the security he offered for a term of six months when he would be able to meet it. The manager said that he could not take a mortgage on the property, but he offered to discount the note on the terms he had just

mentioned. He said: "If you cannot accept those terms you will have to go to those parties who are in the habit of taking mortgages on property and advancing money, and get the money from them." He added, there is a lawyer next door who lends money in that way, and no doubt he will be glad to take security for the money, and he gave him his name. I saw the gentleman afterwards, and he said, there is no use in my trying to raise money in this town; I was refused at the bank, though I had good security, though I know parties engaged in egg-buying in our part of the country, who are not worth \$50, but who can get their commercial paper discounted at the banks. He said I went to the money lender and he offered to let me have the money at 12 per cent., but I cannot afford to pay that rate, so I cannot buy the property. There is a practical instance showing that a farmer cannot go to a bank and raise money by mortgage; banks are not allowed to do that business, as it is contrary to their charters, and consequently the farmers are thrown on the mercies of the money lenders, or money shavers, who are the most remorseless characters in this country. I believe those are the individuals who are burking this Bill before the House, either personally or by proxy. I know also of my own experience, that the establishment of small banks is a matter of great importance to the farming interests of the country. Some twenty years ago a pious Roman Catholic missionary, the Rev. Father Bellecourt, who was stationed in one of the parishes of Prince Edward Island, seeing that the people in that locality were enduring great hardships by being obliged to go to the money lenders to raise money to meet small demands, established a small bank called the Farmers' Bank of Rustico. My hon. friend from Queen's (Mr. Davies) will, I think, corroborate my remarks on that point. It had only a capital of \$10,000—the smallest of any bank in the Dominion of Canada. It could not now do business under the Statutes of the country, but having obtained its charter previous to Confederation, they were allowed a certain time to run under their old charter, and are now winding up their whole business. That bank is altogether composed of farmers; the directors are all farmers; the manager is a farmer, they have been doing business for twenty years, opposed by all the other banks of the country, who have been endeavoring to kill it—endeavoring to prevent its notes from being used, and from doing business generally. But, notwithstanding that fact, that bank was conducted on sound principles; it went on for twenty years, it has done a very successful business, and it is much regretted there that it is obliged to wind up its affairs. My hon. friend from Queen's (Mr. Davies) who represents more immediately that part of the country, two years ago took an active interest in trying to have the charter of that bank extended, but, as I said, its affairs are now being wound up, and there is nothing that the people of that part of the country regret so much, as that it cannot do any further business amongst them, and they hold in the highest reverence and respect the memory of the reverend gentleman who established it. I think, therefore, the farmers of the country should have the privilege of doing business in their own way, because the experience of that bank shows that with their property as a basis, they can conduct such a business to the advantage, not only of themselves, but of the community generally. I trust, therefore, that those who are interested in placing the farmers of the country at the mercy of the money lenders, will not prevail, but that the hon. member for Centre Wellington (Mr. Orton) will have his resolutions reported and the Bill introduced.

Mr. DAVIES. What the hon. gentleman says is perfectly true respecting the formation of that bank, and the fact that it has done a great deal of benefit in the part of the country where it carried on its business. He must recollect, however, that that bank was not based on principles

Mr. HACKETT.

at all analogous to those of this Bill. It is a bank with a small capital, but it does not buy or sell bills of exchange, but simply lends money at six, nine and twelve months to farmers. As to the statement of my hon. friend that the other banks looked upon it with suspicion and endeavored to put it down, I may say that I have been a director of one of the banks for the last ten or twelve years, and that, on the contrary, the other banks were glad to see it flourishing, and would be glad indeed to see its charter extended, knowing that it was doing a great deal of benefit in the locality in which it is situated.

Mr. HACKETT. It is possible my hon. friend is right with regard to the bank of which he is a director, but I know that some five years ago I had a few notes of the Farmers' Bank, and they were refused by one of the leading banks of Charlottetown, and as I believed, for the purpose of trying to kill this small bank.

Mr. MACMASTER. The resolution of the hon. gentleman is somewhat extensive in its scope, and involves the consideration of the whole financial question of the country. There are some things connected with the resolution which deserve the best consideration of the House, and the hon. member for Centre Wellington deserves the thanks of the House and the country for bringing the matter forward, for no matter what views we may entertain respecting it, it is to the general advantage of the community that the subject of the currency should be discussed. Now, referring to the question of banking generally, it is difficult to arrange any conventional scheme by which any particular class of the community is to be benefited, regardless of all other classes. The lending of money must be based on the general credit of the borrower and the facilities of the lender for lending. If the general scheme propounded by my hon. friend could be shown to be beneficial to the farmer, if it could be shown to be specially in the interests of the farmer that such legislation should be put on the Statute-book I would be one of the first to vote for the Bill. It is because I have doubts as to the general utility of such a measure that I have some hesitation about giving my adhesion to his general scheme, although some parts of it are certainly meritorious. He proposes to establish a number of farmers' banks. Now, in order that that venture be successful, it implies that a large number of men shall be found throughout the country capable of managing these banks. Banking is a trade; it is not to be picked up in a day or an hour; and it is a grave question whether it would be for the best interests of the farmers that they should engage in the business of banking. I do not think it would be profitable for the farmer to invest in a banking operation in which his profit is, according to the terms of the Bill, restricted to 5 per cent. Is he to invest as a borrower, and are mortgages to be made negotiable securities? I doubt very much whether it would be of advantage to the farmer that his mortgage should be a negotiable security and that facilities should be provided for him to part so readily with his property. But there is one provision in these resolutions which I think should receive the best consideration of the House—if not in connection with this measure, in connection with some other measure which might be introduced by the Government:

"That it is expedient that there be uniformity in the circulating medium and that all banks be compelled to circulate only Dominion of Canada notes."

That is a little restrictive, because, of course, they should have the privilege of issuing gold or silver currency. But that it would be advantageous to this country that there should be a uniform Dominion currency, I think, admits of very little doubt, and the proposition the hon. gentleman has made in that respect should commend itself to the House and the country. Even though there should be frailty in some of the other portions of his scheme—and

whether there be frailty or not will admit of fuller discussion on experiment—he has certainly surrounded his proposition with a large amount of argument and precedent. This particular portion of the resolutions is worthy of the best consideration of the House. It is so involved, however, with other propositions as to make it difficult for us to give it our full assent. But the hon. member for Centre Wellington, the hon. member for North Perth, and some of the other gentlemen who advocate the scheme are not without the advantage of the highest authority in its support. I would read a few sentences from a speech of Mr. Smithers, the president of the Bank of Montreal, who, I believe, is the leading authority on banking in this country, delivered at the last annual meeting of the bank :

"Now, I am going to allude to a matter of great public interest, which is closely identified with the business in hand. I refer to the subject of bank issues generally, and if my views were adopted, it would serve the double purpose of placing the currency upon a thoroughly satisfactory basis, and at the same time materially assist the Government finances. After these remarks I need hardly add that I am prepared to advocate the policy of putting the banks upon the American system and requiring them to secure their issues by the deposit of Government bonds. I have long been in favor of this system, but it was not pressed at the time of the last legislation on the subject of banking, not because the Bank of Montreal was not quite ready for the change, but out of consideration for the views of other bankers. I believe my colleagues, if not all, at least a majority of them, are in sympathy with my views—at any rate, speaking for myself, I wish to take this opportunity, I know of no better, as what I say to-day will be widely read—I say I want to avail myself of this opportunity of placing my views on record. Let it therefore be distinctly understood that I openly avow myself in favor of the adoption of this system. It will not only, as I have already said, place the circulation upon a thoroughly satisfactory basis, but, in my judgment, it would do away with the necessity for the voluminous monthly statements furnished in so much detail to the Government. As, if the safety of currency was fully assured, all the statements required would be furnished in half a dozen lines, as I hold that when the Government has provided the country with a thoroughly sound currency its duty is discharged. I maintain that it is both the duty and privilege of every man to satisfy himself as to what bank he will deposit his money in, in precisely the same manner as the wholesale merchant elects as to what retailer he will give credit to, and the one has no greater claim for protection on the Government than the other. The same is true of the shareholder in selecting his investments. He should be governed by his confidence in the management, just as he is in taking stock in any other company, and the moment he sees reason to change his mind, he should sell his shares. It may be said that the people of the United States are looking round for a substitute for the national banking law. But if they are it is not because it has not been a success, but because the supply of bonds is likely to give out, a contingency which is not likely to arise in this country for some time to come, if we are to judge from present appearances. This brings me to another feature of the system, viz., that it would make a market for a very large amount of Dominion bonds. Of course there would be gradual progress, and I am not going to detail now—it would be premature to do so—suffice it to say that in four or five years it would supply the Government (without allowing for any increase of circulation) with about \$30,000,000. Therefore, gentlemen, without further remark, I repeat that I am in favor of the adoption of this system, and if it should be brought forward by the Finance Minister it will have my support, unless my colleagues take a different view, which I do not think very probable."

So that whatever may be our differences of opinion on the question of farmers' banks, by reason of the restriction contemplated in these resolutions, or by reason of the query as to whether farmers would seriously carry on business with these banks or not, or by reason of the further consideration whether it would be an actual benefit to the farmers to have further facilities to transfer the mortgages on their homesteads, there can be no doubt whatever that Mr. Smithers, the leading banking authority in this country, is in harmony with my hon. friend from Centre Wellington to this extent, that it would be beneficial for the country to have a uniform currency; and although I am not an authority on banking matters, the limited observation I have been able to give to this subject leads me to the same conclusion that the hon. member for Centre Wellington comes to in that respect. Of course the hon. gentleman has foreseen that it would result in temporary loss to the banks, and he has a provision, the terms of which I am not competent to discuss, for withdrawing the circulation and compensating the chartered banks. Under the present law, the circulation is the first claim on the assets

of the bank, and many say that that is a sufficient protection. But it is not thorough protection; it is only partial; for if one of the smaller banks fails, what happens? There is consternation; a run on the bank occurs, and poor people who hold the bills very often sell out to designing speculators, and very serious loss results to the honest wage-earner. The proposition of my hon. friend is that there should be a circulating medium in the country which should be entirely beyond question; and when that proposition comes up as a distinct proposition before this House, it shall have my support.

Resolutions agreed to, reported, read the second time, and concurred in.

Mr. ORTON moved the first reading of Bill (No. 88) to provide banking and loan facilities to those engaged in agricultural pursuits.

Motion agreed to, and Bill read the first time.

COURT OF RAILWAY COMMISSIONERS.

Mr. McCARTHY moved the second reading of Bill (No. 6) for constituting a Court of Railway Commissioners for Canada and to amend the Consolidated Railway Act of 1879.

Sir RICHARD CARTWRIGHT. This seems to be a measure of some little importance. Have the Government nothing to say about this policy, or are they waiting to be advised by the House?

Mr. McNEILL. Having during three Sessions of Parliament presented petitions in favor of this Bill from the Municipal Council of the county of Bruce, I feel it is due to those I have the honor to represent, that I should endeavor to say a few words in explanation of my reasons for supporting this measure. I hope the House will kindly bear with me, as I have been a little under the weather for some time past, and am not very well able to do justice to the subject, which is one of very great importance to the people of this country. I am quite sure that the views and wishes of the municipal representatives of 66,000 people of Bruce, I am quite sure that the unanimous wishes and views of so large a section of the community, will always receive respectful consideration from this House, but it is not only the views of so large a community as this, but the views also of many other great counties and cities and towns of this Dominion to which I desire to refer. I believe that there have been some sixteen counties and cities and some thirty-two towns which have petitioned in favor of this measure, and during the last Session of Parliament a memorial was presented from the manufacturers' association of the Province of Ontario in support of the measure, and I think I understood that recently there has been an approval of this measure by the Board of Trade of the city of Toronto, so that I feel satisfied that a measure which receives this amount of endorsement in the Dominion will be treated with that degree of consideration, and receive that amount of care which certainly its importance deserves. I feel quite satisfied that the question has taken a firm grasp of the minds of the people, and that sooner or later it will be necessary for the Government to deal with it, and I venture to think that the sooner it is dealt with the better it will be for all parties concerned. There has been very naturally a good deal of prejudice created in the minds of members of the House against the measure by reason of the overwhelming majority which was opposed to it in the Railway Committee when it was before that body. This was a very natural prejudice, I think, but it was, on the other hand, a very unfair prejudice, because, in truth, the measure was defeated on that occasion owing to statements which were made in perfect good faith, but which were in themselves altogether erroneous. Those statements were

endorsed by Sir Charles Tupper, the Minister of Railways, and it was very natural that statements coming with all the weight of the endorsement of a gentleman who is so familiar with railway enterprises in this country, and who has always taken so much interest in their furtherance, would have very great force in the minds of members of the Railway Committee. Now these statements which were made were sufficient of themselves to cut away the whole ground from under the feet of those who were supporting this Railway Commissioners Bill. The statements were these. Sir Charles Tupper said :

"Then again, it has been shown here to-day, after an experience of years in a country admirably adapted for the adoption of the principle of the commission, that Parliament, instead of being satisfied with it and re-establishing it, has allowed it to expire, and no commission exists at all in England to-day, for the reason that the commission has, to a large extent, failed in accomplishing the objects that Parliament and the Government established it for."

As my hon. friend had pointed to the English Railway Commission and to the success of that commission, and had founded his Bill mainly upon the lines of the Railway Commission Act in England, it was very natural that such a statement as this, coming from Sir Charles Tupper, would fall like a thunderbolt upon the Railway Committee and the result of it was that the measure was defeated by a very large majority. There was another statement made at the same time, and that coming from the same authority would naturally produce a great effect :

"I am justified in saying that the stock market in England is paralysed by what we are doing here to-day."

Both those statements, made in perfect good faith, turned out afterwards to be altogether mistaken statements. The Railway Commission in England, far from being abolished, was in full swing at the time; and the stock market was not in any degree affected by what we were doing at that time. So I think I am justified in saying that the vote which was then taken upon the measure was one to which we now should attach very little importance indeed. The hon. member for North Simcoe (Mr. McCarthy) at that time argued that the people and the weaker lines of railway were insufficiently protected against the enormous power which is wielded by the great railway corporations in this country, and, impressed by the force of the arguments which he adduced at that time, and which were in point of fact unanswerable, the Government introduced a measure amending the Consolidated Railway Act, and into this measure they introduced two clauses which were taken verbatim from the English Act of 1854, the Canals and Traffic Act. The principles which are embodied in those two clauses are these—first, that every railway company shall be obliged to give due facility for the furthering of traffic over its line, coming from any other railway; and secondly, that there shall be no preference, that is, no undue preference, offered to individuals or localities. These two principles will, I think, commend themselves to the approval of every hon. member of this House and every right-thinking man; and, by embodying these principles in the law of the land, the Government, and not only the Government but this House which adopted that measure, have admitted the fact that the people of this country have the right to have those principles put into operation. But, unfortunately, it is impossible to put this law into force unless we have machinery which is adequate for the purpose, and it so happens that we have no such machinery. The people of Canada are told distinctly what their rights are by the Government and by this House, but the means by which they can enforce these rights are withheld from them. This, I think, can be not merely proved but demonstrated. There are just two tribunals before which these matters can be brought, the Railway Committee of the Privy Council and the courts of law. I do not think that anyone will venture for a mo-

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ment to say that the Railway Committee of the Privy Council is competent at all to deal with these matters, is competent to deal with questions of through freights, of undue preference, of the proper connection of trains, of proper facilities for traffic, and of a host of other questions which will at once suggest themselves to the mind of any hon. gentleman who thinks for a moment on this subject. It is impossible to suppose that the Railway Committee of the Privy Council can have either the special knowledge which is required to deal with such matters or the time to examine witnesses, and sift evidence in order to do justice in such matters. That being so, we are thrown back upon the courts of law, and it is just as certain that the courts of law are incapable of dealing with these matters as it is that the Railway Committee of the Privy Council is incapable of dealing with them. This fact is thoroughly established. There is no question whatever on that subject. There can be no question about it. I think it will be admitted by everyone on both sides of the House that the law in England is administered at least as well as it is in any other country in the world, whether we have regard to the learning and ability of the judges, or to the absolutely spotless purity with which they discharge their high functions; and we know perfectly well, that if there is one thing more than another that the English people are distinguished for, it is a desire quietly to get along on the old lines, to plod along very much in the old groove, and as little as possible, especially in matters connected with commerce and traffic, to interfere with the old established methods and precedents; and that, if there is one thing more than another that John Bull disapproves of and holds in abhorrence, it is what he calls new-fangled methods of procedure. So, I think I am perfectly justified in assuming and in stating that the English people would have rested satisfied with the courts of law, and would not have adopted a new tribunal to deal with these matters unless they had been compelled by the strongest reasons to do so; and, when we find that they have in England established just such a tribunal as that which is proposed by my hon. friend from North Simcoe (Mr. McCarthy), we have the strongest possible circumstantial evidence in favor of the proposition that the courts of law are incapable of dealing with the matter. And we must remember that the law in Canada, at present, is just in exactly the same position as the law of England when the Railway Commission was established there. But we are fortunate in not being obliged to rest solely upon circumstantial evidence in support of this, because we have also direct evidence of the most weighty kind possible. We have the evidence supplied to us by the records of committees and commissions without number, which have been appointed in England to investigate this matter. There were committees appointed, sometimes from one House of Parliament and sometimes from the other, and sometimes from both Houses of Parliament, and the members of these committees were always selected by reason of their special qualifications and their special knowledge of the subject. We find it laid down in a most distinct way by the reports of these committees that the courts of law are incapable of dealing with this matter; they found that the courts of law were quite incapable of dealing with the enormous power which was wielded by these great corporations, which, in point of fact, held in their grasp the whole carrying trade of the country. In 1872 a committee was appointed, having among its members some of the leading men in England such as Lord Salisbury, Lord Ripon, Lord Redesdale, the late Mr. Ward Hunt, and Mr. Dodson. I find in the report a great many statements showing clearly that the courts of law are powerless to deal with the question. In the first place I find that Lord Campbell had said :

"The judges, and himself among them, thought themselves incompetent to decide these matters. They should have a lay tribunal to decide such matters, and not one composed of judges."

He said that all the judges agreed with him in this view with the exception of Chief Justice Jervis, so that all the judges of the Court of Queen's Bench, all the judges of the Court of Exchequer, and all the judges but one of the Court of Common Pleas, were of the view that a special tribunal was necessary to give effect to this very law which we, a Session or two ago, placed upon our Statute-book. Then again I find on page 15 of the report :

"The necessity for power to enforce through rates for goods over every other company's line, is recognised on all hands; but the Canals and Traffic Act is inoperative to secure it."

On page 15 I find :

"The Board of Trade informs this committee" —

The Amalgamation Committee it was —

"that the decisions, or rather want of decisions, under the Railway and Canal Traffic Act have shown how unsuited a court of law is to deal with such cases."

And again on page 47 :

"Almost every witness, whether representing the commercial or the railway interest, has suggested the appeal to some board or tribunal which shall settle disputes, and in fact do what self-interest—or the law itself cannot do."

There is a later report to which I am about to refer. Then again on page 48 I find :

"It is distinctly proved that the Court of Common Pleas is not capable of dealing with the question of proper facilities for the forwarding of passengers and goods."

On page 49 :

"The Board of Trade has not the requisite judicial character or means of action."

And that (this is a remarkable statement) :

"A court of law fails in practical knowledge and administrative facility."

It must, I think, be clear that the courts of law, according to the views, at all events, of this committee, were incapable of dealing with the matter. Well, in England the people were not satisfied to rest in that position. They were not satisfied to leave the whole power in the hands of the railway companies, and they determined that as the courts of law could not deal with the matter they would accept the proposal of this committee and appoint a special tribunal. That Railway Commission was appointed; but in the first place only temporarily. It is worthy of remark that the committee which recommended the appointment of that commission did not present a unanimous report, there was a majority report, and there was a great deal of doubt in the minds of a great many people as to whether this appointing a railway commission was a wise thing to do. It was felt that the experiment was a very grave one, and many people thought it was a very dangerous experiment. It was felt in England, as it is felt by members of this House, that it was a serious thing to hand over to three gentlemen, such as those who are proposed in this Bill of my hon. friend, such great powers lest injury should be done by them to the great interests of the railway companies, and by that means injury to the public at large. Many of the wisest, many of the ablest and many of the most experienced and sagacious members of the House of Commons in England, disapproved of the proposal to establish this Railway Commission, just as many of this House disapprove of it. Now, we go a step further, and come to the report of the last committee, which was made in 1882. That committee was composed of twenty-three members of the House of Commons, selected for their special knowledge of the subject, and nine members of that committee represented the railway interests. The committee was appointed for the purpose of investigating how this railway commission, which had then been in existence some eight years, was really working; whether it was a good thing or a bad thing; whether it was advancing the interest of the public or not, and they presented a unani-

mous report, in which they stated it had worked well, and they recommended that it should be made permanent and its powers enlarged. On the 11th of last month, the President of the Board of Trade in England, introduced a Bill, not only establishing one Railway Commission for England, but establishing one for Ireland and one for Scotland. He was simply taking up the measure which had been proposed by his predecessor, in a Conservative Government, so that both parties in the House were unanimous on the subject. He said :

"Experience had shown that the powers conferred on the commission by the Act were too restricted; and its jurisdiction had been considerably limited since its appointment by the action of courts of law. It had nevertheless done good service to the community. Its decisions had given general satisfaction to the trading community. It had operated so far as the railway companies were concerned in *terrorem*, and it was doing much good and useful work."

Now every argument on general principles which has been advanced here against the appointment of this Railway commission, was at that time advanced in England—I speak of arguments on general grounds. Any hon. member taking up the English *Hansard* can read there one argument after another which has been presented in Canada in opposition to this measure, and which was presented in England in opposition to a railway commission and which the test of experience has proved to be fallacious. I do not intend to read from the reports, because I do not wish to take up the time of the House, and because I quoted from it on a former occasion. Mr. Ward Hunt, and there was no one in the House whose opinion was of greater weight, said the shareholders' money would be in danger. Mr. Pease said it would dislocate traffic. He also said it would be a terrible thing to hand over the property of the English railways into the hands of three men. He also stated that the salaries of the commissioners would be less than those of the managers of the railways. It was alleged at that time that a depression in the stock market would ensue. All of those objections have been proved to be entirely groundless, and those in England who were opposed to the establishment of the commission are to-day in favor of it, as can be seen by reference to what occurred in the House of Commons a few days ago. It is said: Why should we not in Canada have the same benefit from a railway commission as the people of England enjoy, and as they have in many of the States of the Union? And we are told there are special reasons here in Canada why we cannot have such a commission. We are told we are differently situated from the people of England, and therefore we are to hold our hands and sit down and tell the people that there is no remedy for grievances complained of. We know from experience that the law courts cannot help them, and there is no other tribunal. We practically tell the people, by the legislation which is passed in this House, that they have certain rights, but there is no way of enforcing them. We have not surely come to such a pass as that. The objections urged, which are supposed to be special objections, are not valid objections. The first objection which is urged in Canada is, that capital is very sensitive, and it is very important for us to have capital invested in our railways. We all admit that. I suppose there is no one who would gainsay the truth of that proposition. It is said that this sensitive capital will be frightened away by the appointment of this commission, which has worked so well in England. I venture to say that the very reverse will be the case; that in Canada, as in England, it will be found that the railway commission will be the champion of the weaker lines, that it will strengthen the young undertakings, that it will enable them to get facilities for through traffic and train connections, and will prevent the struggling companies from being swamped by the greater and more powerful corporations. It is very well known to all living in Western Ontario that the greatest inconvenience to the public occurred from the fact that no

connection could be obtained between the Great Western and the Grand Trunk. It is a fact, told me on the very best authority, that if there had been a railway commission in Canada at the time, there would have been no amalgamation between the Great Western and the Grand Trunk. That condition of things would not have been tolerated for twenty-four hours if there had been such a commission; the condition of one railway company deliberately running its trains so as to prevent another company connecting with it and thus preventing the proper flow of traffic through the country. Another objection raised is that the Dominion is too large, and while in a little country like England a commission may be appointed here with a greater territory a railway commission could not possibly overtake the work. That is, perhaps, the weakest of all objections against the commission. Let anyone take Bradshaw's map of England and see how the whole country is covered with a network of railways, and he will then see the amount of work the commissioners have had to undertake, work infinitely greater, more difficult and more complicated than the work they would have to undertake here. At one of the numerous stations in the neighborhood of London, more than 1,000 trains pass in twenty-four hours, a circumstance which conveys some idea of the complexity and difficulty of the railway system in England; and yet this system has been regulated by the railway commission there. How much more easy it would be to have our simple system regulated by a commission here. It is said that the through freights from the United States would complicate matters because some of the freights would come over lines that would be outside the control of the commission. Hon. members, I think, last Session pointed out that in England as great a difficulty exists, because there is a great part of the traffic carried by land and partly by sea, and that carried by sea is outside the control of the commission. Then we are told there are no outside systems competing with the railway system in England as there is here in Canada. There never was a greater misapprehension or a statement more incorrect than that. There is a system of competition in England which, according to the report of the commission which sat in 1882, affects freight in three-fifths of all the railway stations in England, that is the competition by sea. There are fleets of magnificent steamers and sailing vessels lying in all ports in England ready to carry freight in competition with the railways into every harbor, port and cranny into which vessels dare enter, which competition affects freights, to the extent I have indicated. So that objection may be abandoned. There is really no sound objection that can be urged against the proposal of the hon. member for North Simcoe (Mr. McCarthy), in this Bill. There can be no doubt there is a feeling of irritation in the minds of the people in many parts of Ontario against the railway companies, a feeling I had almost said, of hostility, a feeling that those companies can do very much as they like, and do very much as they like, that they are practically uncontrolled, and that they are practically the masters not only of the people but of the Government to a great extent. It is not desirable that such a feeling should exist in the minds of the people; it is not for the benefit of the railway companies themselves. In the presence of such a feeling the enormous benefits that the people have derived from those railway companies have been to a great extent lost sight of; and therefore it is we ought to do something, if possible, to relieve the people from this feeling of oppression from which they at present suffer. One of the great advantages arising from the establishment of a court such as is proposed by the hon. member is that a great deal of misconception would be removed. A great deal of the feeling which exists in the minds of the people is no doubt well founded, but I believe on the other hand much of it is ill-founded, arising from misconception; and one of the great advantages

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of the appointment of a commission would be that it would be a court of conciliation, as well as a strong instrument to redress real grievances, and would do away with many of those which at present unhappily exists. Why should not the people have the benefit of such a court? We have admitted by placing this law on the Statute-book that they have grievances, and we have admitted they have certain rights, and we have known perfectly well that under the existing state of affairs there are no means supplied by which those grievances can be remedied. We know that these very same laws which we have embodied in the laws of Canada were inoperative in England until special machinery was applied to put them into effect. And so long as we withhold from the people of Canada that special machinery which experience has proved to be necessary to give effect to the law which we say ourselves ought to be put in force, the people of Canada will look upon this law as a mockery and a sham. They would look upon it very much as they would look upon bread given to hungry men locked up in a strong box, of which we deliberately withhold the key; and as long as we deliberately withhold from the people the means of enforcing those rights which we declared in this Parliament to be theirs, I think we may expect that the people will be likely to call us very sharply to account.

Mr. CURRAN. Permit me to say a few words on this subject which has occupied so much of the attention of the best minds of the country for a considerable time past. No doubt my hon. friend, the introducer of this Bill, is actuated by the very highest motives in presenting this measure so vigorously as he has done, Session after Session, and we are all deeply indebted to the very eloquent gentleman who has just resumed his seat, for the vast amount of pains he has taken to collect information on the subject. I think, however, from the very speech that hon. gentleman has made, as well as from what we know has taken place in the various councils of the trade regulating bodies of our Dominion, that if there be one question more than another as to which we may say *festina lente*, hasten slowly, if there is a subject upon which we should act with the greatest deliberation and proceed with the greatest care, it is the question now before the House. In the Board of Trade in the city of Montreal this question has occupied a good deal of attention. It has been discussed on various occasions, and the very Bill which is now before this House has received the attention of that body, and, no longer ago than the day before yesterday, it has been pronounced inadequate to the attainment of the objects which it professed to achieve. For that matter, I could mention the name of several other bodies which have also taken a similar view. In listening to the remarks of the hon. gentleman who has just taken his seat, I failed to notice that he had disposed of the very many objections which he said had been raised on more than one occasion against this measure. In the first place, he told us that as far back as 1872, this question had been thoroughly discussed in England, and a law enacted similar to this Bill. By his own showing, the conclusions arrived at on that occasion were not satisfactory, since in 1882 a new amendment had to be made, and if the hon. gentlemen will refer to the report of the proceedings of the British Parliament of the 13th of last March, he will find that he was entirely mistaken when he said that the Railway Commission in England had given satisfaction. On the contrary, they are now again about to amend their law and to seek new remedies by the addition of new members to that court, giving it more of a legal aspect than it had before, thereby proving conclusively that the legislation which is sought to be introduced here has proved, I may say, an utter failure in England itself. Therefore I conceive that the best thing we can do is to take our time. We have the experience of the Mother Country before us, dealing with this subject under far more favorable circumstances than

we can possibly expect to deal with it here. We have not in this country the same system. We have an international system, if I may so speak, and therefore it is much more easy to deal with the question in England, where all the railways are under the one Government, without the same connections we have here; and if they failed in England under those most favorable circumstances, I cannot see why we should walk in the steps which have been traced so far, rather than wait until we see if in England they can arrive at a solution of the difficulties which are now embarrassing us as well as them. Under these circumstances, therefore, I believe that the arguments advanced by the proposer of this Bill as well as those that have been followed up by the last speaker, must have totally failed to carry convictions to our minds, and that the best thing we can possibly do is to wait the working out of the experience of the Mother Country before we attempt to introduce a law here which, I think, would be very disastrous in its results, have a very bad effect indeed on the carrying trade of the country, and fail in every respect to give us those results which that law is intended to produce. Whilst, therefore, giving credit to my hon. friend for the good intention he has, I believe this law at all events is premature, and that we should await further developments on the other side of the Atlantic before giving our adhesion to his proposition.

Mr. SPROULE. The country to-day is watching with a good deal of interest, the action taken by this House, relative to the important question that is now engaging our attention. Year after year, for part of the last Parliament, and, I think, throughout the present Parliament, this or a similar Bill has been introduced in this House. Time after time it has been dropped because there appeared to be an indisposition on the part of members of this House to take it up and support it sufficiently or to bring it to a test question. Of late there appears to have been a good deal more attention directed towards this measure. We find that the press of the country have been considering it, boards of trade have been discussing its merits and demerits, the agricultural societies of the country have been asking for it, the county councils in different localities of Ontario have passed resolutions in favor of it. And with all these various bodies and powers looking forward with interest to the time when this measure shall be discussed, I think it is not unreasonable to expect that the members of this House should take it up and deal with it. The hon. gentleman who has just sat down is opposed to the Bill, and he says he thinks the time has not come when a measure of this kind should be passed by the House. The reasons he gives for holding such an opinion appear to me to be of a most flimsy nature. From his own statement they are based on two grounds. First, because it has been found necessary to amend the Court of Railway Commissioners in England. Is that the first law which has ever been amended I would like to ask the hon. gentleman? Is it an evidence because a law has to be amended, that it is a complete failure? Is it not found necessary time after time, as varying circumstances arise, to make amendments to almost every law found on the Statute-book of the country? I think this is only an evidence that circumstances have arisen necessitating an amendment; but it is still an acknowledgment that the principle is a good one. The other is that the Board of Trade in Montreal has passed a resolution against this Bill. The hon. gentleman seems to forget that the Board of Trade in Montreal, while it represents a very important commercial body and is composed of very able commercial men, is not the whole Dominion of Canada, and that there may be influences there which would tend to warp their judgment in regard to this question. The railway influence, which is very great in that large metropolis, where railways centre and railway men are found in

large numbers, is likely to be brought to bear on the Board of Trade; so that it is not surprising to find that they have resolved against this measure. But we find that in Toronto, another great centre, perhaps the next in importance in the Dominion of Canada, the Board of Trade there has discussed the merits and demerits of this Bill at great length, and after careful consideration, has come to the conclusion that it is important in the interests of this country, that a Board of Railway Commissioners should be established upon the principle of the Bill introduced by the hon. member for Simcoe. But further than that, we find that the Grangers of this country, representing perhaps the largest class of people in the country, the agriculturists, in their deliberations, not only this year, but in previous years, have asserted the importance of a Bill of this kind. I have before me the resolutions passed by the Dominion Grange, on the 10th of March, of the present year, which read as follows:—

"Amalgamation has virtually reduced our railway system into two corporations. In some instances these corporations are charging double the rates on local traffic, since said amalgamation has taken place. In fact the rates are raised and lowered to whatever the traffic will bear: this means that the railroad companies fix the price of grain from year to year. The seller or purchaser has little voice in the matter.

"The people and Governments gave their money in good faith to said companies, but the trust reposed in them has been misplaced, and the corporations now virtually say to the people and Governments: 'You have no rights that we are bound to respect.'"

"How long will the people and Governments submit to this state of matters? Those corporations have become so powerful that the question arises: 'Which rules the Dominion of Canada, the people's Government or the railroads?'"

"We would, therefore, urge legislation which will procure the interest of the producer by the establishment of a court or commission similar to that proposed by Mr. McCarthy in his Bill of last Session, for the regulation of railway freights and the final settlement of all matters in dispute between railway companies and individuals or companies."

These are the resolutions passed by the Dominion Grange this year, and almost similar resolutions were passed last year. When we consider that this association represents the agriculturists of the Dominion of Canada as a whole, we must see that there is a strong and growing demand for this measure. I sent a copy of the Bill to the President of the Board of Trade in Owen Sound, the capital of the county, part of which I have the honor to represent. In reply, the president of the board writes to me as follows:—

"My board is an unit on the McCarthy Railway Commission Bill. It came up before us some time ago with a string of questions, when the following resolution was unanimously passed: 'That this board is unanimous in its support of the Act introduced by Mr. McCarthy entitled: An Act for constituting a Court of Railway Commissioners for Canada, and to amend the Consolidated Railway Act, 1879' I trust that the Government of the day will give its support to a measure so necessary as this one for the protection of the interests of the general public. I trust Mr. McCarthy will succeed with his Railway Bill."

Now, this is a resolution passed by another board of trade, composed of gentlemen engaged in commercial pursuits almost entirely, and passed without a dissenting voice. But it may be reasonably asked, is there any necessity for the Bill? I think I need say little in addition to what has been said by the hon. member for North Bruce (Mr. McNeil), as to the necessity of the Bill. We find that with the growth of railway corporations, and on account of their great strength and ramifications, such great evils have arisen as to induce the people of the country to raise the question whether some means cannot be devised to remedy those evils. As early as 1844 those evils had become so great in England that it was found necessary to pass a law there authorising the Government to take over the management of the railways, or in other words, to buy out the railway corporations of England. I think under the late Sir Robert Peel and the present Prime Minister of England (Mr. Gladstone) a law was passed in 1844 giving the Government that power. On account of the vested rights which were then found to be involved in this question, it was thought advisable to defer the action of the Government for at least twenty-one years, so that the railway

companies, on finding this law on the Statute-book, would have the opportunity to govern themselves accordingly, and to sell out their interests before the expiration of that period. Now, what were those evils which the country had to contend with? They are enumerated in a work which deals with the railway problems of the age, and we find that they are very much the same as those which the people of Canada have to contend with to-day. But after a time it was thought by the public that what was proposed was such a gigantic scheme, and would involve such a heavy outlay, that it was perhaps not advisable to buy out the railways; but for the purpose of remedying the evils the very principle was introduced there which we are endeavoring to carry in the Canadian Parliament to-night, that is, the establishment of a Court of Railway Commissioners, who would act as arbitrators between the railway companies and the commercial and general public. Such courts were established; and if, after experience, they had been abandoned or abolished, then there might be some ground for the assumption of the hon. member for Montreal Centre (Mr. Curran) that they were a failure. But we find that they are still in existence, and although, like all measures of legislation, they have perhaps been found imperfect in some degree, the Parliament of England has, from time to time, endeavored to make them as perfect as possible; and I think that any person who has read the history of those courts, and the multitudinous duties they have performed, must admit that they have been of incalculable benefit to the people of England. Now, is England the only country which has adopted this remedy for the existing grievances? No. We find that going over to the United States, a country which is, perhaps, the first power in the world as regards the importance of its railway system, they too have had these evils to contend with, and we find that many of the States, in their legislative capacity, have put upon their Statute laws for the purpose of establishing these courts, and that they are in operation and competing successfully with the difficulties to-day, no one can deny. These courts, in the United States, appear to have resolved themselves into two classes; one class, with the power behind it of giving publicity to the dark deeds of these railway companies, or, in other words, laying before the public all their acts, so that an intelligent public, by the force of its opinion, would either endorse these acts or condemn them and force a remedy to be applied. I hold in my hand a very important little work which deals with the problem of railway companies in their relations to the public. It is entitled "Railroads; their Origin and Problems," by Adams. I find that these courts have been established some years; I find that they were established in the Western States in 1869, and, strange to say, they had their origin with the same class which to-day is asking the Dominion Parliament to give us this court, namely, the Grangers who felt their inability to cope with the opposition put in force against them by railway companies. Individuals found it was impossible to secure their rights, and hence the demand arose for some other mode of dealing with this very important question. They asked the State Legislatures to take up this matter, and then, on the advice of the Grangers, courts were established to deal with the difficulty. Unfortunately they were established perhaps too much in conformity with the principles advanced by men of little practical experience and railway knowledge, and the result was they were very imperfect in their nature, but no one, after looking over the history of these courts, will deny that they have accomplished a great deal of good, if not so much good as was expected. These courts, which the Grangers recommended, were established on the principle that they were rather courts of arbitration with power behind them to enforce the arbitration. It was found this did not work exactly as was expected, because the power of the railway companies was

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so great that the courts were frustrated in their design of carrying out their honest intention. Then another question arose. In the grain centres of the West, it was stated that the fundamental principle behind every railroad act was force, and the commission representing the constable. Finding the laws were not carried out, it was brought to the notice of the court that the people's rights were trampled upon, and, in order to redress the wrongs, the court became in the nature of constables to enforce the people's rights. It was found, however, that they had not the power to enforce the rights as they desired. In Massachusetts, where the new principle was introduced, not exactly of enforcing the law by virtue of constable power, but by rather laying before the public the nature of the grievances of which the people had to complain and compelling the railway companies to submit to the inspection by the public, at all reasonable hours, their books, papers and tariffs, and all other things connected with them. Then, when the attention of the public was directed to any grievance, it was brought directly under the notice of the Legislature, who were enabled to amend the laws, from time to time, so as to meet the wants of the people. Those two principles were acknowledged in the courts. One was that of force behind the court, and the other was publicity to the act of the court, so as to have the power of an enlightened public behind them to enforce its ruling.

"In the West the fundamental idea behind every railway Act was force; the commission represented the constable. In the Massachusetts Act the fundamental idea was publicity; the commission represented public opinion. The law creating the board and defining its field of action was clumsily drawn, and throughout it there was apparent a spirit of distrust in its purpose. In theory an experiment, in reality it was a makeshift. The powers conferred on the commissioners hardly deserve the name; and such as they were they were carefully hedged about with limitations against their abuse."

The board, in the first place, became of necessity a judicial in place of a prosecuting tribunal. But that was changed. Then we find, when we go on to the other, that the Massachusetts Legislature established a court, and the result of that court was much more satisfactory.

"Undesignedly the Massachusetts Legislature had rested their law on the one great social feature which distinguishes modern civilisation from any other of which we have a record, the eventual supremacy of an enlightened public opinion."

Their object was to enlighten the public, and then trust to the chances of the Legislature taking up the question, and enforcing what was believed to be enlightened public opinion.

"The line of policy thus happily initiated was carefully pursued. New and wider powers were, year by year, conferred upon the board, but always in the same direction—powers to investigate and report. The commissioners meanwhile were not slow to realise the advantage of their position, and have repeatedly put themselves on record as desiring no more arbitrary powers—as feeling themselves indeed stronger without them. In 1876 this policy reached its final result, as the Legislature then placed the entire system of accounts kept by the corporations under the direct supervision of the board. Its power in this respect was unlimited. Not only was it authorised to prescribe a uniform system upon which those accounts should be kept, but they were also to be kept under the immediate and constant supervision of its officers."

Now those who opposed the adoption of the measure last year, alleged, as one of the grounds of opposition to it, that it was unreasonable to ask companies to allow any person to inspect their books and lay before the public matters which might interfere with the rights and traffic of the railway companies. But in Massachusetts it was found to be an advantage, because afterwards the companies fell in with the principle and were willing to endorse it.

"On proper application the books were to be publicly investigated. In view of the notorious scandals which have made railway financing a by-word for whatever is financially loose, corrupt and dishonest, the scope and significance of this measure does not need to be dwelt upon. It went to the root of the matter. It opened to light all the dark places. In France only, it is believed, had a similar power been asserted; but there its exercise was based on the large pecuniary interest the Government had in the railway properties. It was a partner and, as such, concerned in all their transactions."

Now, the writer goes on to say :

"This measure carried the Massachusetts method of dealing with the railway question to its ultimate point of development under a State Government.

"No greater degree of publicity was possible. The system was perfectly simple, but none the less logical and practicable. It amounted to little more than the establishment of a permanent board of arbitration, acting without any of the formality, expense and delay of courts of law."

These are some of the evils complained of: the cost of compelling railway corporations to do what is right; the delay and expense occasioned by resorting to courts of law, rendering it impossible for individuals, or even small corporations, to fight an extensive wealthy corporation such as a railway company.

"On each question which came before it—whether brought to its notice by means of a postal card or through the action of a city government—this board was to make an investigation. If wrongs and grievances were made to appear, and no measure of redress could be secured, the appeal was to the courts or legislature, the board still being the motive force. Thus on all questions, not strictly legal, arising out of the relations of the railway corporations—whether among themselves, with the community as a whole or with individuals—a body of experts, supposed to be skilled, was provided, who were clothed with full inquisitorial powers and whose duty it was, whether moved thereto by facts within their own knowledge or brought to their knowledge through the intervention of others, to investigate the doings or condition of the corporations, and to lay the resulting facts in detail before the public without remedial or corrective power themselves, behind them stood the Legislature and the judiciary ready to be brought into play should any corporation evince an unreasonable spirit of persistence, when once clearly shown to be in the wrong."

So that these courts were not without power.

"The policy thus described would seem to have worked sufficiently well in Massachusetts. The commission has certainly succeeded in sustaining itself. For while at every session the Legislature has conferred upon it new powers, always in the same direction, the railway corporations have never appeared in opposition to it as a body."

This is one of the strong arguments brought against these courts to-day, that the railway corporations are strongly opposed to the courts, thinking they will be inimical to their interests; but that is not the experience in Massachusetts. Another objection raised to these courts is, that it is said the competition among our railway companies and other corporations carrying on the trade of the country, is of such a peculiar nature, that it would be impossible for these courts to do more than a very small fraction of what they were expected to do in the interests of the people, because it is said that we are living alongside of a country which has railway facilities which are equal, if not superior, in many respects, to our own—a country from which we must draw a large share of our trade; and it is said that the competition is so great between our own railway companies and the companies of the United States that it would virtually kill the trade of the railway companies in this country if we had such a court, and it was to exercise its power and compel these companies to submit to a tariff of charges. But the gentlemen who offer that objection forget that these courts which have been found to work successfully in the United States have confined their operations to one single State. A single State in the United States is very much like one of our own Provinces, and, if the court can work successfully in one State, when those companies which are outside the State are constantly competing with those within the State, I think the court will be much more likely to work successfully here, seeing it applies to the whole Dominion. It is said that we have various railway companies competing, and that this would compel those companies to refuse a large share of the traffic they are now getting, and it is advanced as a theory that the reason why these courts have been allowed in England and not here, is that England is an island. I need not add anything to the argument of the hon. member for North Bruce (Mr. McNeill), on that subject; but hon. gentlemen forget that in England, at the time this court was introduced, there were no less than seventy-three railway corporations, and, if

seventy-three railway corporations were not sufficient to give the public the fair-play they wanted by competition, it can hardly be expected, under the circumstances in which we are placed to-day, when we have virtually only two railway corporations, that we will get the competition which is necessary; nor can it be supposed that, if this system could be worked efficiently where there is so much competition, it cannot be worked successfully here where there is nothing like the same amount of competition. Another objection which is raised is that the court has too much power and authority. I find, on looking over the clauses in the Statute which was passed to guide the courts of Massachusetts, that the powers given in them were much more extensive, ten times more extensive, than those which it is proposed to give to this court. That court was worked successfully under those extensive powers, and I have no doubt, from the experience of that country in dealing with the difficult problem between the railways and the people, that, if the system worked successfully there it can be worked successfully here. It is also said that the commissioners will not have a sufficient knowledge to discharge their functions satisfactorily to the people. The experience of these courts has proved the contrary. It is also said that the commissioners would be frequently changed, that they would get tired, that they would be bought up by railway corporations, and would be changed from year to year. In this work, which I have in my hand, I find that in six years of the experience of that commission only two changes were made, and that in nine years not a single change was made; that while these commissioners were appointed from year to year, each one holding office for three years, it has not been found necessary from the time the commission was established down to the present to dismiss any one of these men, and that they have discharged the duties devolving upon them very largely to the satisfaction of the public, and also very largely to the satisfaction of the railway corporations. I think that will effectually rebut the statement which has been made by some parties that these men, because they may not have the experience which is possessed by railway magnates, will not be able to discharge their duties satisfactorily. There is one objection raised to the Bill which I see the hon. member for North Simcoe (Mr. McCarthy) has provided against in the present measure. It was said that, if our railway companies could not get freight from the United States at reduced rates they would be unable to carry on their operations successfully. I find that there is a provision in this Bill which does not allow the commissioners to prevent the companies accepting freights from the United States at lower rates than they are carrying them for through this country. That ought to satisfy the opposition in that direction. It was said again that these railway commissioners would be liable to be bought up by the railway corporations. What reason have we to suppose that there is less virtue in these railway commissioners than in the judges of our courts? They have the same human nature, and they are possessed of the same integrity and the same virtues as the judges are, and they are sworn to do their duty. It is rather discrediting the integrity of humanity to say that these men would be more liable to be bought up by railway corporations than the judges. We may ask if they have been bought up in other countries. We find scarcely a solitary complaint in that direction, especially in regard to that class of commissioners who have rested their power upon the principle of laying before the public, for the benefit of an enlightened public opinion, the defects which existed in connection with the railway corporations, who rested their power upon the principle that they would be supported by a more powerful authority than even the courts of the country, that is by the Legislature of the country. We find that they have discharged this duty, although it may be an onerous and

extensive duty. Another argument which has been used is that the duties were so grave and so numerous that it would be impossible for the commissioners to do their work. The experience of these courts has been of such a character as to satisfy us that they can do ten times as much work as the law courts. Why? Because they go into the work in a practical way. They become something in the nature of arbitrators, and they take up these matters without any of those delays which exist, and which must exist, in courts of justice. If you introduce a case into a court, perhaps the first thing is that a motion is made to stop proceedings, and that has to be argued in another court. That causes delay, and then some ingenious lawyer raises another point, and from stage to stage that is opposed and argued until, perhaps, the financial support of one of the litigants is entirely overpowered and he is compelled to abandon his case. Any person who will take the trouble to look up the history of the lawsuits which were carried on between the Canada Central Railway and Mr. McLaren, of Perth, will understand the great difficulty there is for a private individual or corporation to secure their rights against a powerful railway company. That was carried on from year to year, until it would require a large fortune to pay the legitimate costs which must have been incurred by the party who was the prosecutor in that case, and I do not know if that man has ever got his right from that railway company yet. Now, these courts are of an entirely different nature. They do away with all these unnecessary delays, they do away with that large expense, and a board of practical men endeavor to adjust the difference between the corporations and the individuals, or between the railway companies themselves, and they do it without delay or expense. In view of all these things it is important that this court should be established. I believe that the great majority of the people of this country, including the farmers as well as the commercial men, believe that it would be in the interest of the country if a court of this kind were established. In supporting the measure now before the House, I believe I am doing what is expected of me by my constituents and the country. They have given an expression of their opinion in various ways; they have given it through their agricultural associations; through their county councils, and they have given it through boards of trade in various great commercial centres, and in all these lines, there appears to be a consensus of opinion that it is important a court of this kind should be established. I do not think there is any reasonable possibility that any other means will be devised for the purpose of remedying the grievances that exist to-day between the railway corporations and the people. Sir, I hope the better judgment of this House will lead a majority of the members to support the measure. We know there is a great power working against it. We find railway magnates around the hotels of this city and around this House, lobbying against this measure in the strongest way. I do not blame them, because they believe they have some interests which might be injured by this court; but, I believe that if the court is established, and after it has been in operation for a few years, they will find out that they were entirely mistaken, just as the railway companies in the United States did when they opposed a similar measure. We cannot wonder that with all these influences there should be an opposition to it in this House. We know that it is a difficult matter to carry a Bill of this nature, and I hope that if it is not carried at this time, the hon. member will persist from Session to Session in bringing it more prominently before the people, and that an enlightened opinion, which was found so effectual in Massachusetts, will enforce their desires upon the Legislature of this country, and cause it to introduce and carry a law to establish such a court, whether the railway companies are willing or not.

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Mr. SMALL. I wish to say in reference to the statement of the hon. gentleman who has just taken his seat, as to the action of the Board of Trade of the city of Toronto, that that body represents the commercial interests of the whole of Ontario. They sent a petition a short time ago in which they strongly endorsed the measure. I was surprised to hear the hon. member for Montreal Centre (Mr. Curran) state that the Board of Trade of the city of Montreal opposed this Bill. I was always under the impression that those two cities acted in unison in this matter, as I believe their interests are the same.

Mr. CASEY. I feel some hesitation in rising after listening to such an instructive speech as we have had from the hon. member for Grey (Mr. Sproule), to which I listened with great satisfaction, and from which I obtained a good deal of information. The hon. member for Montreal Centre (Mr. Curran) told us this was a question on which we should hasten slowly. I would like to ask the hon. member if it is possible to hasten more slowly than we have done in regard to this measure. It has been before the House year after year, it has been discussed fully on each occasion, it has been examined by committees, and has on each occasion received a large measure of support in the House. I think if our judgment is ever to be ripe in regard to this measure, it ought to be ripe now. If we hasten at this rate much longer and refuse to pronounce an opinion for a few years more, it is possible that our judgment which is ripe now, may have passed that stage and be a little more than ripe. Of the objections that were raised to-day, only one or two are worthy of notice. It is said that the Board of Trade of Montreal declared the Bill inadequate. The hon. gentleman did not tell us that the Board of Trade condemned the principle of the measure; I do not know whether such was the fact, but at all events the hon. member did not say so. On the other hand we find the Board of Trade of Toronto representing, as the hon. gentleman from Toronto (Mr. Small) has just said, to a large extent the commercial interests of Ontario, has endorsed the Bill. Now, if one of our large commercial centres endorses the Bill and the other merely thinks it inadequate, we have a right to draw the conclusion, not that we should reject the Bill before us, but that we should do our best to make it adequate and try to meet the views of the Montreal Board of Trade, so far as they are sound. It is open to the commercial men of Montreal to lay before this House the provisions which they think would make the Bill an adequate one. Then, as to the experience in England. They have amended their Railway Commission, but the hon. gentleman did not say, and I never heard from any source, that there is any serious movement to do away with the Railway Commission in England. Faults have been found in the original constitution, and it has been amended, but the principle remains as firm as ever. In view of the pending amendments, the hon. gentleman told us that we should wait, and see what they are going to do with it in England. But almost in the same breath, he told us that our situation was radically different from that of England, and such being the case I cannot see how the experience of England is going to help us in the matter. It is evident, on the face of it, that the amendments they make to their Railway Commission in England, to suit it exactly to their circumstances, are just those which would be unsuitable to our circumstances. Then, Sir, the objection taken because we have to deal with an international system of railways, seems to me very weak on the face of it. The railway companies with whom we have to deal have their headquarters in Canada, and we can make them do what we direct on the portion of their roads in Canada, at all events, and we do not pretend to control them any further. But when we find, as was stated by the hon. member for Grey (Mr. Sproule), that railway commissions have

worked well in the United States, even individual States, where the difficulties must have been much greater than they would be in this Dominion, the argument disappears entirely. Now, Sir, as to the general principles which lead me to support this Bill. In the first place, I think, the State ought to realise and enforce the principle that railway companies which have received from the State the franchise which they possess, the power to take land and build roads and make profits, owe a certain debt in return to the State. On the continent of Europe this is practically enforced. In Russia, it is enforced to the extent of requiring certain payment from the railways for the franchise they have obtained. I do not think any one will propose to go so far as that; but I think the principle is perfectly sound that those who obtain exclusive privileges to build railways owe a duty to the State which gives them those privileges. Again, railways in the nature of things are practically monopolies so far as concerns the trade of the country they serve. Although the House does not, except in the case of the Canadian Pacific Railway, refuse charters to other companies to run through the same district, the mere fact that one railway can do all the business of a certain district will prevent other roads from being built alongside of it unless the business is sufficiently extensive for two roads. Even in such a case as that, where there are two or more railways serving the same district, we have found, time and again, they have become virtually if not nominally amalgamated, and instead of a single railway having a monopoly of the trade we have a network of monopolies. As the hon. member for Grey (Mr. Sproule) has pointed out, that is the case with the whole Dominion at present. Practically, two great railway corporations control the whole trade of Canada; we have a monopoly extending over the whole Dominion; if those railway companies chose to make such arrangements as they can make within the law, the monopoly will become more grievous than it is now. It is a sound rule that if you permit monopolies, it is the duty of the State to regulate them. It cannot be argued that these monopolies are regulated at present in this country. There is no effectual authority to regulate them. The courts cannot do it because they can only take cognisance of suits, of matters brought before them in that form. There are many injustices existing in consequence of the action of railway companies which can scarcely be made the subject of suits until substantial damages have been caused to some individual. Those injustices a body of railway commissioners, which could put itself in motion and did not need to wait till it was put in motion by a formal legal complaint, would remedy. Again, where substantial damages have occurred, and the machinery of the law has been set in motion against the railway company, there is no fair play as between the parties. The railway company is too rich for any private suitor, and, as has been already pointed out, suits of this kind go up to the highest court until the poorer of the two parties to the suit is worn out. There is another body supposed to have some authority in these matters, the Railway Committee of the Privy Council. But without discussing their various powers and authority, I need only say that we are aware, as a matter of fact, it does not regulate the railway monopolies, that it does not afford a remedy against the injustices committed by the railway companies, and does not prevent wrangling and trouble between the companies themselves. So there is at present no authority existing which is capable of regulating these monopolies, or giving prompt and summary justice to those who have complaints against them. For these reasons I support the principle of the Bill now before the House. I think the time has come to assert the rights of the people and the rights of the State as against the rights of those railway corporations which are now becoming enormous and powerful "rings." There is a popular demand

for some Act of this kind. The House has been told already of some of the forms in which this demand has been manifested. The farming community ask for it; the commercial community ask for it. Who opposes it? No one except the railway corporations themselves. Any opposition coming from the parties, whose action we propose to regulate, must be looked upon with some suspicion. It is the opposition of directly interested parties who are afraid of some injury being done by such regulation. If the proposed regulation is carried out, no harm can come to those companies; unless they can prove there is something unfair and unjust in the working of the proposal, they have no standing as opponents of the Act. If they cannot show that the enforcement of just rules and regulations will injure their trade, I say that is no ground of opposition to the Bill. But, of course, they maintain and allege that real injury will be done to them, and they will do their best undoubtedly to make all their employees and hangers-on believe the same thing—that injustice will be done to the company, that injury will be done to trade and to those who work for the company. I believe this is a hollow cry, merely a bug-a-boo set up to prevent those connected with the railways throughout the country—and we know what a large body of electors they are—from supporting such a measure. I do not see how just regulations can reduce the fair profits of the companies, still less the profits of those who work for them. If the companies are able to show such injury before the House, the Bill will not pass. The presumption is in favor of regulation and upon the railway companies rest the burden of proving that injury will be done them. We shall see if during the passage of the Bill the railway companies produce such proof. I do not believe they can do so. We shall only be doing our duty if we listen to the popular demand for a railway commission to regulate those corporations which have become too strong for the courts or the Government to control.

Mr. SHANLY. I am not going to say much at this time on the principle of the Bill. What it proposes is too like Government management to satisfy me. I am entirely opposed to Government management of railways, which has been a signal failure in every country where it has been tried, that is to say, in every country where the Anglo-Saxon race is found. It is true on some European continental railways, which are almost like military railways, it may have succeeded to a certain extent, but in this country and in the adjoining country Government management of railways has always failed. In this country we have adopted it on a pretty large scale, and those understanding railway business, as I may say I do, know that the Government management of our Intercolonial Railway has not been anything like a success. I shall not enter further on a discussion of the principles of the Bill just now; I may do that at a later stage. The Bill itself is deserving of the strongest possible condemnation, for I know it must prove an utter and entire failure. Whosoever the drafter of the Bill was he thought he knew everything himself, and therefore did not consult railway men. There are duties and powers entrusted to the three members of the commission that no thirty men in the Dominion or on this continent—I do not care what their physical powers or mental capacity may be—could discharge. The effect of the Bill will be to place in the hands of those three commissioners all that is now being done by the regular management of the railways, and those men are expected to do that which it takes fifty men working almost night and day to perform in order to keep the railways going, and to endeavor, and a difficult task it is, to satisfy a public very critical of railway management where everything is being done to please them. Now, Sir, we have heard a great deal said about the commissions which have been appointed in the country adjoining us

Some of the United States have these commissions and others have not. But I assert here and, I challenge contradiction when you come to the proof, that no railway commission in any State of the Union has any such powers as are to be delegated to those three men by this Bill, and you will find if you take the reports of these railway commissions in the United States, that the duties of the commissioners appear to be simply to make their reports at the end of each year, to make a few suggestions, and to draw their salaries. They have not in any way affected, for good or evil, railway management in that country, as it has always continued to be carried out by the men who understand railway management; and, therefore, I say there is no sort of comparison between the commission which is proposed to be established by this Bill and those commissions which exist in only some few of the States of the neighboring Union. It has also been told us here that because there is a railway commission in England, which may satisfy the people there, or it may not, such a commission would be equally applicable here. Now, our geographical position is so different that I hold that even if the English commission was proved to be the most complete success, it would form no sort of reason why we should establish a railway commission here. Every railway in England is chartered by the English Government, and is completely under the control of the English Government and people. Here we are dealing with railways all round us which are not chartered by our Government and not under our control, and to-day there is nothing which causes more irritation—such as my hon. friend from North Bruce (Mr. McNeill) has referred to as existing along the lines of railway, and which I am free to admit does exist—there is nothing which causes that irritation more than seeing long trains of freight passing, probably, from the Western States, through to Halifax or Portland, carrying the products with which they are filled, at such rates as they would not carry them where they produced within the bounds of these Provinces. Well, we must either carry western freight in that way or let it alone, and you may as well—if those railway commissioners are to legislate in that manner and establish such rates of through freight as will satisfy the people along the route, within our own borders—we might as well pass an Act of one page and enact that none of the products of the United States shall pass through Canada to the ocean. That is exactly the state of the case. But, as I said before, I do not intend to go largely into the principles of the Bill to-night. There will be other opportunities no doubt. I feel fully satisfied myself that whatever the sentiments of hon. gentlemen may prove to be as to this Bill, in its present condition the Government cannot possibly allow it to pass into law. We would find, if we did pass it, that these three men would be ready to throw up their positions before they were a month in office, because it would be utterly impossible for them to discharge the duties devolving upon them. While those duties were accumulating upon them, the railways would be practically left without management, because the legitimate managers of the railways who thoroughly understand their business, and who, with their assistants, are kept working night and day for twenty-four hours, would be left practically powerless, and everybody would have to wait for the action of those three men who could not possibly keep up with the ordinary business which would devolve upon them. I oppose the Bill first of all, because I am not satisfied that its principle, though I do not wholly condemn it, is at this moment applicable to this country, and I oppose the Bill itself because I think it is utterly and thoroughly defective in almost every clause.

Mr. O'BRIEN. Whatever the merits of this Bill may be, there is no doubt in the world that the public opinion of this country is very strongly impressed with the idea
Mr. SHANLY.

that the railway corporations, which may now be said to be almost limited to two, which have swallowed up the whole railway interests of this country, and almost crushed the one remaining independent line, are becoming altogether too powerful in this country, and I think I might say too powerful in this House. For the first evil, this Bill proposes to provide a remedy; for the second, we must trust to the good sense and the independence of the members of this House, because it is a matter which I believe we cannot exactly remedy by legislation. The people throughout the whole of Ontario—and I only speak with reference to Ontario, because I am not so well informed as to other parts of the country—are looking to this Bill; every Board of Trade, every Grange, almost every other representative body which is in a position to speak on behalf of either the rural or city population, is sending expressions of opinion that the powers of railway corporations are too great, and that there must be something done to restrain them. In different ways, and in whatever way we look, we find this evil existing. We find on some railways discriminating rates, so arranged that the business of one village is completely destroyed for the benefit of others; we find on other railways, that the rates are so arranged that American grain is carried for such a fractional rate, that the whole effect of the National Policy is completely set aside, and the farmers of this country are in a worse position than they were before railways were built and before the National Policy was introduced. If, as I believe is now being done, American grain is being carried from Duluth to the seaboard for a lower rate than grain is carried between two points in the Province of Ontario, fifty or sixty miles apart, then I ask what becomes of all the attempts we have made to afford to the farmers of this country that protection which is given to the farmer in the United States. It completely destroys every effort we have made to bring about fair trade and fair play between ourselves and the American producer. I do not know how far this Bill may remedy that particular evil, but at any rate it will be a step in the direction of providing the machinery by which something may be done. It is absurd for us to talk of endeavoring to shut out American grain by tariff legislation, when the railways which we have built ourselves, which the country has largely subsidised, which could not have been built but for our assistance, are entirely setting aside our policy by the discriminating rates which they give to American produce. This country has very largely taxed itself for the purpose of building those railways. There is not a railway in the country, either the Grand Trunk or the Canadian Pacific Railway, which does not owe its existence to the taxation which has been placed on the people of this country. The hon. gentleman who has just spoken contrasted the difference between the American and Canadian railways and the English railways, and he said that the English railways were chartered by the English Government and were under its control. Now what is the fact with regard to our own railways? The fact is that they are managed almost entirely and exclusively for the benefit of the English capitalists who have invested in them, and that they entirely set aside the interests which the people of Canada have in them and the money they have put in them. Take any railway; take the Grand Trunk Railway, the Northern, or any of the amalgamated lines, and we find the same thing. We find that the object of the management is not to develop the resources of this country—I do not mean to say they leave that entirely out of the question—but the main thing is to run those roads for the benefit of the English investors as the largest interest involved. I have in my mind a railway which is carried on mainly on that principle, and there is no regard paid to the development of the trade of the country. I suppose the manager feels that to do that would involve an outlay

which would not be satisfactory to the English bondholders, but whatever the motive, the fact remains as we find it every day, that our interests are entirely set aside so long as the manager of that road can obtain for his English masters—probably it would hardly be fair to call them that, but so long as he can help those whom he considers are the largest interests to be served. Then I say, if a railway commission was legitimate and fair in England, where the railways are under Government control, how much more necessary is it in this country, where there is not that Government control, but where there is an interest altogether separate from ours, which comes directly into competition with the interests of the people. The hon. gentleman himself has afforded the very strongest reason why there should be an independent body interposing between the railway companies and the public. Just because there is that large amount of capital invested exclusively in the railway interest and because our railway companies are largely supported by English capital, which is managed in such a way, naturally and reasonably, as to promote the interest of the capitalists, altogether irrespective or independent of the true interests of the people of this country, just for that reason should we have such an independent body as this court. Another point to which I would allude is this: that the railways ride rough shod over the local interests of the people of this country. There is not a railway in the country that does not place life and limb in daily jeopardy by refusing or neglecting to provide necessary crossings. It would not be tolerated in any country but Canada, that railways should cross streets and roads in the way they do; and although it is perfectly true that we have a machinery by which the railway companies may be compelled to provide the necessary safeguards, yet that machinery is so difficult to put in motion that nobody likes to resort to it. I have in my mind a number of places where not a day passes in which life and limb are not in jeopardy through the wilful and culpable neglect of the railway companies to provide necessary means of safety. All these things might be dealt with by this commission. I quite admit the difficulty of dealing with the question of through freights, because our railways to some extent depend on them; yet I do think that a great deal too much importance is attached to these through freights. We know that the people complain that their local interests are time and again neglected, that their warehouses are allowed to stand for weeks full of produce, on which they have to pay 6 or 10 cents a bushel to be carried fifty or sixty miles, in order that through freights may be carried at 1 or 2 cents a bushel. Local interests suffer not only because the railways carry through freights at less rates than our local freights, but local freights have to wait the convenience of through trains, and particular localities are often made the victims of the caprice of the management. Hon. gentlemen must know of cases in which particular localities are treated with the greatest unfairness, and their interests are set aside in favor of other localities which it suits the interests of the railway to serve in preference. Of course, it may be contended that a railway company like anybody else will serve its own interest, and that it is to its interest to serve the public as much as possible; but in the carrying out of that principle, we find so many instances in which the interests of certain localities are entirely lost sight of, that if we can find a remedy for this state of things, it is our duty to apply it; and until some better remedy is proposed by which it shall be guaranteed that our local interests shall not be sacrificed as they are by the railway companies, and that the producer in the Western States shall be placed on the same footing as the Ontario producer, we should accept this measure. I can assure the House that there is a strong desire on the part of the people of Ontario that this measure should become law, and that some independent body should be created

which would stand between the railway companies and the public, and prevent those glaring injustices arising of which they have so much reason to complain.

Mr. ARMSTRONG. I am very glad the hon. promoter of this Bill has brought it again before the House. The fact is, we have come to look upon it as a mere matter of form, for we have been accustomed to see it brought in year after year, and if I remember rightly, its ultimate fate last year was lost on division, without a division being taken. I trust the hon. gentleman is not going to allow this course to be taken this year, but that he will bring his Bill to a division so that the names of the members will be recorded, and the public will know how the House stands on the matter. There has not been very much said against the Bill to-night, and very few objections have been raised against it. The hon. member for Grenville (Mr. Shanly), however, has raised two or three objections which I desire briefly to notice. The first is that the Government management of railways has not been a success. Now, Sir, if I understand anything about this Bill, though I have not looked at it very closely, it does not contemplate the Government management of railways at all. It simply contemplates a court by which the traffic on railways can be regulated—not, as I understand it, to make railways accept freights below their value, but to see that no injustice is done to any particular locality or individual. The next objection was made to the structure of the Bill itself. Well, Sir, I do not think that that should prove a fatal objection to it. We have a Railway Committee of this House, who, we have reason to believe, are sufficiently able to deal with any defect in it that may exist; and I have no doubt, if this Bill goes to the Committee on Railways, that the gentlemen who compose that committee will supply any deficiencies in the measure there. If they were not, the Bill must come before the Committee of the Whole House; and if there is any defect in its structure, there is sufficient knowledge and skill to be found there to remedy that defect. Another objection was that the Bill was in some way or other going to interfere with through freights. By that term I understand the freight that is carried from the Western States through this country to the seaboard, and I do not understand that this Bill contemplates dealing with that at all. In fact, it is a matter over which we have no control. It is a matter for the railways to determine whether it is profitable for them to carry those freights or not. But I wish to direct the attention of the House to this fact, that during all the long past years the people of the Dominion of Canada have been taxed on their freight to enable the railway corporations to compete for the carrying trade of the United States, and the people of our own country have been paying higher rates than they ought to have paid merely to enable the railways to carry the freights of the Western States at lower rates than are profitable. Now Sir, I think it is high time that the Government and Parliament should take this matter in hand, and see that our own people are not placed at any disadvantage beside the people of another country. Another objection, which was urged by the hon. member for Montreal Centre (Mr. Curran) was that the English Bill has been amended. I think that is a very trivial objection. I scarcely remember any Bill that has been passed by our own Parliament for any purpose whatever which has not in course of time had to be amended. In fact, all legislation is experimental; it is only by experience of the working of an Act that we can find whether it needs amending or not, or that we can determine what changes ought to be made in it. Now there are one or two reasons why this Bill should become law. It has been said that we have really only two railway systems in the Dominion. Over one of these, unfortunately, we cannot, for a long time to come, hope to have any control, as far as the rates to be charged are con-

cerned, but there is one point, even as regards that company, which this House can interfere with, and that is to see that no discrimination is made against individuals or particular localities. The exemption of that company does not extend to these matters; it simply provides that they shall be able to charge a certain rate until they are enabled to pay a certain dividend, but I do not understand it to provide that they shall be able to discriminate against one individual at the expense of another, or against one locality at the expense of another. The very fact that we have only two railway systems is one of the strongest reasons why such a Bill as this should become law. If we had railway competition at the various points this Bill would be almost unnecessary, because competition would keep the charges down to reasonable rates, and it would be in the interest of companies to do justice to the people; but the very absence of that competition is one of the strongest reasons why a measure of this kind should become law. There is another side of the question. The railway companies in this country seem to have complete control in this matter. It is a fact that cannot be disputed that it is in their power to discriminate against any locality or individual, against whom or which they may see fit to discriminate. It is in their power absolutely to decide whether a particular locality, town, or village along the line, shall thrive or perish; they have the destiny of places in their own hands. It is the very same with individuals. The companies are able to say, if they take a spite against an individual, whether his business will be closed up or not, as they can ruin him by putting up his rates to such a figure that he cannot compete with others living in the same locality and engaged in the same line of business. The arguments used against this measure are based upon the contention that the railways are the only parties who have any rights in the matter, but it seems to me that people have rights as well as the railways. You can scarcely find a municipality, in Ontario at least—and I suppose it is much the same in the other Provinces—that has not taxed itself, and taxed itself very heavily, for the construction of railways, and often for the sake even of getting railway competition; but the competition is gone, and all they have is the railway. In many cases, assistance has been given in the shape of bonuses, as a gift to the companies, in other instances, it has been given in the shape of subscriptions of stock which have proved worthless. Is it too much that the rights of the people should be recognised, after they have paid from their hard earnings for railway accommodation, after they have taxed themselves to secure railway competition and are deprived of it? Is it too much that they should expect their representatives in this House to see that the people get something like justice in this matter? There is one provision in the Bill which ought to be expunged, namely, that the Government railways are not to be subjected to the control of this court. I think that is a mistake. I know that the Government have greater inducements than the companies to do justice in these matters; but still I think it is too much, when we are passing a law of this kind, to exempt the Government from its control. They ought to be under the same regulations and should be compelled, if they do not, to deal justly with all parties interested, just as much as a railway corporation. In conclusion, I believe that such a court as this will be of immense benefit, even supposing no action were taken. I believe the very fact that there existed a court of appeal would have a most wholesome effect in bringing railway corporations to a sense of duty and preventing them from favoring certain localities at the expense of others. I hope this Bill will become law, and that the promoter of it, if it does not become law, will, at least, press it to a division, so that we may see how the House stands upon it.

Mr. ARMSTRONG.

Mr. McMULLEN. This is undoubtedly a very important question, but I doubt whether a Bill of this kind, if passed, will operate in the same way with regard to all the different competing lines. If I understand rightly, when the Canadian Pacific Railway got their charter, special provisions were introduced into it, which possibly might interfere with the work of that commission, as regards the rates charged by that company. I do not know how this may be. However, we all remember that some years ago, the Grand Trunk Railway came to this House for the purpose of asking the passage of a Bill to enable them to double their tracks between Toronto and Montreal. The Canadian Pacific Railway have not yet completed their line. It cannot be said that either of those lines are completed, and it would be a sad thing if this House, by any action, would possibly interfere with the carrying out to completion of one or both of these lines. But after they are completed, I certainly would consider that if the country is suffering by excessive rates or by unjust exactions by the companies in the carriage of goods, some interference should be had on the part of Parliament between the people and the companies. Differences may exist just now. I must say, however, as far as my locality is concerned, I have not heard of many complaints with regard to rates. I would like to see the Government assume the responsibility of making a general investigation into the operations of an Act of this kind before adopting it. It would be well for the Minister of Railways to undertake to post himself with regard to the probable effect of a commission of this kind, and ascertain how far the evils exist, so that the House might be in full possession of the facts, and enabled to deal with the question intelligently. The hon. mover of this Bill has brought it before the House several times, and no doubt is fully persuaded of its necessity; but, at the same time, it is well we should legislate with a great deal of care. Our railway systems have had a good deal of difficulties to contend with, and those who have invested money in railways have not reaped that return they expected in almost every case, and if any action of this kind on our part had the effect of hindering the progress of railways towards completion and prosperity, I should exceedingly regret it. We know the Canadian Pacific Railway has signified their intention of going to the market for the purpose of borrowing \$20,000,000 to pay the debt they owe the Government. Is it possible an action of this kind would prevent their succeeding? Until the railways are completed and put into a finished condition, we should legislate with great care; but the moment we find evils of the kind complained of, and it would be prudent to take action, I would be only too anxious that steps might be taken to adjust any wrongs that might possibly exist. In the meantime, I think the Government should assume the responsibility and should make a general and extensive investigation, and place the House in possession of all the information they can on this question; and then we would proceed with our eyes open, being cognisant of all the evils that exist and desiring to remedy them as well as we possibly can.

Mr. THOMPSON (Antigonish). I suppose that, after the speeches of the last two gentlemen that have addressed the House, it will now be proper for me to state, as I have been requested to do by my colleague the Minister of Railways and Canals, who was not able to remain to so late an hour this evening, what is the view that he desires to present to the House on this question. In doing that, although it would be presumptuous for me to say so on my own behalf merely, but on his behalf, it may be well for me to present to the House our sense not only of the importance of the question, to which the House is no doubt very seriously alive, but of the very serious difficulty of dealing

with it. This has been fully brought home by the circumstance that this measure has been before the House at several successive Sessions, until at last the impression seems to have existed in the minds of some members that this Session it has been brought forward again simply as a matter of form—an impression which I know, from the investigation which I have been able to give to the subject, as well as from my conferences with the gentlemen who are in favor of it, is entirely unfounded. I have no doubt whatever of the entire sincerity of the gentlemen who are promoting the Bill, but the House is fully aware, I am sure, that, before the Government could allow a measure of this kind to pass, they must appreciate the very serious responsibilities which it involves, they must be aware of the circumstance that the House is being appealed to very largely on behalf of the interests which are arrayed upon one side of the question. The speeches which have been made this evening in opposition to the Bill bring out to some extent the importance of the interests which are affected by it, but it is impossible that the adverse views can be presented with the same force as the views of those who are in favor of the Bill, because, notwithstanding the suggestion which has been made that the interests of railway corporations are strongly represented in this Parliament, it is impossible that those views can be presented with the same force as the self interests—if I may call them so—of those classes who are promoting this Bill. These latter find very ready expression in this House, while the railway corporations, and not only the railway corporations but those localities which desire to obtain the railway communication which they have not yet got, do not find the same facility of representing their views, notwithstanding the assertion which has been made that those interests are carefully guarded in this House. I think it is a mistake to assume that we have in this country to deal with only two great railway systems. It may be so with regard to a portion of the country, but this Bill would have far more extensive operation than that. It proposes, not only to deal with those two railway systems, but with the minor railways which perhaps are not so important in this section of the country, but which are of great importance to the more distant parts of the country which are not so efficiently served, if they are served at all, by those two great railway systems. Besides that, the action which Parliament will take in reference to a question of this kind will have a very important effect upon the future of the railway development of this country. There is the utmost desire in every part of the country which is not yet served by a railway to induce English and foreign capitalists to come to Canada and make their investments in railway enterprises. The moment the capitalists have made their investment they find that the interests arrayed against them become most formidable, demanding low rates and demanding consideration for particular localities which it is not in the interests of the capitalists concerned to concede. To concede such is said to be a duty which they owe to the country in consideration of what they receive in grants of land and freedom from taxation, and of the various aids which have induced the capitalist to come in and invest his money, and which certainly have not been given in consideration that the localities interested should subsequently manage the capital so invested. I only suggest these reasons to the House for the purpose of showing the sense which is entertained of the difficulty of dealing with this question and of its very great importance. I had intended to refer to the view, which has been well presented, as to the marked difference which exists between those countries in which courts of commissioners of this kind have been established and have been supposed to operate well, and this country, situated geographically as it is, and having to contend, day after day, with the very great competition which exists with the lines of railway in the neighboring country. There is no

great difficulty in admitting one position which has been strongly urged by the hon. members who have supported the Bill, and that is that the unfairness of making special rates as against individuals or against particular localities, is one that ought to be prevented, and prevented if necessary by State legislation. I presume there will be no disagreement in the House on that point, and I understand that that is the principal point it is desired to accomplish by this Bill. What is the best means of accomplishing it is a question that requires more investigation than we have yet been able to give to it. Of course, the Government have had the advantage of the very full and interesting discussions which have taken place on this subject year by year, and I know it is felt by some members of the House that the Government should be ready to deal with it by this time; but older countries in which the experiment has been tried have not been satisfied with the result of that experiment. In Great Britain we see a proposition made largely to change the system by which this Court of Commissioners operates. We have the fact that, in the United States, in nearly all of the States, as one hon. gentleman mentioned, the Railway Commissions have not been found productive of any very great good. They make reports, they are careful to draw their salaries, they make wise suggestions, which the State very seldom acts upon, and in nearly all cases where they have been found to act with any degree of vigor, the complaint has gone abroad that they have been bought up by one or another interest in the community. I do not mention these circumstances at all as leading to the conclusion that the system has been a failure; I do, however, mention them as a reason why it is necessary to proceed with a great deal of caution. I, therefore, state on behalf of my colleagues and of the Government, that in view of the information which has already been gathered upon this subject, the correspondence which has taken place, and the changes which have been proposed in the countries to which I have referred, it is the intention of the Government during the recess to give this matter a thorough investigation by the appointment of a commission to enquire into the whole subject and ascertain the interests and the views of all classes in the community affected by it. The result, I trust, will be fully reported to this House at the ensuing Session, so that the House, before the expiration of this Parliament, may deal definitely with the whole question.

Mr. McCARTHY. I cannot quite agree with all my hon. friend, the Minister of Justice, has stated, although I do not feel unwilling to accede to the conclusion at which, on behalf of the Government, he has arrived. I entirely deny, Sir, that the experience in other countries, so far as we know, with regard to railway commissions, has been unfavorable, judging, at all events, by the Mother Country, where the greatest attention has been given to this subject, and for a longer period of time. I think the result of the Railway Commission has been, on the contrary, eminently satisfactory. It is not merely since 1872 that this question, so important to a great country like England, so important, I may say, even to a country not so great in commercial importance as this is, has received the attention of English public men and the English Parliament; but since 1854—I am not able to say at this moment what the railway mileage was at that date—the question of controlling the railways, which very early, indeed, in their existence, showed a disposition to deal unfairly with the public, has engaged the attention of Parliament, and, I may say, of the wisest and ablest men in Parliament. Now, Sir, if we trace down the history of that legislation, as has been so well done by my hon. friend this evening, we shall find that it was experimental for a time. First it was a board of trade, afterwards, one of the courts, and, subsequently, in 1872, and upon the report of a very important

commission, the Railway Commission was established as it still exists in England at the present time. If we look at the speech of the President of the Board of Trade in England in introducing the Bill, a copy of which I have in my hand, one cannot feel otherwise than that this subject in England, this method of dealing with it, has been to the highest degree satisfactory. The Railway Commission, which was experimental, which was limited in duration, is now proposed to be made perpetual. After the greatest deliberation, after the investigation of the subject by a committee of both Houses, after that committee's report had undergone consideration by Mr. Chamberlain, as President of the Board of Trade, by Mr. Chamberlain's successor in Lord Salisbury's Government, and by the present President of the Board of Trade, we have a Bill which, I would say to my hon. friend from South Grenville (Mr. Shanly), proposes to establish the Railway Commissioners as a court of record and to make it perpetual.

Mr. SHANLY. Quite right—for England.

Mr. McCARTHY. Of course, I have heard that argument, and have answered it so frequently that I do not think I would be justified in taking up the time of the House by answering it again this evening. I may say, however, that the very arguments, the self-same arguments which have been repeated in this House *ad nauseam*, which we have heard from the railway advocates on so many occasions, which we have read in the newspaper press and in their petitions, have been adduced, and have been urged against any attempt to control the railway companies in the Mother Country. It is a curious circumstance, and one which was mentioned, I think, by my hon. friend from North Bruce (Mr. McNeill), that the railway companies in England are subject to more competition of various kinds, notwithstanding the difference in geographical position, than are our railway companies. Then, if we look at the country south of us, do we find that they refused to legislate? That they refused to attempt to control the railway system? Why, in nearly all the States—I have here a list of them—my hon. friend from South Grenville seemed to think they were not very numerous—they have attempted, wisely or not, is not now the question, to control the railways, and the attempt to control them seems to indicate, at all events, that there has been a grievance to control.

Mr. SHANLY. Has the attempt succeeded?

Mr. McCARTHY. It has substantially succeeded in England, and unless it can be shown that the circumstances of this country are wholly dissimilar to those in England, I do not think any hon. gentleman can say that this is purely experimental legislation. I do not pretend to say how it has succeeded elsewhere, but it has succeeded I can tell my hon. friend, in one State, and that is the State of Massachusetts, and although it has been carried on on a very different system from the one in England—a system which I see Mr. Mundella proposes to incorporate, to a certain extent, in his Bill—it has been found an eminent success there. After what has fallen from the hon. the Minister of Justice in his official announcement on behalf of the Government, I will not presume to occupy the time of the House much longer; but I will just say this, to my hon. friend from South Grenville (Mr. Shanly), who has addressed the House in very strong and sweeping terms, who has condemned the Bill, and every line and every syllable of the Bill, its draughtsman and everybody else connected with it, I can only say to my hon. friend that I am afraid he has not read the Bill.

Mr. SHANLY. Yes, I have.

Mr. McCARTHY. I can only say that if he has read the Bill he has not understood it.

Mr. SHANLY. No, I have not.

Mr. McCARTHY.

Mr. McCARTHY. I can tell my hon. friend that the people who drafted the Bill upon which this is founded were competent men; they were statesmen whom I think my hon. friend will not depreciate.

Mr. SHANLY. English statesmen do not always understand our geography?

Mr. McCARTHY. It is not a question of geography. I think the hon. member has not understood the measure which he has ventured, in these sweeping terms, to criticise. He says it would take, not three men, but fifty men, to do the work proposed to be imposed by this Bill on the Railway Commission. Does not my hon. friend know that one of the objections to the Railway Commission in England, who have all the powers which are proposed to be conferred upon the Railway Commission in this country, which have a vast trade and nearly double the mileage under their jurisdiction than we have—that one of the objections was that they had not enough to do to keep these three gentlemen employed in regulating and administering the affairs which were committed to them? Has he not read in the Bill that this is merely a court to deal with complaints that are made, and not to interfere with the business of companies unless complaints are made? Does he not know, as was well said by an hon. member on the other side of the House who addressed us in so able and in so practical a manner, that the Railway Commission has done great good by the terror it has exercised upon the railway management of the country. If the hon. member will only study the Bill before he criticises it, I think his remarks will be for the future more valuable than those he has offered here this evening. There are just these matters to be dealt with in this legislation. I shall briefly refer to them: There is the matter of unjust discrimination. There is that unjust discrimination between individuals which no man can justify. I do not care how long a gentleman may have been a railway manager or acquainted with railway matters, I mean to say that no man can justify unfair discrimination between individuals on any ground whatever. There is more difficulty, I admit, when we come to deal with discriminations between localities, and it, therefore, is impossible, and it has been found so in some of the States of the Union—and we would be unwise if we did not draw what inspiration we could from them—to fix a per mileage rate or adopt a system known there as the system of short haul. Therefore, the necessity of an administrative board; therefore the necessity of, not men wholly versed in law, but men who have practical business experience and perhaps a legal man at their head, to guide them in the legal principles which regulate the carrying trade, to constitute a railway commission. With respect to what has fallen from the Minister of Justice, on behalf of the Government, I have only this to say: I have felt it all along, I have felt it still more this evening, that it is utterly impossible for a private member of this House to propose legislation and carry it through successfully. I think a matter of this kind, and I have always thought so, is one to be dealt with by the Government of the day. It was my duty, however, as a private member to draw attention to it from time to time, so as to bring to bear the public opinion which I believe to be in favor of the measure, so that the Government would feel at length that the hour had come for it to be assumed as a Government measure and to be dealt with in that way. I think that hour has come. I accept the statement of the Government that they will deal with the question next Session upon the report of a commission which they propose to issue during the recess. I accept that statement, I believe it to be uttered in good faith, and I shall look forward to the report of the commission with every confidence that the statement which I have from time to time made, that the feeling which is so largely to be found through the Province from which

I come, a feeling which exists among mercantile men and among the trading and agricultural community, namely, that the railway companies have been carrying on the business unjustly, have been discriminating against persons and localities—I say I feel no hesitation in saying that the result of the commission will be to establish that beyond peradventure. And if that be so, I think that, between the two Bills, the Bill that was passed in 1872 in England, and the Bill which is now before the British House of Commons, and which I trust will become law, with the various amendments suggested in the reports of 1881-82, the Government will be able to bring down a measure which will be satisfactory to the House and to the country.

Mr. THOMPSON (Antigonish). I understand the introducer of the Bill, under the circumstances I have stated, will not press it?

Mr. McCARTHY. I move to discharge the Order for the second reading of the Bill.

Motion agreed to, Order discharged and Bill withdrawn.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to; and the House adjourned at 11.25 p.m.

HOUSE OF COMMONS.

FRIDAY, 9th April, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

MESSAGE FROM HIS EXCELLENCY.

Sir HECTOR LANGEVIN presented a Message from His Excellency.

Mr. SPEAKER read the Message, as follows:—

LANSDOWNE.

The Governor General transmits to the House of Commons, for its information, copies of the several Despatches from the Imperial Government in reference to the Engineers' Certificates of competency in the British Mercantile Marine.

GOVERNMENT HOUSE,
OTTAWA, 9th April, 1886.

THE REVISED STATUTES.

Mr. THOMPSON (Antigonish) moved that Mr. Macmaster be added to the Committee on the Revised Statutes of Canada.

Motion agreed to.

FIRST READINGS.

Bill (No. 89) to incorporate the Kootenay Railway Company of British Columbia.—(Mr. Small.)

Bill (No. 90) to amend the Acts incorporating the Board of Trade of the City of Montreal.—(Mr. Curran.)

Bill (No. 91) to incorporate the Yarmouth Steamship Company, Limited.—(Mr. Kinney.)

Bill (No. 93) to provide for the distribution of the assets of insolvent debtors.—(Mr. Macmillan, Middlesex.)

CANADA TEMPERANCE ACT AMENDMENT.

Mr. JAMIESON moved for leave to introduce Bill (No. 92) further to amend the Canada Temperance Act, 1878. He said: In introducing this Bill I propose to offer a few words in reference to the character of the amendments which are proposed. It will be remembered that a Bill was introduced by myself last year, at the request of the Dominion

Alliance, containing amendments to render the operation of the Canada Temperance Act of 1878 more effective. The provisions of this Bill are somewhat analagous to the Bill I introduced last year. There are, however, a few additional provisions which are deemed necessary by those who promoted the Canada Temperance Act. The first amendment we propose by this Bill is to meet a defect in the present law. A difficulty arose in the county of Perth by depositing a petition in one registry office when the county had two such offices. Now we propose to amend the law in such a way that depositing the petition in the office of one registrar will be sufficient. No doubt, when the Canada Temperance Act was passed it was intended to apply to the whole Dominion, but, unfortunately, it is found not to be workable in the Province of British Columbia. Two sections of the Bill apply to the Province of British Columbia. It is, perhaps, known to most, if not to all, the members of this House, that in the Province of British Columbia they have not municipal organisations such as we have in the older Provinces. For instance, they have no municipal divisions known by the name of counties, and consequently the Canada Temperance Act, which is framed to be submitted in counties and cities, is found to be inapplicable to British Columbia. We propose to remedy that by providing that the Act may be submitted in electoral divisions sending members to the House of Commons of Canada, and that the petition be deposited in the office of the registrar of voters in each of these electoral divisions. Then, in the Province of Ontario, there are several provisional or temporary judicial districts. Now, I believe my hon. friend for Algoma (Mr. Dawson) has two or three of these districts within the boundary of his constituency, and petitions have been presented here by the people of those districts, asking that the Act be so amended as to allow it to be submitted in those temporary or provisional judicial districts. We think this ought to be conceded to the people residing in those unorganised parts of Ontario. Possibly there are other unorganised districts in other portions of the Dominion; I am not aware of any, but I know such exist in the Province of Ontario. We propose to amend the law in such a way that it may be submitted in those provisional or temporary districts, and that the petition may be deposited in the office of the registrar in each of those districts. In addition to these we ask for a few other amendments which we think necessary to the proper working or operation of the law. We also propose by this Bill to permit druggists and others to sell liquors for medicine in less quantities than a pint. For my part I could never understand why druggists or others who are selling under a physician's prescription were required to sell in larger quantities than a pint; they cannot sell in less quantities. We propose that a person purchasing under a physician's prescription may be allowed to receive less than a pint. In addition to that we propose to amend section 100 by adding a penalty in the case of a medical man giving a fraudulent or colorable certificate. Now, we believe that such an amendment is absolutely necessary to secure the effective working of the law. We also propose to extend by this Bill the search clause of the Canada Temperance Act, popularly known as the Scott Act, to counties in which the old Dunkin Act is still in force. It appears that in some parts of the Dominion, in two or three counties, at all events, the Dunkin Act is still in force, and all the other provisions of the Scott Act were made applicable to counties to which the Dunkin Act was in force except the search law. Now, we think the search clause is as much required in those counties where the Dunkin Act is in force as in those where the Scott Act is in force. In addition to that, we propose to extend the right of search under the Scott Act. We are not proposing an innovation by this amendment, because this amendment is to be found

in the license clause of the Province of Ontario, and has been on the Statute book of that Province for several years. We propose that the right of search be given to any officer, at any hour of the day or night, to enter places in which he has evidence of the fact that liquors are being illicitly sold or trafficked in. Under the original text of the Scott Act, an officer bearing a search warrant could only enter in the daytime a house in which he had reason to believe that liquors were sold contrary to law. We propose that the law be amended so as to allow officers to enter at any time during the day or night, and we believe that is necessary to the efficient working of the law. We also propose to annex to the Act a schedule containing a set of forms for the guidance of Justices of the Peace. It is well known that a good many difficulties connected with the enforcement of this law arise from the fact that many of the prosecutions are brought before ordinary Justices of the Peace, who are not skilled in the law, and that in consequence of some technical error they make in the administration of the law many of their decisions have been quashed by the courts, and the administration of the law is thus rendered more difficult. In addition to that, we propose by this Bill that the penalty recovered under the Act shall be applied in this way: one-half to be given to the prosecutor, and the other half to be paid to the treasury of the local municipality where the offence was committed. The Canada Temperance Act itself seems to be silent as to the application of the penalty. A remedy was provided by an amendment to the Liquor Act of 1883, but since that Act has been disallowed there is at present no provision as to the application of the penalty recovered under the Canada Temperance Act. Now, since the enforcement of the law will be left largely in the hands of either local municipalities or the several Provincial Governments, we think it is right and proper that parties enforcing the law should have the benefit of any penalty that may be recovered under it, and in that way a fund may be established for the purpose more effectively of carrying out the law in the different counties and cities in which it has been adopted. Those are the leading features of the Bill which I now propose to introduce, and I trust it will receive the candid consideration of the House.

Motion agreed to, and Bill read the first time.

DOMINION LANDS.

Mr. WHITE (Cardwell) moved for leave to introduce Bill (No. 94) further to amend the Dominion Lands Act, 1883.

Sir RICHARD CARTWRIGHT. In what direction does the hon. gentleman propose to amend the Act?

Mr. WHITE (Cardwell). I may say in regard to this Bill that some provisions of it are purely technical, relating to the organisation of the Department, and are not of very special public importance. Among them, for instance, is a provision that the officials of the outside service, and extra clerks within, shall take the oath of allegiance and the oath of office, as do the ordinary members of the Civil Service. Another is that a homesteader desiring to make entry at any land office shall be permitted to make it before the senior clerk present, in the event of the agent being ill or absent. As it is now, the person appointed to take the declaration of settlers who desire to get their patents is the agent of the Department alone. Then another clause in the Bill, and perhaps it is the most important, has relation to a class of settlers who are very anxious to have an opportunity of obtaining land, but for whom the present Act makes no provision. I refer to men who have no means, or little means, and who go into the North-West and obtain employment on the rail-

Mr. JAMIESON.

way or in the towns, and who desire, in the meantime, to secure for themselves homesteads on which to settle later on. The provision I propose is that such a person shall be able to make entry for a particular homestead and pre-emption, if he desires both, that he shall perform certain duties on it in the form of clearing and erecting a building, and he shall be allowed two years before he is asked to reside on the land; but that having gone on the land as a resident he shall be compelled to perform three years' residence in order to entitle him to a patent. I found, when conversing with settlers in the North-West, that this provision, which was recommended by the Commissioner of Dominion Lands in his report of last year, and I believe the recommendation is repeated in his report of this year, was exceedingly well received by the people there, and the proposal is one which will meet the difficulty which has presented itself in the case of people who are anxious to go to the North-West, but who are not in a position to go on the land at once and commence residence. We require three years residence for this reason: It is of the greatest possible consequence to make residence on homesteads obligatory. What is wanted in the North-West is homesteading in the proper sense of the word, that settlers obtain land for the purpose of living on it, intending to become residents on the land; and the new provision in this Bill in no way relieves persons from that obligation. The only thing it does is to allow them to secure homesteads and pre-emptions and perform certain duties and have two years during which they may make money elsewhere and prepare themselves for permanent residence of three years. Another clause in the Bill is one which may give rise to some little discussion, and in regard to which I found the strongest opinion held by those most interested in the country, the settlers themselves, and that is a provision for abolishing the principle of second homesteads. Experience has shown that this has not resulted in the advantages expected from it by those who in the first instance urged it. It was urged strongly by the people of the North-West, but I believe most of those who urged it in the first instance have become convinced that, instead of it being an advantage, it has produced a positive disadvantage; and we, therefore, propose to abolish the principle of second homesteads.

Sir RICHARD CARTWRIGHT. Do I understand the hon. gentleman to say that he proposes to abolish second homesteading altogether?

Mr. WHITE (Cardwell). Yes. At present the right of obtaining pre-emptions expires at the end of this year. We propose to extend that right to 1890. I think it is better it should be extended for some time so as to give a greater opportunity to settlers in the North-West, and I am glad to say settlement promises this year to be very considerable, on the whole very satisfactory. There are clauses in the Bill relating to the Survey Branch of the Department. These have been recommended by the Board of Dominion Land Surveyors, and are considered as of very considerable importance. Some of them are purely technical, and they will perhaps be better understood by those who know more about surveying than I do. They relate to the subjects of study and matters of that kind. One of the most important of them, however, is the provision that instead of requiring the examinations for provincial land surveyors to take place before the whole board, they may be held, as in the case of Civil Service examinations, before a member of the board; and as the members are scattered in different parts of the Dominion, even as far distant as Vancouver Island, it is believed that it will very greatly reduce the expenses connected with those examinations both to the Government and the persons who present themselves, and will be a matter of very great convenience to those persons. Then I ought, perhaps, to

have said with respect to the land part of the Bill that we propose that the settler shall give six months' notice of his intention to apply for his patent, by simply sending in a formal notice to the Land Office. The object is that the Homestead Inspector may go at once and make such examination as may be necessary, and take the declaration of the homesteader, so that when the time is up there may be no delay in securing his patent. The provision is one which, while it is for the convenience of the Department, is mainly in the interest of the settler himself. These are the chief changes I propose in the Bill, a copy of which I will send over to the hon. member for Bothwell, who has held the office I now fill, so that he may examine it.

Motion agreed to, and Bill read the first time.

CONSOLIDATED INLAND REVENUE AMENDMENT.

Mr. COSTIGAN moved that on Tuesday next the House resolve itself into Committee of the Whole to consider the following Resolution:—

That it is expedient to amend the Consolidated Inland Revenue Act, and the Act amending the same, by providing:—

1. That the provision making the duty on articles subject to Excise, that is in force on the day when the monthly return is made, be repealed.

2. That the fusil oil and other refuse resulting from the distillation of spirits may be disposed of as the Governor in Council prescribes; that an abatement for shrinkage may be allowed in respect of spirits matured in ventilating tanks, and that all spirits produced in a distillery shall be warehoused.

3. That malt shall not be removed without a permit, except into the possession of a licensed distiller or brewer.

4. That the provisions of paragraphs 2 of section 226 of the Consolidated Inland Revenue Act, 1863, respecting the duty on goods manufactured in bond, may, in the case of spirits to be used for chemical or manufacturing purposes only, be varied by the Governor in Council; that spirits used in a bonded manufactory for the production of ether and such chemical compositions as are determined by the Governor in Council, shall be charged with the same rate of duty as methylated spirits; that no such spirits and no methylated spirits shall be removed from a bonded manufactory, except into the possession of a person having a permit to sell or use the same, and that the Governor in Council may make regulations respecting the sale of such spirits.

5. That 200 pounds of cavendish or other tobacco may be entered for warehouse by one entry, and that 100 pounds of such tobacco may be warehoused by one entry; and also, that packages containing ten pounds of manufactured Canadian tobacco and over, may be removed in bond from one warehouse to another.

6. That no oleomargarine or other substitute for butter shall be manufactured, except by persons duly licensed, and that the Governor in Council may make regulations respecting such manufacture and the supervision thereof.

Sir RICHARD CARTWRIGHT. Before the resolution is put, I would ask the hon. gentleman to explain a little more fully what is meant by the first clause.

Mr. COSTIGAN. I have no objection to explaining it to the hon. gentleman, though it would be more convenient to do so on Tuesday. As the Act now stands, in the case of distilleries, for example, they keep a monthly account of the Excise duties, and the account is made up and rendered for the whole month, although the duty might be increased, say on the 20th or the 24th of the month. It would be a great hardship if the increased duty were imposed, say on the 24th of this month, in the case of the goods which had been manufactured and gone into consumption, and been sold under the old rate of duty; that we should require the difference between the existing duty and the increased duty to be paid. There can be no loss to the revenue by the change. If the goods remain in the bonded warehouse they will be subject, of course, to any increased duty, and the change is made in order to meet what seems to be a fair objection—that because the account, say, be rendered at the last of the month under the present reading of the law, the manufacturers are liable to the increased duty which may be imposed at the very last day of the month, on whatever goods they have manufactured and sold. Of course, what they have not sold must be subject to the duty, because it is still in the hands of the officers of the Government.

Motion agreed to.

PERSONAL EXPLANATION.

Mr. ORTON. I rise to a question of privilege. I notice in the *Globe* of yesterday, the following article:—

"Mr. Orton on Tuesday was indiscreet enough to refer to a paragraph in the *Globe's* editorial columns which stated that he had been almost as conspicuous as Capt. Scott during Sir Richard Cartwright's speech, and conspicuous in the same way. He complained that he had been slandered, which was certainly a much more severe reflection on Capt. Scott than the *Globe* made, and went on to threaten dire vengeance against somebody or other, in case such observations on the conduct of members should be continued by the *Globe*.

"It may be well to make Mr. Orton understand the functions of the press a little more clearly than he seems to understand them at present. It was perfectly within his right to complain if any untruthful statement had been made concerning him. But his contention substantially was that the press violates propriety and exceeds its powers by commenting on the demeanor of members when in the House. We differ from him entirely as to that. It is indeed seldom proper to reproach members for any high-jinks in which they may privately indulge, for then they can seldom compromise the seemliness of Parliament, and by consequence the reputation of the country. But the conduct of members in the House is a fit subject for journalistic comment; there they are acting as servants of the people, and the people are entitled to know whether their member compromises the reputation of himself, and therefore the interests of his constituency. No one will pretend that the interests of a constituency are not clearly injured if its representative lowers himself, and thus loses influence by appearing in the most public of places when he ought to seek the seclusion which his bad-room grants. We mean to act on this belief, with entire appreciation of the fact that it would be exceedingly improper in itself, and injurious to any journal, to look for occasions for adverse comment on the Parliamentary demeanor of members, or to seize every slight occasion for harassing jolly men. As for Mr. Orton's threats, they were supremely ridiculous, and we leave him to the unpleasant consciousness of that truth.

In another portion of the same paper, in the editorial columns, there appears the following:—

"Dr. Orton is the reputed father of a proposition to heal the North-West Indian question by sending the chiefs on a tour through Ontario as a sort of free exhibition. Couldn't the doctor employ this force against the newspapers which have been rashly saying that Col. Seott and himself are birds of a feather? He will hardly find a safer way of doing his fighting."

Now, Mr. Speaker, I stated on a former occasion that, so far as I was personally concerned, the attack made upon me in the *Globe* was without a shadow of foundation. I am sure there is not an hon. gentleman in this House but will agree with me that there was not the shadow of a ground for such a base attack on my personal character in this House. Since the commencement of this Session I have worked with other hon. members assiduously in the interests of my constituents, and in the interests of the country at large, to the extent of my humble ability, and I maintain that it is not only a wrong, but a cruel wrong, that the families and the tender-hearted friends of hon. members should have their feelings harassed by continuous attacks of this kind—attacks which are not made in the public interest, which are not calculated to advance the public interests of this country, or to increase the respect which should be paid to this House and to the representatives of the people assembled here. I maintain, Sir, that it is the duty of the House to assert its dignity, as I stated on a former occasion. I said if there was no attempt either by the hon. the Speaker or any member of the House to express an opinion with regard to such attacks, the only policy that could possibly be pursued by hon. members, to prevent their friends from being harassed by such attacks, would be to take the law into their own hands; and I am sorry to say that I felt it to be my duty, in defence of my position, to be under the painful and disagreeable necessity of taking that course. It has been said outside this House that the gentlemen who are the privileged occupants of the press gallery of this House, were not instigated of their own accord to these villainous attacks on the personal character of hon. members, but that certain party wire-pullers outside this House have laid it down as their policy, in order to benefit the Opposition outside of this House in their attacks upon the Government, and that as they have no policy to present to the people of Canada, they are now

pursuing a persistent and continuous policy of slandering the supporters of the Government. I am not going to say, for I do not believe, that there are any hon. gentlemen in this House who would agree to any such slanderous and unworthy policy; but, at the same time, I feel it right to state that I do believe that those gentlemen who occupy seats in the gallery were instigated by others than themselves. I have the highest respect for the press, but I maintain that it is degrading and debasing to the true influence which the press should exert on legislation and the proceedings of Parliament, that they so far forget their position as to make these unwarrantable attacks on hon. gentlemen. Why, an hon. gentleman is not safe in this House from such attacks, if he happens to come in suddenly with his collar to one side or his hair out of order, as that would be an occasion far greater than existed in this case when a gross personal attack was made on me. I do hope that the House will, unless it is intended that the policy I have indicated is to be the one pursued towards members of the press, who act in this way—I do hope some course will be taken to show the disapproval of this House of such conduct on the part of those who have the privilege, the very high privilege, of occupying seats in the press gallery, for the very high and elevated purpose of exerting the influence of the press upon the country and upon this House.

Mr. TROW. I think it entirely out of place for the hon. gentleman to try to induce other members of the party to take the same course that he has taken, that is, to take the law into their own hands, for the simple reason that I understand it has not been a perfect success in this instance.

RAILWAY FROM ESQUIMALT TO NANAIMO.

Mr. POPE moved the third reading of Bill (No. 47) respecting the railway from Esquimalt to Nanaimo, in British Columbia.

Mr. GORDON. When this Bill was before the House last Tuesday, I was not present, owing to indisposition. The remarks made on that occasion, however, require me now, before its final passage, to make a few observations in reference to it. It will be remembered that, in 1884, when the original Bill came before this House, I opposed it at every stage—not because I opposed the railway itself, but because I opposed the immense grant of mineral lands in Vancouver Island to this company. However, Sir, that Bill passed into law, and I, as one of the citizens of the Dominion, was prepared to abide by it or by any other law passed by this Parliament. At that time it was not expected, I am sure, either by the Government or by any member of this House, that within two years from that date this company would be found appealing to this Parliament for relief from the obligations to which they had solemnly bound themselves. Now, it is not my intention to make any motion in reference to this Bill, for reasons which I will state. If, by opposing this Bill, I could cause the expropriation of all those mineral lands from the company to the Dominion, to be dealt with on the same basis as the mineral lands of the North-West, I would feel justified in standing in my place here for a week; but, Sir, the defeat of this Bill could not possibly have that effect, for, as has already been stated by my hon. friend from North Norfolk (Mr. Charlton), the American capitalists engaged in this enterprise have sufficient wealth within themselves to commence and carry through that work on the lines indicated in the specifications, and still be able to complete the work within the time specified by the contract; and the result of such an action on their part would most likely be the ruin of those British Columbians who have taken that work in hand. Now, Sir, although I was opposed to the scheme originally, and am still opposed to these coal lands being controlled by an immense monopoly, I

Mr. ORTON.

have certainly no desire to see those British Columbia capitalists, who went into that enterprise in good faith, ruined or injured in any way. With regard to the road itself and the reports of the engineers who inspected it, I know very little. The reports of the engineers, so far as I have seen them, are simply to the effect that the specifications have not been complied with. Some of the work necessarily involved a heavy expenditure, and in some respects the road has been benefited by the deviations; but of these facts I know nothing beyond what has been reported. Some portion of the road I have seen, and I believe the deviations have been justified, two in particular, one at Southfield Mine, and the other at Cowichan River. These are the only two points of the road that my attention has been called to. The deviation made at Cowichan River was certainly not only in the interest of the company itself, but in the interest of the travelling public, because that river is subject to extreme floods, and it would be very difficult to maintain substantial structures across it for railway purposes on the lines of the original survey. Some opinions have been expressed with regard to the road that rather surprised me. My hon. friend from Victoria (Mr. Shakespeare) declared it to be the best road on the continent. Well, I suppose he is a qualified engineer; he travelled over the road in the interests of the company, I suppose, for the purpose of observing it; and we shall have to take his word, I suppose, instead of the word of the engineer who inspected it. That gentleman, a professional man, did not, I think, express himself so distinctly. I think he merely expressed his views with regard to the variations from the lines marked down by the Government. Another point to which my hon. friend alluded was the settlement on Vancouver Island, in consequence of the construction of this railroad. He is reported to have said:

"This railway is a direct benefit to the Province of British Columbia, especially to Vancouver Island. Since the Settlement Bill passed this House two years ago, more settlers have gone in and located on the lands along the line of this road than went in during thirty years before, which certainly cannot be detrimental to the interests of the Province."

This cannot be so; the voters' list shows only an increase during those years in Cowichan district of twenty-three and in Nanaimo of twenty-five, and a decrease in Comox of six. That there has been a large amount of those lands located I am ready to admit; but it has not been from immigration into the Province. It has been chiefly from the fact that many of those formerly engaged in mining and lumbering squatted on the lands some years ago, and they have simply preempted their location, so that the increase of which my hon. friend spoke was scarcely an appreciable increase to the population of Vancouver Island. I have no desire to question that there has been some increase, but it has not been on the line of railway to any great extent. In the district of Alberni, some sixty-five miles from the nearest point on the railway, there has been a settlement created numbering something like 100 people. In the district of Comox, some seventy miles from the north-west point of the railway, there has been an addition to the population; but these additions are, in nearly every case, from other parts of the Province, although, of course, there have been some additions from the other Provinces. There is just one point to which I wish to allude before I close, and to which I particularly wish to call the attention of the Government. In the Bill known as the Settlement Bill there are certain rights guaranteed to settlers. In some cases there are disputes between the railway company, the Local Government and the settlers with regard to them. What I wish to impress upon the Government is this: that every person who claimed the right to preempt under the Act, up to 19th December, 1887, before the final transfer of the land subsidy in full to the company, shall secure those rights. Knowing that this Bill could not possibly cause the expropriation of the mineral lands, I beg to close my

remarks, feeling, as I do, too unwell to further discuss the question.

Sir RICHARD CARTWRIGHT. Before the motion is put, I wish to call the attention of the House to one point. We made a bargain two years ago, by which we gave very valuable privileges to this Esquimalt and Nanaimo Railway. If I am well informed, what we have done has been to give to these persons, substantially, if not in name, a monopoly of the coal supply of British Columbia. When, under such circumstances, they come to us and ask for modifications which involve the concession to them of favors that will save them the expenditure of some hundreds of thousands of dollars, and it may be more, the Government ought to be able to obtain some concession in return. Now, the occasion may arise when it will be a matter of great public inconvenience, not only to us, but to the British naval authorities, that practically the coal supply of British Columbia should be entirely controlled by foreign capitalists, although they may be in name British Columbian capitalists; and I think that when favors of this kind are demanded, the Government should at least require some concession in return; for instance, that a certain proportion of coal land be handed back to them, to be held in reserve for general purposes, or some bargain be entered into by which, under no possible condition of things, should the monopoly which we have unwisely granted to these persons be turned to our own detriment, or made the means of compelling the inhabitants of Vancouver Island and the British people to pay more than they ought for their coal supplies. I was called out of the House before the second reading was taken, or I would have pressed that view upon it then. As it is, at this last stage I take the opportunity of saying that it is a bad thing in principle to come to the House and obtain modifications in this fashion, without being able to show that any corresponding concession has been made to the people. If the company require concessions they ought to give something in return. The Government ought to obtain either the concession of a block of coal land to be held for public purposes, or have some agreement by which they may secure to us a supply of coal for general public purposes at a reasonable cost, under any circumstances.

Mr. POPE. I really think that the hon. gentleman, if he had this matter to put through himself, would hardly deem it fair to press upon these gentlemen for changes, in so far as coal lands are concerned, when it is said by the Government engineers that the road is quite as good and more permanent, under the changes, than if the line were drawn as first proposed. True, we may once in a while make a close bargain, and we might—because the company are put in such a position that they are obliged to ask for these changes, which, in reality, are an advantage to us—ask for some concessions, but I do not think that the hon. gentleman, if he had made an arrangement with these gentlemen that was intended to satisfy the people of British Columbia—looking back to some transactions which the hon. gentleman knows as much about as I, or a little more—that I would be warranted, when they came here for changes which the engineers report make the road as good and more permanent than under the original contract, since the company have removed a good deal of the wooden work and replaced it by masonry, have attempted to interfere with the agreement which was made to suit the people of British Columbia, and of which the hon. gentleman knows more than I do. Taking the whole thing into consideration, I do not think it would be proper for us to refuse to give them those alterations which are better for the company, and which will do us no harm. I felt a certain sympathy, the other day, with the hon. member for North Norfolk (Mr. Charlton) when he expressed his distrust of Yankees, and deplored the fact that the Yankees

had to do with this work. But, on reflection, the hon. gentleman will see that since those Yankees who have those coal mines are bound by the contract to give coal to our people as cheaply as to others, he will survive the feeling he exhibited the other day against them.

Mr. CHARLTON. No doubt, it was very natural for the hon. Minister of Railways and myself to look with distrust, and with some degree of aversion, upon Yankees; and I am glad the hon. gentleman is alive to the interests of the country, and the danger which may menace the country from that source. In the course of my remarks to which he referred, I took occasion to say that the projectors of this railway were certain Americans who controlled the railway system of the Pacific coast. I said that the past history of these gentlemen pointed to the fact that they have amassed an immense fortune at the expense of the public. If the hon. gentleman ever visited California—

Mr. POPE. No.

Mr. CHARLTON—and the Pacific coast, he would find that country in the grasp of one of the most remorseless monopolies that exist in the world, a monopoly which has reached its hands out to plunder British Columbia, and at whose dictation, practically, the hon. gentleman proposes to change certain conditions in our contract with them. The gentlemen who control this road and the railway system of the Pacific coast hold the people almost as their vassals commercially. Over the railway service of the country the people exercise no control whatever; some of the roads do not even deign to publish time bills. Upon the Central Pacific you may find out, in the best way you can, at the way stations, when trains leave and arrive, for the company will not take the least trouble to inform the public as to its operations and service. They charge what rates they please, and control the State Legislature. As I pointed out the other day, the gentlemen who started this corporation commenced business with but \$12,500, when they began the construction upon the Central Pacific, and to-day, by their own balance sheet, they are worth \$200,000,000. It is claimed they do not own the majority of the stock in the Vancouver Island Railway, but I may be permitted to doubt that assertion, as I believe they own nearly the entire stock. They have secured a grant of \$750,000 cash from the Dominion and exceedingly valuable land grants through British Columbia, besides the control of almost the entire coal interest of Vancouver Island—a grant vastly out of proportion to the amount of works they propose to do. It is a shame that this House ever sanctioned that bargain. It is not true it was sanctioned with the consent of all the members of British Columbia; it was opposed by the hon. member for Cariboo, and one or two other members, when first placed before the House. There are certain interests in British Columbia which are allied and associated with the company, and are in favor of the ratification of the Bill, but I say the company has no right to ask the House of Commons to mitigate in the slightest degree the terms of their contract. The hon. gentleman tells us that if my hon. friend from South Huron (Sir Richard Cartwright) were in his place, he doubts very much if he would interfere. I think if my hon. friend were actuated by the same motive and views with regard to railways as those which actuate the Minister of Railways, he would not interfere. The hon. gentleman thinks it is hardly fair to press the company for a concession, but I hold that when they made a bargain by which they agreed to construct the road upon certain specifications and received aid vastly greater than was necessary to enable them to carry out that bargain, they should be held to the bargain. The engineers, he states, say the road is actually better than if built on the specifications. It is rather a curious statement that a road which does not conform to the specification with regard to the alignment and curves,

and which has curves much sharper than the contract required, is really a better road. The road cannot be a better road, if it has sharper curves, than it would be with curves of a greater radius. I hope that we will not, in this case, set the dangerous precedent that would be set by permitting a railway corporation to make a bargain with this company, to make solemn stipulations that, for a vast subvention, it would perform certain work, and then allow it to go on and do as it pleased, and assume, from the laxity which characterises this Government in dealing with railway corporations, it could do whatever it pleased, and could come here with a Bill to relieve itself from the obligations it had entered into, and could induce the Government to relieve it from those obligations. It is a dangerous precedent. It is not right; it is not proper. There is no reason for it. The company are able to carry out their agreement. They have received aid to enable them to carry out their agreement three times over, and there is no reason for now changing the terms of the bargain. I believe that we should hold these men to the terms of their contract, and if they desire to be relieved from any of these stipulations we should, when we are granting their application, require a *quid pro quo* from them in the first place.

Motion agreed to, and Bill read the third time and passed.

THIRD READINGS.

Bill (No. 72) respecting the Union Suspension Bridge.—(Sir Hector Langevin.)

Bill (No. 76) respecting the Burlington Canal.—(Sir Hector Langevin.)

INTERCOLONIAL RAILWAY—STELLARTON TO PICTOU.

Mr. POPE moved the second reading of Bill (No. 57) respecting the extension of the Intercolonial Railway from a point at or near Stellarton to the town of Pictou.

Motion agreed to, and Bill read the second time.

Mr. POPE moved that the House resolve itself into Committee on said Bill.

Sir RICHARD CARTWRIGHT. I should imagine that this Bill ought to be referred to the Committee on Railways, where it might be considered properly.

Mr. POPE. There is nothing very particular in the Bill.

Sir RICHARD CARTWRIGHT. It is a departure from our usual practice. In all other cases we have sent these railway Bills to the Railway Committee, which is specially cognisant of these matters. Why does not the hon. gentleman take this course? Government Bills have been sent there as well as other Bills.

Mr. POPE. Not Bills introduced by the Government.

Sir RICHARD CARTWRIGHT. I know the hon. gentleman has a perfect right to take this course, but it has not been our practice.

Mr. POPE. There is no reason why we should not deal with it here.

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

(In the Committee.)

On section 1,

Mr. DAVIES. What is the length of the line?

Mr. POPE. About eighteen miles.

Sir RICHARD CARTWRIGHT. And what grant have you got for it?

Mr. CHARLTON.

Mr. POPE. There was granted last year \$250,000.

Sir RICHARD CARTWRIGHT. Is that supposed to be sufficient?

Mr. POPE. No; I think it will take about \$50,000 more.

Sir RICHARD CARTWRIGHT. What is the object of constructing that branch?

Mr. POPE. There was an understanding that the extension of the Intercolonial Railway would be made into the town of Pictou. But, Mr. Chairman, by building this road we incur no additional expense. The cost of the ferry annually is about \$13,000, if I remember rightly. The interest upon \$300,000 would be about the same as the cost of the ferry, and besides, the people of the town furnish the right of way, and undertake that we shall not be obliged to keep up the ferry; so that the expense to the country will not be increased.

Mr. DAVIES. The Government will be obliged to keep up the road, just as it does now, down to Pictou Landing.

Mr. POPE. I am speaking of the ferry.

Mr. DAVIES. I do not understand there is anything here relieving the Government from the obligation to keep up the ferry. The expenses will be thrown upon the Government hereafter the same as heretofore.

Mr. POPE. No.

Mr. DAVIES. What guarantee has the Government got?

Mr. POPE. The agreement with the town of Pictou was that the ferry might be abandoned.

Mr. TUPPER. The Town Council of Pictou resolved to maintain the ferry between Pictou Landing and the town, and the company was to obtain a charter from the Local Legislature authorising them to operate the ferry.

Mr. McMULLEN. What is the length of the ferry?

Mr. POPE. About two miles.

Mr. VAIL. And do you mean to say it costs \$13,000 a year to keep up this ferry?

Mr. POPE. Yes.

Mr. MILLS. We are in an extraordinary position in dealing with this Bill. We have no information before us, and we do not know what we are legislating about. The hon. gentleman has said that this is to save the Government the expense of keeping up the ferry, but he tells us the road is eighteen miles long, and the ferry is less than two miles. Now we want some information on this subject. If this matter had been referred to the Railway Committee there could have been plans and specifications submitted, and an intelligible knowledge of the subject could have been obtained. But the hon. gentleman has not explained it. He has given us no plans; we do not know what we are called upon to legislate about; in fact, we might just as well say by this Bill that the hon. gentleman shall determine what railways shall be constructed and what expense shall be incurred and charged against the public revenues, as to propose to legislate in the dark as we are doing. I submit that this Bill ought to go to the Railway Committee.

Mr. TUPPER. The hon. member ought to be aware himself of certain facts connected with the cost of the ferry, as he was a member of an administration that, from time to time, had to obtain funds to maintain that ferry. As the Minister of Railways has already told the House, it costs between \$13,000 and \$14,000 a year, and it has done so under both Governments. In the winter, I may say, the Government has to maintain communication between the town of Pictou and the landing, by a stage, the harbor being frozen over, and the people of the town have had to put up

with a great deal of inconvenience for many years, in consequence of the state of the harbor, and the great danger, at certain seasons of the year, in connection with the passage. The hon. member for Bothwell (Mr. Mills) knows that the town of Pictou is a town of great enterprise, and an important centre in the Maritime Provinces; and, surely, I do not see why the hon. member, who has tacitly permitted to go through the House measures authorising the construction of branches of the Intercolonial Railway of much less importance, and with far less prospective profits, should now raise an obstruction to the passage of this Bill. It does not propose any new charge upon the country, because last Session, as the hon. member will find by looking at the Supply Bill, this House ratified the construction of this work, and, as it is stated in the preamble of this Bill, authorised the expenditure of a certain sum of money. If the hon. gentleman was anxious then to have all the reasons for the construction of this work, why did he not ask for information when the money was asked from Parliament? Surely he will agree with me that there have been few cases of the construction of branches of the Intercolonial Railway where such good reasons could be given as the Minister has given to-day in connection with this work. Not only will the branch be a valuable feeder to the Intercolonial Railway by connecting it to the town of Pictou, which contains over 3,000 inhabitants, but that work can be constructed without entailing any additional burden upon the people of this country. I do not think that in the case of the Indiantown Branch, or any other branches of the Intercolonial Railway, could these reasons be advanced. They were justified because they connected important portions of the Province with the Intercolonial Railway, and it was reasonably supposed that receipts of the traffic would show that the expenditure was a wise one, but in this case the construction of the work entails no additional burden. As I understand, the money has been voted by this Parliament last Session. This Bill is similar to other Acts which have been passed in this House, authorising, among other things, the appropriation of lands in connection with the railway. The hon. member for South Huron (Sir Richard Cartwright) alluded to the procedure to be followed by a Bill of this kind, as to whether it should go to the Committee of Railways and Canals. Of course, it would be presumptuous for me to attempt to instruct a gentleman of his standing as to the proper course of procedure, but he will allow me to point out that a similar Act was passed through the House in connection with a public work of similar character in the Province of Quebec, in 1882—I think it was the St. Charles Branch, or some other branch of the Intercolonial near Quebec. An amount had been voted for the work, a different work formerly authorised by a Bill of this kind, which precedent will remove any question that litigants might wish to raise, or remove any doubt as to the Department having the same powers in connection with the expropriation of lands and the construction of the road, as they have in the case of branches not exceeding six miles in length, where they are authorised by Order in Council. This is in reality a mere matter of form. The county of Pictou grants the right of way, and that is something that cannot be stated, I think, with regard to the other branches of the Intercolonial Railway, which were built at great cost in connection with the acquisition of the right of way. Legislation has passed both Houses of the Legislature in Nova Scotia authorising the county of Pictou to assume that charge.

Sir RICHARD CARTWRIGHT. The hon. gentleman has not quite understood the point I took. I did not desire, nor was it likely I would desire, to deny the right of the House to consider this Bill in Committee of the Whole, if it so pleased. The House can consider any Bill in Com-

mittee of the Whole, railway or other, and I never heard the proposition disputed, nor ever thought of disputing it. What I did say was, that in all cases where there was not strong necessity to the contrary, the uniform practice is to send a railway Bill to the Railway Committee, and for these several reasons: In the first place, when a Bill like this comes up unexpectedly, as this has done, and is referred, contrary to the usual practice, to the Committee of the Whole, instead of being referred to the Railway Committee, members of the House have made no special enquiry about it; they have not, in the least degree, endeavored to become acquainted with its details, expecting it to go to the Railway Committee, where all these things are brought up in due course, after reasonable notice, and where such details as those to which the hon. member has referred are severally considered. It is quite impossible to examine in Committee of the Whole any of these matters with anything like the fullness which can be exercised in the Railway Committee, and that is a very good reason why as a general rule, unless there is strong reasons to the contrary, this Bill should go to the Railway Committee. As to the other matter, I desire to say this: that when this and some score of similar grants were passed through the House last Session, it was done on the very last day of the Session and in opposition to my deliberate protest, because I pointed out then, as I point out now, that no sort of explanation was given by the Minister who brought them down of the reasons for making any of those grants. We were just closing the House, three-fourths of the members were away, and these grants were rushed through on the last day without explanation. Therefore, in this particular case there is very good reason for asking to have full explanations, inasmuch as it was physically and morally impossible to get them when the grant was put in the Supply Bill and became law last year.

Mr. DAVIES. It will be most unfortunate if the hon. gentleman persists in pressing this Bill through Committee of the Whole until we have more information. There are not six members in the House who know anything about the location of the road. The road may be perfectly defensible. I am not at present saying it is not. At first blush, however, it appears to be indefensible, and I cannot see how the hon. gentleman is going to defend the expenditure of so much money. The Pictou Branch runs down to Pictou Landing, opposite the town of Pictou and within a mile of it. Pictou also has connection with the Intercolonial by means of a steam ferry, and it is with that landing that the boats for Prince Edward Island connect. If the people of Pictou want to go to Halifax they can go by crossing in the steam ferry to Pictou Landing and arrive at Stellarton, a distance of nine miles. This road will have to go nine miles further. You will still have to keep up the old road, and you will have twenty-six miles of road, which will have to be maintained at the expense of the country, when eight miles does all the work required. I am told, but I do not vouch for the accuracy of the statement, that this road will come into competition with the road running from Stellarton to the head of West River.

Mr. TUPPER. There is no other road in the county but the Intercolonial.

Mr. DAVIES. I think we should have a map and plans submitted, so that we can see exactly where the money is being expended. It may be that sufficient arguments can be adduced to lead the House to vote the money, but in the state of ignorance that prevails as to the necessity of this road, and as to the trade which will flow to the Intercolonial from its construction, it would be highly improper to force the Bill through Committee. What additional trade will be given to the Intercolonial by building these fourteen miles? You are going to cut off New Glasgow altogether.

You tap the Intercolonial five miles to the south of New Glasgow and run a branch round the head of West River to the town of Pictou. The only present inconvenience is in spring when the ice is breaking. This is one of the difficulties of the location of the town. We cannot overcome nature there any more than we can in Prince Edward Island, where serious inconvenience arises from its position; and when we ask for a remedy, I find we do not get our grievances listened to so readily as do some members on the mainland. I protest against the attempt being made to force this Bill through Committee of the Whole without plans being submitted. Let us see whether the road passes through a populated country or not, and what trade it will bring to the Intercolonial for the proposed expenditure of \$250,000 to start with. The hon. member for Digby (Mr. Vail) says the road will cost \$250,000 more.

Mr. POPE. You do not know anything about it.

Mr. DAVIES. If not, we ought to be informed.

Mr. POPE. I say the hon. gentleman does not know anything about the cost.

Mr. DAVIES. Nor does any hon. member know the cost. The Minister alone possesses that information. He is not treating the House fairly when he asks it to pass through Committee a Bill for a work, the cost of which he alleges no one knows anything about, and which he has not imparted to the House.

Mr. POPE. I have.

Mr. DAVIES. Has the hon. gentleman given us the surveys and reports of the engineers?

Mr. TUPPER. You never moved for them.

Mr. DAVIES. No one imagined it would be attempted to force this Bill through Committee of the Whole without submitting it to the Railway Committee, which is the only place where the details can be examined. The hon. member will further his object if he refers the Bill to the proper Committee, so that it may be carefully examined.

Mr. TUPPER. I hope the hon. member from Prince Edward Island (Mr. Davies) will not be offended if I think I could read between the lines as he made his remarks, and if I attempt to act as mind-reader for a moment he will correct me if I go astray. He has brought into this House the question which I am sure he knows interests a certain portion of the people of Pictou county, and those people are mainly the friends who act in concert with him, and he has attempted to make political capital out of one phase of this public work, and that is the question of location. I utterly deny that this House is the proper place to decide where the true location of a line should be. Hon. gentlemen here will remember that the hon. member who has taken his seat confined his remarks almost exclusively to the question of location and to the point that the Minister, as he claimed, had not put the House in possession of the plans showing the particular route which this railway was to take. Now, I will candidly state to the House that difficulties have arisen in the county, in connection with the proposed location. I can speak for myself when I say that I undertook the responsibility as one of the members for that county—and my colleague joined me—of refusing either the wish of my political friends or of those opposed to me, to advocate any particular location in the county of Pictou. It was a matter with which we were not qualified to deal. I do not think my hon. friend is any more qualified to deal with it, but I certainly shirked the responsibility, and I shirk it now, of saying where the best points are for that road to go. A great deal of complaint has been made against us for not adopting the location which some parties in the town of New Glasgow believed would be more favorable to them.

Mr. DAVIES.

A great deal of political capital is being made of that to-day, and I am, of course, painfully aware of that fact. Nevertheless, I believe that the only parties who can locate this road are the engineers who are in charge of the work, and my colleague and myself have left that matter entirely to the Government who are charged with that responsibility. Of course, it is not supposed that we could control it, but what I mean is that we have not assumed to act on behalf of any particular locality in connection with their views as to the particular points this line should touch. But it is comforting for us to know this, and I think it will comfort my hon. friend, if he is really serious about the location of the line—it will comfort him to know that after this location was proposed, joining the Intercolonial Railway at Stellarton, the County Council of the county of Pictou unanimously resolved that the right of way should be given by the county for the construction of the road; and they were aware of this—it was stated in a meeting—that unless that right of way was given, not a mile of the road would be built. That was the condition under which the work was to be carried on. My hon. friend is perhaps aware that many of the people of New Glasgow, naturally anxious that all roads built in that county should start directly from that enterprising and wonderfully pushing locality, endeavored to secure a change in that location, but I believe they have failed. After that the matter went before the Legislature of Nova Scotia for a ratification of the resolutions of the County Council. The Premier announced that a petition had been presented from those whose views my hon. friend has been ventilating to-day, and yet the Bill went through both Houses without amendment. So that my hon. friend will see, and I think will admit, that considering those facts that whatever objections might be urged to the locations of this work, the people as a whole are satisfied with the proposed location, and my hon. friend is perfectly well aware that you never can satisfy the views of all parties near or adjacent to any proposed line as to the location. Some of those parties near whom the road has not passed will, of course, be dissatisfied, and, of course, those who are near it will be satisfied. But I again call attention to the fact that the county represented as a whole, sitting in the County Council, passed that resolution, which is very significant as showing that the people there as a whole, without reference to any sectional feeling or personal interests, approved not only of the location, but of the work. One word with reference to the great necessity for urgency. I alluded to the fact that this is not a new matter; it is really a formal matter; it has been ratified by Parliament in such a way that there can be no retrogression in the matter, no matter whether it was proceeded with quickly or not. I say that hon. gentlemen opposite are responsible for the delay.

Sir RICHARD CARTWRIGHT. They are not.

Mr. TUPPER. I claim they are.

Sir RICHARD CARTWRIGHT. They are not.

Mr. TUPPER. I claim they are, and the hon. gentleman can contradict me as often as he likes. I say that hon. gentlemen are responsible—and I believe the people will recognise their responsibility—for having kept Parliament so long last year. They spent weeks and weeks on the Franchise Bill and yet nothing came of their efforts, and surely they could have spent half an hour or so in order to obtain the necessary information which they should have obtained before sanctioning this vote. We were fully prepared to answer all objections, and I believe the hon. gentleman opposite only stated that it was a vast piece of political corruption—

Sir RICHARD CARTWRIGHT. And so it was.

Mr. TUPPER. And he now repeats it. Well, Sir, that is the kind of political corruption that the people of this

country like to see. They like to see a Government building public works and not acting as the hon. gentleman's Government did, as mere flies on the wheel. Down in that part of the country the people believe in this road.

Sir RICHARD CARTWRIGHT. I am sure they do, or you would not be here.

Mr. TUPPER. If I supported a policy such as the hon. gentleman inaugurated, I would not be here; but I supported a party not only able to promise public works in the different parts of the country, but ready and willing to carry out their promises, and ready to do something; and I have no doubt my hon. friend's line of conduct will help me to come here again. What I wish to say and what I intended to say was, that my hon. friends opposite were responsible last year for not obtaining all the necessary information; and they consented to this vote; they did not challenge it formally; no remarks were made, except by my hon. friend opposite and one other member of the Opposition. They were content to make a general charge of political corruption, and they did not intend to probe the matter. From the fact that Parliament is pledged to this work, I ask hon. gentlemen not to put any unfair delay in the way of this formal measure going through the House. The work is authorised, and this is to remove all possibility of litigation, to remove the possibility of any question being raised with regard to the authority or right to take certain steps in connection with that work, the House being committed to it, and the tenders having been advertised for. The people of Pictou town, to whom this matter is of tremendous importance, are most anxious for that legislation to take place without delay, because they are desirous that construction should begin. There is no hon. gentleman on either side who can fairly say that delay should occur when the work is to be carried on, and when it is fairly sanctioned. My hon. friend from Prince Edward Island must know the importance of this road to the town of Pictou. Situated as it now is, under the present trade policy forced upon us by the action of the United States after the abrogation of the Reciprocity Treaty, when the town of Pictou had at an amazing rate prospered, those facilities for trading by water and using their splendid water communication, were suddenly cut off and they were told that they must turn their trade into new channels. And inter-provincial trade should be cultivated. Now, across the harbor is two miles, or thereabouts, away from the Intercolonial system, and the town is connected with it only by a ferry; so that the people of Pictou have been handicapped in consequence, through not being able to develop that trade and enterprise which every other town on the line of the Intercolonial Railway has been able to do. They have made a good struggle under the circumstances; but I can assure hon. gentlemen that their anxiety is simply intense. Whether rightly or wrongly, they believe that the construction of this road will work wonders for the town, and the question of delay is serious with them. The town permanently suffers a great drawback in connection with the transmission of freight and traffic generally. The ferry itself, under either Government, has never been able to accommodate the traffic, and, in consequence, great difficulty is experienced in getting freight over. Freight is continually and unavoidably lost or injured, and passengers have suffered great inconvenience and run great risk in crossing that harbor, which at times has been extremely dangerous. Accidents have happened; fortunately, no lives have been lost, but animals have been lost, and the people of Pictou have had a hard battle to fight. The road is a most important part of the Intercolonial Railway. No one from the Maritime Provinces can deny that, nor will the members of the late Cabinet deny it, for their attention was frequently called to the great value of the Pictou Branch. I believe

the proposed road to connect the town of Pictou with the Intercolonial Railway will be a productive benefit all round, and, as I said before, it is not going to entail any additional burden on the people of this country. I hope, under the circumstances, that the Bill will not only go through the House without undue delay, but that hon. gentlemen will appreciate the importance of haste, because the sooner the work is begun the sooner it will be completed.

Mr. VAIL. As the hon. member for Pictou has spoken very warmly on this subject, I conclude that the people of the county he represents must feel a similar interest in it. We on this side, up to the present at any rate, have not objected to this grant, provided it can be shown to be in the interest of the country that this road should be built; but we ask for further information on the subject. Let me state to the House that there is already one railway to the town of Pictou, and the proposed road will run almost parallel with the existing road, and both roads will have to be kept up, one thirteen and the other eighteen miles in length. The Minister of Railways says we shall save the \$13,000 a year that it now costs to keep up the ferry. There is nothing to show that that will be the case. The ferry must be kept up. I know that this road will be of some advantage to the travelling public of Pictou; but what has Pictou to send over the road in the way of freight? The town is a market for the farming produce of the surrounding country, and I am sure the people do not want to send farm produce over the road to Halifax, and it is not much trouble for people to cross the ferry to Fisher's Grant and take the line there to Halifax. The Minister of Railways says I know nothing about the cost of building railways. Well, he may know something about building railways and getting subsidies for private railways from the Government of which he is a member; but I can tell the hon. gentleman that I have had something to do with the building of railways. I had a good deal to do with the building of the Windsor and Annapolis Railway, and also with the building of the Western Counties Railway. We have been told that this will be a cheap road, but I would remind the House that both the present Minister of Railways and his predecessor have stated that such and such a railway would cost only such a sum; but let us look at the St. Charles Branch, which was only eight or ten miles long, and which cost millions more than the Minister of Railways told us it would.

Mr. TUPPER. That is the right of way.

Mr. VAIL. It is no matter where the money was spent, the country had to provide it; and my hon. friend seems to think that because the town of Pictou has agreed to pay the land damages in connection with this road, that is a reason why the Government should spend half a million dollars in order to get this second road built for the benefit of Pictou. Let me tell him that in most cases the counties have paid for the right of way, while in Pictou, Colchester and Cumberland, the Government have paid for it; so I do not think it is anything to boast of that the people of Pictou are paying for the right of way, in order to have two roads instead of one. I should like to see the Government liberal enough to spend some money for railways in the western part of Nova Scotia, instead of spending money for a second road to this town. I am not disposed to oppose the grant; but I think the Minister of Railways should give us fuller information as to the cost of the work, before he asks the House to consent to the Bill being read a second time.

Mr. KIRK. The hon. member for Pictou says his party is a party of great promises. I quite agree with him as to that. It is a party of great promises, so far as Nova Scotia is concerned, but of small performances. The promise which had so much to do with the hon. gentleman's seat in this House was not the building of this road, but the one I spoke of a few days ago, the Oxford and New Glasgow

Branch. When the hon. gentleman first took his seat in this House he advocated the completion of that branch; it was to be completed at once; in fact, the newspapers declared that it was already an accomplished fact. At least four years have gone by, and that road is not finished. Considerable money has been expended by a private company.

Mr. DAVIES. It will do for the next elections.

Mr. KIRK. Two years have gone by since work has ceased on the road, and nothing has been done nor can be done. It has been found that another promise, another great promise, must be made, as another election is coming on, to secure the continued representation to the hon. gentleman. That is the promise of a branch from Stellarton to Pictou. The hon. gentleman said this will not entail additional expense, because this House last year voted the sum of \$250,000 to the construction of this branch. True they did, but when that vote was taken, it was after the House had sat for nearly six months, and when the majority of members had left for home; it was taken, I believe, the very last day of the Session, because it was taken after I left for home, and I did not leave until a day or two before the House prorogued. It was taken also without the knowledge of more than a half, or of fully half at any rate, of the people of Pictou at the time. I understand a petition was secretly circulated in Pictou for the purpose of impressing upon the Government the necessity of building this branch, but the other portion of Pictou knew nothing about it.

Mr. TUPPER. Do you say secretly circulated?

Mr. KIRK. Yes.

Mr. TUPPER. On what authority?

Mr. KIRK. On the authority of the public press of the county.

Mr. TUPPER. Of the public Grit press?

Mr. KIRK. Well, I think that is about as good authority as the hon. gentleman is himself. The petition asking for the grant was circulated, as I understand, from the press of Pictou opposed to the Government, privately, and I understand also, from friends of the hon. gentleman, that they knew nothing at all about the petition or about any request being made for the branch until the petition was presented in the House and the vote was taken.

Mr. TUPPER. You are mistaken.

Mr. KIRK. More than half, or quite half, the people presented a petition opposed to taking away the ferry from the Pictou Landing. They feel that the people of east Pictou and of east Nova Scotia, in fact, will suffer if this road is allowed to go down, which, of course, it will, if the ferry is taken off. I look upon the building of the branch from Stellarton to Pictou as interfering with the short line proposed from Oxford to New Glasgow and from the Strait of Canso to Louisburg. If this line is built, it will be the end of the Oxford branch. The hon. gentleman may do his utmost to lead the people to believe both will be built, but, so far as Pictou town is concerned, I believe that town will be quite well served without building the branch from Stellarton. I do not see why so many railways should be built through Pictou county and town, whilst other counties in Nova Scotia are to be without railways. It is said that \$250,000 will about build that branch, but the Government cannot give information with regard to its cost. I placed a notice on the paper three weeks ago asking for papers and plans and the reports of the engineers, if there are any, in order to get all the information I could, before this Bill would come up, but we have not reached that motion yet. I am informed, however, by parties well acquainted with the district that one

Mr. KIRK.

bridge to be built on the road will cost \$150,000, and another heavy bridge will have to be built, the cost of which I do not know. Therefore the \$250,000 are not going to build the road. Again, there are pieces of road owned by two coal companies, which are to be purchased by the Government, as the Government engineers and the Government have decided to purchase those lines and make them a part of this branch. I do not think it is known upon what condition these lines can be purchased. I understand, and I have no doubt it will be so, that the owners of these roads will see that their coal shall be carried over them, after the Government have purchased them, at a cheaper rate than they can possibly carry it now. The hon. member for Cape Breton complained the other day because the coal mines of Nova Scotia proper were particularly favored by receiving cheap rates, and by that means were enabled to take the trade from the coal mines of Cape Breton. As it is, if the Government should treat for the purchase of these roads, Cape Breton coal interests will suffer and their owners left behind, and I simply wish to draw the attention of the hon. member for Cape Breton to that fact. The people of New Glasgow have invested their capital in erecting manufactories on the line of the railway between New Glasgow and Pictou Landing. At Trenton there are very extensive and expensive manufactories established, which, if the ferry is taken away from Pictou Landing, must inevitably suffer, because I do not think it is possible the Government can keep up the old road in the same state of efficiency as that in which they are keeping it to-day. If they do not the manufacturing industries must suffer. I understand that these manufacturing industries give more traffic to the Inter-colonial Railway than the whole trade to and from the town of Pictou, and will likely do so for years, and yet the manufacturing industries of Trenton, which were established because of the railway facilities afforded, and which would not have been established but for the ferry there, are to be deprived of the advantages they have hitherto enjoyed. I think that is very unfair, and, if the railway accommodation is not kept up in an efficient state, it will very likely have the effect of shutting down those manufactures altogether which have been so fostered by the National Policy and by these railway facilities. I have no doubt that, if the Oxford and New Glasgow Branch were built, it would serve all the purposes of this short line. It would be more convenient for the eastern part of Nova Scotia and would serve Cape Breton, and, if the terminus were made at New Glasgow, the Government have a large piece of land there, so that it would cost them nothing for land on which to erect their works and buildings. I do not wish to be understood as absolutely opposing this Pictou Branch, but I believe that it is not in the interest of the people of eastern Nova Scotia, and that, if the Oxford and New Glasgow Branch were built, it would serve all the purposes said to be gained by this branch for the town of Pictou, and not only that but would serve the counties of Cumberland, Colchester and Pictou, and all the eastern portion of Nova Scotia as well.

Mr. TUPPER. I am sorry that the discussion has become rather local in its character, but, after the charges which the hon. gentleman has made against me, I think it is only due to myself to say a word or two in reply. First, as to the secrecy with which he says this was agitated in the county. If the hon. gentleman could see the petitions which are on file, and he must know the names which are appended to them, he would have to admit that he was mistaken in thinking that anything was secretly done or was done in an underhand way.

Mr. KIRK. In the first petition?

Mr. TUPPER. In the first petitions from the county of Pictou, if he saw the names, I am sure that he would at once withdraw the charge that there was anything done in

connection with the matter, as far as they were concerned, in an underhand or secret manner. Further, he must be aware, for he seems to have read the Pictou papers, that, as he might learn from the press on both sides of politics, committee after committee was formed in the town of Pictou to press upon the Government the importance of this as a public work, and that members who act in concert with him in the Province of Nova Scotia, members of the Grit party, joined with members of the Conservative party, to bring the necessity of this work under the notice of the Government.

Mr. KIRK. Since the vote was taken?

Mr. TUPPER. No, but a year ago; and that articles were written on that subject in the papers there. I am meeting the charge of secrecy, the charge that we approached the Government in an underhand fashion, and not in a proper and regular manner; and I say that the reports of these committees, which were published in the press in the county, would show my hon. friend that he has been misinformed in regard to the matter. I do not see why he should bring in the question of any personal interests of mine in connection with this road, when he says that the county is petitioning against it. How can it be possible that I am furthering my political interests in urging the Government to construct a public work against which my constituents are petitioning. That is one of those things no fellow can understand.

Mr. LISTER. It is a job.

Mr. TUPPER. On whose part? It is a question where the jobbery comes in. One other point. The hon. member for Guysboro' (Mr. Kirk), who tackled this short line question the other day, and whom I then answered, again gives utterance to the strong feeling he has that this action is hostile to the prosecution of a much larger and, as far as the Province is concerned, more important work. I think it is unfair to press that view without adducing some reasons for it. I gave him a reason, which should have been satisfactory, in the absence of any to the contrary, to show that this was a portion of that work. It was not parallel to any portion of the short line scheme, so called, in Nova Scotia. It is a branch of the short line. It was not contemplated that the short line should run through the town of Pictou, but that there should be branches to Pictou, River John and other places, and I do not see how the building of this portion of the line is to threaten the completion of the other portions. Because the Government builds this in connection with the Intercolonial Railway system and calls it part of the Intercolonial Railway, that is surely no reason why a private company should not go on with the rest of the work, when no part of the subsidy is withdrawn from the rest of the work; and I tell the hon. gentleman, if it is any satisfaction to him, that I fully recognise the importance of the short line scheme as a whole. In a political sense, it would be ridiculous for me to take any position hostile to that scheme, because the people of that county, as well as the people of Cape Breton, attach a great deal of importance to the completion of that road, and it is to my own political interest to press on the completion of that work which has been so largely subsidised. The people of both parties there, and in Cape Breton, are doing their utmost to have that completed at an early day. So I have met for the second time the charge of my ardor being cooled in the slightest degree, and as the hon. gentleman insists upon repeating the statement that this road was started in my political interest, I again give it a flat denial, because the dates corroborate my statement.

Mr. KIRK. The dates suit first-rate.

Mr. TUPPER. I venture to say that the hon. gentleman cannot give the date when the subsidy for the Short Line

was voted and the date of the general election, because if he could he would not venture to repeat the statement.

Mr. McMULLEN. I am not acquainted with all the facts connected with this line, but it seems to me that the matter bears all the ghastly shadows of a job. The responsibility of carrying it through the committee appears to fall upon the hon. member from Pictou (Mr. Tupper), and he has been able to secure the assistance of the Minister of Railways and of the Government possibly to assist his own interests, and he has undertaken to engineer the whole thing before a committee of this House. We know that the construction of the Intercolonial Railway has swallowed up a vast amount of the money of this Dominion, and that we are now paying \$1,600,000 interest upon it.

Sir RICHARD CARTWRIGHT. Nearly two millions and a half.

Mr. McMULLEN. Very nearly two millions and a half of interest, my hon. friend in front says, we are paying on money which has been sunk in the Intercolonial Railway.

Mr. TUPPER. Can you give us the figures on the canals?

Mr. McMULLEN. In place of adding to that sum, I think we should cut off all additional improvements which are likely to add to it. I was rather surprised to hear the Minister of Railways state that \$300,000 would be enough to complete the road, but, even supposing that that completes the line, the interest would be \$12,000, at 4 per cent. I would like to know where the Minister of Railways is going to get the money for operating the line afterwards. He says the ferry costs \$13,000 a year to work it. He has not stated whether that also covers the cost of running the short line of railway which is now built and running in connection with the ferry.

Mr. POPE. It pays \$40,000 more.

Mr. TUPPER. What short line does the hon. gentleman refer to as now built? There is none built.

Mr. LISTER. It is Mr. Pope's road.

Mr. McMULLEN. The line to Pictou Landing is now built.

Mr. TUPPER. That is not the short line.

Mr. DAVIES. It is eight miles against eighteen.

Mr. TUPPER. It is the shorter line.

Mr. McMULLEN. The Minister of Railways stated that it cost \$13,000 a year to run this ferry, and the sum necessary to build this line would not be any more, that the one sum would be about equal to the other. I asked him what it would cost.

Mr. POPE. Is it going to earn nothing?

Mr. McMULLEN. We are earning all now that we would if the road was built to-morrow. We are getting all the trade of Pictou that you will get. This shows that it is not because you anticipate any increased trade that you are building this line, but possibly because it may be an advantage to the hon. gentleman who happens to sit for the county of Pictou. It may be in his interest that it is thought best to undertake the construction of this road, so that it may give him a seat in Parliament for many years to come. Now, I say it is an outrageous thing that the means of the people of this country are going to be frittered away in this kind of style, in order to provide a seat for a man that wants to be a perpetual representative in this House. We have had an experience of this kind of thing in the past, and it is going, evidently, to be continued just as long as they find that it is going to be an advantage to any man and help to keep him here by purchasing his seat in Parliament for him by means of the people's money. He says the

county is going to give the right of way. Why, Sir, in our section of the country, our people have not only to give the right of way, but they have got to go to work and vote five or six, or, in some cases, seven thousand dollars a mile to build the road. I wonder why the people of that county, if they are so anxious for the construction of this road, do not ask the Dominion to provide all the money. Why does not the county go to work and pass a by-law to contribute \$4,000 or \$5,000 a mile towards its construction? We were told by the gentleman who preceded me that they were going to have a very expensive bridge built on this line, to cost \$25,000. If it was a plain line, and the cost was not likely to be very excessive, and there was a considerable amount of trade to be got after it is built, it might, possibly, be an inducement to build the road, because it is trade that we want down there. If there is anything in the world that is going to keep the Intercolonial Railway alive, it is trade. But we are not going to gain any more trade by this road than we had before. The hon. gentleman who preceded me says that there are important manufactories on that branch which is now in operation, which will be seriously affected if that branch is closed up. How are they going to be able to satisfy those people who have been accommodated by that branch? If they are now going to shut down the ferry, how are they going to get the goods out? Are they going to run all the way around the county with the proposed new branch? Now, it is a well-known fact that short lines of this kind, I care not what amount of trade they do, are always a source of loss to any railway, I care not what railway owns them. No short branch of eighteen or twenty miles can possibly pay. They are undoubtedly a loss; they are financial blood-suckers attached to any line, I care not what line has them. I say that if you take the history of the Grand Trunk to-day, you will find that they have not one single branch of eighteen or twenty miles that they would not be glad to get rid of, I care not what trade they have in connection with them. It is the same in connection with that branch. I hold that unless you can show that an enormous volume of trade is going to be brought to the Intercolonial Railway by the construction of that line, it will be a positive loss to the country to build it. I would like to know where we are going to end the money that is being invested in the Intercolonial Railway. Years ago it was said that we had some twenty-eight millions sunk in it; now we have got nearly forty millions. The Minister of Railways is adding about a million a year to it, and I suppose he means to charge it to capital account. Well, Sir, I do not know where that capital account is going to end. I think it is about time it was closed. I suppose the building of this branch will be put to capital account also. Now, I hold that it is unfair—I say it is unreasonable and unjust—to the people of this Dominion, that the people of the Province of Ontario, who have to go to work and subscribe bonuses from counties, townships and towns, to build their own roads, that towns in the Province of Nova Scotia can get their roads built at the public expense. Here you have the town of Pictou with 2,500 inhabitants—

Mr. TUPPER. Three thousand.

Mr. McMULLEN. Well, supposing there are three thousand. They have got one road already, they have got a ferry of two miles, and they appear to be satisfied with that. There appears to be a difference of opinion with regard to the length of that ferry; perhaps, when we find out its real length we will be able to judge whether the Minister of Railways was correct in his statement that it cost \$13,000 a year to operate it. I think we should have laid before this House a full survey of that road, with detailed specifications, and an estimate of the Government engineer what it is going to cost, before we vote a dollar for it. We know

Mr. McMULLEN.

what our experience has been in the past in building roads. First, the Government come along and get a small grant; afterwards it is found that they require some more, and difficulties arise about the line and then we have to go on and finish it. What has been our experience already in regard to these branch lines? Last year we voted \$250,000, and now we are asked for \$50,000 more, and the probability is that next year the Minister of Railways will come down and ask us for a further grant. Before we proceed at all in this work we should have a detailed estimate of what it is going to cost. It appears there is nothing done yet; I do not know whether there is even a survey made. It is now stated that this road is going to be eighteen miles long, and, judging from our experience with the Intercolonial Railway, I should not be at all surprised to find, when this road is finished, that it will be twenty-five miles long, because, in all probability, they will find it necessary, in order to please some particular part of the constituency, to take a roundabout route, and to make a considerable bend in order to meet the views of some parties who will be anxious to have accommodation at their own doors. When the Intercolonial Railway was projected we were told it was not going to be anything like the length to which it finally attained. Now, the hon. gentleman who has just sat down has spoken about my hon. friend being one of the flies on the wheel. That appears to be a favorite epithet which the hon. gentleman uses when anything of this kind comes up that we find fault with. Permit me to tell him that I would a thousand times rather follow men who could even be charged with being nothing more than flies on the wheel, than to follow men who are trying to suck the life's blood out of the people of this country. Look at the increase of our indebtedness every year—a million a month, twelve millions a year. Then, what are you going to do with that twelve miles of road attached to that ferry? It is to remain there, I suppose, as a spectacle of a rejected road. Now, I hold that it is extremely unfair and improper to ask this House to consent to this kind of thing. I hope that before this question is disposed of, every member of this House who is interested in the general curtailment of all expenses, will give an expression of his views.

Mr. DAVIES. I did not quite understand the statement of the Minister of Railways until I heard it repeated by the hon. member for Pictou (Mr. Tupper), or I would have alluded to it previously. I look upon it as a rather serious statement, not only for the people of Pictou, but for Prince Edward Island—the statement that one of the inducements which led to this demand for spending this half million of money, was that they would get clear of the ferry which now costs \$13,000 a year. The hon. Minister knows well that the only deep water is in Pictou Landing, where boats run to and from Prince Edward Island now, and he knows that the whole trade between Prince Edward Island and Pictou now carried on, is carried from that landing by means of the ferry, and if he does away with that, he destroys all the connection there is between Pictou town and Prince Edward Island. He does more than that; all the trade from New Glasgow, and from the Eastern Branch Railway, which now goes to Pictou, will have to go round those eighteen miles of road instead of going over the eight miles which is there now. After the examination of a sketch which I had not in my hand when I first spoke, I repeat the statement I made then, that the eighteen miles additional road which this Government is going to build, will be in direct competition with the existing eight miles the Intercolonial Railway has there now. I desire to ask the Minister some questions. Does the hon. gentleman propose to do away with that ferry? If so, he is going to inflict very serious injury on Pictou and the

trade between that point and Prince Edward Island. He is going to injure New Glasgow. Has the hon. gentleman made any arrangements with the Acadian Coal Company for the purchase of that part of their road which he intends to buy from them in connection with these eighteen miles of railway? Has he made any arrangements with the Nova Scotia Coal Company for the purchase of a portion of their line? If so, does the hon. gentleman know what he is going to pay for it?

Mr. POPE. Yes.

Mr. DAVIES. If so, perhaps the hon. gentleman might inform the House. I have been informed on pretty good authority, although I will not vouch for the accuracy of the statement, that an arrangement has not been made with the road.

Mr. POPE. It has.

Mr. DAVIES. If so, perhaps the hon. gentleman will have the kindness to favor the House with a statement of the facts. With respect to the statement that the county of Pictou has given the road bed, that is only partially true. The Government purchased from the Acadian Coal Company part of their line and will pay for the road bed. They next purchased a portion of the road belonging to the Nova Scotia Coal Company and paid for the road bed; and it is only when they will come to the Middle River that the road bed is granted by the county. Two bridges will be necessary; that over West River costing over \$150,000. It must be obvious that further information is necessary in order to obtain a full acquaintance of the facts. The Minister should consent to the reference of the Bill to the Railway Committee where the details can be fairly and quietly discussed instead of across the floor of the House. When the people discover that this scheme means the discontinuance of the Pictou ferry, which is operated at an annual cost of \$13,000 and which also enables Pictou to trade with Prince Edward Island, there will not be so much enthusiasm as the hon. gentleman pretends to say exists.

Mr. TUPPER. The people knew that the ferry was to be abolished in August last—that is the Intercolonial ferry. Another ferry will be substituted in its place, and the necessary steps will be taken to secure ferry accommodation between Pictou Landing and the town of Pictou, so that the island people will suffer under no disadvantage.

Mr. DAVIES. The ordinary sail boat—not a ferry kept up at a cost of \$13,000 a year.

Mr. TUPPER. An efficient ferry.

Mr. DAVIES. It is a matter of importance for the traffic between Pictou and Prince Edward Island that there should be ready means of access not only by the railway but by the ferry.

Mr. TUPPER. They will supply that.

Mr. DAVIES. The Government should be compelled to maintain the ferry, and pay \$13,000 a year for that purpose. Before the committee is asked to pass this Bill the Minister, in common courtesy, if from no other motive, should place hon. members in possession of the necessary information, which so far he has refused to furnish.

Mr. McDUGALD. Hon. members opposite declare they are not opposed to the present measure, but they are taking a very strange course to show their sympathy with it. I am not surprised at the position of the hon. member for Guysboro' (Mr. Kirk), who supported a Government which never built any railways except in the western portion of the country, excluding the Intercolonial Railway.

Mr. KIRK. What about the Eastern Extension?

Mr. McDUGALD. I must correct the statement of the hon. member for Queen's, P.E.I. (Mr. Davies)—and he

should be the last member of the House to oppose railway construction in Nova Scotia, seeing that Prince Edward Island is supplied with a system of railways, the equal of which cannot be found in any other part of the Dominion in proportion to the population. The hon. gentleman made a statement that the trade of the Island would be injured, because the water on the Pictou side was not sufficient to afford the necessary accommodation to vessels, and that the depth of water necessary could only be obtained at Pictou Landing. I must controvert that statement, because it is contrary to the facts. The water on the Pictou side of the harbor is quite as deep as that at Pictou Landing, and it is a better place for building wharves and more suitable in every respect. Any person who has given attention to the question must know that if people coming from Prince Edward Island could be landed at Pictou it would be preferable to their being landed at Pictou Landing, where there is no accommodation for passengers except such shelter as they can secure in the station house. The hon. member for Guysboro' stated that he understood more than half the electors of Pictou county were opposed to the building of this railway. He should feel very well satisfied if that were true; but, unfortunately for him and his party, it is not true. It is quite true that a petition representing 1,300 ratepayers out of 7,000 was sent to this House opposing some portions of the condition of the grant; but some of those electors have written me desiring their names to be withdrawn from the petition and stating that they did not understand the facts. Those petitions were sent out by the leading Grit wirepullers in East Pictou, and after the most strenuous efforts only 1,300 names were procured in opposition to the line. As to the road being approved by the county of Pictou, no better evidence can be adduced than the action of the county council, after all the facts were known, in granting a free roadbed for the railway, which was to be a condition precedent to its being built. All the facts were known and the question was discussed at the county council, and the leaders of the opposition party in the eastern part of Pictou County used all their exertions to defeat the scheme with the view of throwing obstacles in the way of the representatives of the county respecting a work which I feel satisfied to-day has the confidence of nine-tenths of the people of the county, outside of certain local issues. Their action, moreover, was confirmed by that of the Local Legislature. The hon. gentleman's friends had a majority in the House of Assembly and the Legislative Council, but the measure was passed. It is idle, therefore, to say that the work is not one which has the confidence of the county of Pictou. Hon. members from Ontario, are quite willing to see very large expenditures on canals and their enlargement, all charged to capital account, but if any extension of the railway lines in the Maritime Provinces is proposed they oppose such a proposition. At the same time, we know that the deficit on the canals is much greater than on the Intercolonial Railway. Besides there is a continual demand from the people of the west to reduce the tolls on the canals, and make them free. Intercolonial Railway branches have been built in other parts of the country involving a great deal more money than is involved in this branch, without opposition being raised in this House, and some of them will not carry a tithe of the traffic which will be carried on this road. The member for Wellington (Mr. McMullen) was unable to see how this could be a paying portion of the Intercolonial Railway, but it never entered into his consideration that there would be a considerable way traffic. As to the rates for coal on the Pictou Branch, it never was contended that the local rates were low; in fact, it is the coal rates of Nova Scotia that make the Pictou road pay a surplus amounting to \$40,000. On this road there will be a considerable way traffic besides the traffic it will get at Pictou. It is an illusion to say that Pictou has railway communica-

tion at the present time. It would be just as true as to say that Quebec had railway communication because the railway touches at Point Lévis, for in the winter season it is impossible to have such railway communication connecting them with the railway system of this continent. Under all the circumstances, I do not think this is a project which should have met with the opposition it has received. The hon. gentleman has referred to some large factories existing near New Glasgow as a reason why his view should be adopted, but if that traffic to which he refers is so great as he represented, surely it would be a greater inducement to the Intercolonial Railway to have that line and keep it in operation.

Mr. KIRK. The hon. gentleman says that I supported a Government for five years that never did anything toward extending the railways of Nova Scotia to the east. I differ from the hon. gentleman altogether. During the five years of the Mackenzie Government there were more railways built in the Province of Nova Scotia than there had been in the thirteen years that the hon. gentleman's friends have held office in this House. I say this result was achieved by the influence and the support of the Mackenzie Government and their friends, and that they did more to advance railway construction in eastern Nova Scotia, and in all Nova Scotia, than was done during the thirteen years that the Conservative party were in power in this House. What roads have his friends built in the Province of Nova Scotia since Confederation? There is one running a few miles from Halifax terminus to Dartmouth, and there is not another solitary road that they built since Confederation, whilst the Mackenzie Government built eighty miles, from New Glasgow to the Strait of Canso and to Cape Breton, they extended the railway from the terminus at Richmond to the deep water terminus at Halifax, and they made arrangements for building the railway to Yarmouth. Under these circumstances, it ill becomes the hon. gentleman to say that I supported a Government that did nothing in building railways in Nova Scotia.

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

After Recess.

CANADA ATLANTIC RAILWAY COMPANY.

House again resolved itself into Committee on Bill (No 43) to amend the Act incorporating the Canada Atlantic Railway Company.—(Mr. Mackintosh.)

Mr. HAGGART. As the time had nearly expired the other evening for the consideration of this Bill, and as I wish to put before Parliament the position of the gentlemen in whose interest the last clause is being added to the Bill, I take this opportunity of explaining as well as I can the reasons why I think that clause should be added to the Bill. Two contractors, named Stanton & Balch, entered into contracts with two railway companies, one the Coteau Landing Company, and the other the Montreal and Ottawa Railway Company. Under that contract they were to have the stock and bonds for the building of the road from Ottawa to Coteau Landing, and the road was to be built as fast as the money could be realised from the bonds and stock. A mortgage was to be executed to secure the issue of the bonds. The work was not to be commenced until the mortgage deed was executed and the bonds were issued, and as soon as the money could be realised from the bonds and the stock they were to proceed to build the road. Afterwards, by an agreement between the two companies, they decided upon amalgamating—Stanton & Balch, the contractors, and the other two companies agreeing to the deed of amalgamation. The deed of amalgamation was made, and the new company was to be promoted and the charter procured by Stanton & Balch. Further contracts supplementary to the other two

Mr. McDOUGALD.

contracts, were entered into with this amalgamated company. The conditions agreed to in the other contracts were to be fully carried out by the amalgamated company. The company was to issue bonds and stock to the contractors for the building of the road, and out of the proceeds of these bonds and stock, they were to proceed to build the road. A mortgage deed was to be given as security for these bonds. Stanton & Balch carried out their part of the agreement and they caused an Act to be promoted before this Parliament in 1879. Every hon. member knows the difficulty they had in getting that Act through the railway committee. There were several very powerful bodies opposed to the building of the road. The Government opposed the scheme of building a bridge across the St. Lawrence, but after a good deal of trouble and fighting, they got their Bill through the committee, through this House, and through Senate. This took up considerable time from the spring of the year 1879, through the rest of that year. The Government reserved to themselves the right, before the Act should come into force, of approving of the scheme of the bridge. It took nearly a year after the amalgamated company was formed, and after they got their charter, to get the consent of the Government to their scheme of the bridge. Immediately after the company obtained the consent of the Government to that scheme, the contractors proffered to the company a mortgage deed to secure the issue of bonds and stock for the building of the road. The House will remember that the road was to be built entirely out of the bonds and stock of the amalgamated company, and was only to be built by these contractors, whose bonds and stock should be issued. The company took objection to the mortgage deed which was proffered to them, and refused to enter into the contract with Messrs. Stanton & Balch, who claimed that they were entitled to such a contract, and that it was precedent to any other work that they would be called on to execute. They could not go on and fulfil the contract or do any work on the road, because the money to be obtained from the sale of the stock and bonds which were to be issued on the giving of the statutory deed, was the only means they could obtain for building the road. The company refused to perform their part of the contract, and consequently these parties were unable to go on and build the road. The company afterwards entered into a contract with some other persons in violation of this contract with Messrs. Stanton & Balch, which was confirmed by this House and is recited in the Act of Parliament of 1879. They accordingly tried to amicably adjust affairs between themselves and the company, and found it impossible to do so. Then they entered an action against the company in the city of Montreal, obtain damages for the non-fulfilment of their contract. That action is still pending in the courts, and is at present undecided. At this time perhaps I may make a few remarks on the position assumed by the hon. member for Grenville (Mr. Shanly). He stated that the decision of the courts was adverse to these parties who are asking for this amendment. It was not adverse at all. As part of their proceedings, they got an injunction against the company to restrain them from the sale or disposal of those bonds, and it was decided both by the Court of Review and the Court of Appeal, I think, that a writ of injunction should not issue at that stage of the proceedings, as the contractors had a remedy by action for damages. Every lawyer in the House will understand that there is no judgment standing against the parties who are asking this House simply to protect them in rights to which they were guaranteed by the Act of 1879. Under the deed of amalgamation the company had a right to issue bonds to the extent of \$15,000 a mile and \$1,000,000 besides. Under this Bill they take the power to issue bonds to the extent of \$25,000 a mile and \$1,200,000, I think, besides. You will see at once what position the parties who have a claim against the road will be

placed in. Their security may be a perfectly good one against a company which has the road bonded for only \$15,000 a mile and \$1,000,000; but there may be no security for them against a road which is bonded to the extent of \$25,000 a mile and \$1,200,000. Now, I wish to state positively that this contract is recited in the Act of Parliament passed by this House in 1879; so that these gentlemen state that they have a statutory right confirmed by this Parliament; and by the Act which is now introduced they will be entirely cut out of their claim. The promoters of this Bill have not stated why they wish the bonds increased from \$15,000 to \$25,000 per mile; the question was asked them in the Railway Committee, and it received no answer. Now, look at the position in which it is proposed to place any creditor on the road. Instead of paying his claim, or allowing the courts to decide it, they come to this House, and simply by getting a Bill passed here, allowing them to issue a large amount of bonds to be secured prior to their claim, they may leave the creditor's claim entirely useless and out of the question. The parties seeking for legislation in this case, have no objection to the Bill, all they want is to be protected in their own rights; all they want is to be guaranteed that the claim they are pressing before the courts is placed in no worse position by this Bill than it was in before. As for myself personally, I know the parties interested in this road; I know that they are men of large public spirit and enterprise—men who, at a great expense to themselves, and without any hope of pecuniary benefit, advanced large sums for the purpose of furthering the interests of this city and the development of this section of country. I know that any legislation which it is possible to give them in this House, ought to be given for the purpose of assisting them. They may have had some embarrassment from the course they took, and I think the legislation of this House might relieve them from that embarrassment in view of the work which they undertook, so much to the benefit of this section of the country. I think an amendment could be framed which would protect the rights of these contractors, and, at the same time, meet the wishes of the company. All these parties wish is to be protected in their claim, which they believe to be an honest one, for a large sum of money. In introducing this amendment, at the request of Mr. Ferguson, their solicitor, and an old friend of mine, who asked me as a member, whom he knew, to bring it before the House. Now, I think the House should give them justice by simply saying that they shall be protected in the claim they have against the company. That is the object I have in introducing this amendment, and I think the committee, looking at the whole subject, will see the justice of the clause I propose to be inserted.

Mr. MACKINTOSH. My hon. friend from South Lanark (Mr. Haggart) is perfectly correct when he states that the gentlemen at the head of this enterprise have conferred a great benefit upon the city of Ottawa, as well as to the large district lying to the south. The hon. gentleman says that no reason whatever has been given for the demand to increase the bonds of the company \$10,000 a mile. I would explain to the committee that the increase is necessary because the road is one of the best built in Canada, and one of the fastest roads in the country. Since the company got the charter and the contractors commenced their work, the road has been continued from the St. Lawrence, and it proceeds from Valleyfield to Rouse's Point. The company has thus been at immense expense in carrying out and completing the work. Every practical man knows that the expenditure of \$15,000 a mile on a road of this character is not excessive, and every one can well imagine that three or four prominent men in Ottawa, as well as gentlemen in Vermont and other places, who are interested in that road, found it necessary to become largely involved—some of them to the

extent of all their means—in order to complete the work. The money has been found, but the bonds are necessary to recoup the expenditure. One of the objections made to the passage of the Bill in its present form is that the original contractors from whom the contract was taken expended money. I submit that where a contractor undertakes to construct a work and gives security for its construction, but fails to carry out his contract, this House has nothing to do with the matter, and should extend no sympathy to the contractor, because he jeopardised the proceeds put up as an experimental outlay. My hon. friend has spoken of trustees being appointed. I beg to inform the House that the trustees asked for by Stanton & Balch, under their contract with the former company, were themselves. They asked that they should be appointed trustees to manage the bonds of the road; they offered no other trustee, and simply replied to the company's demand by saying that they offered their own names as the men to whom the control of the issue of the bonds, and the management of the bonds, should be given. The delay in going on with the contract jeopardised bonuses, not only of the municipalities, but also the bonus which the Ontario Government agreed to give the Canada Atlantic. Parliament is asked to establish the precedent, that where outside claimants make demands upon the applicants for legislation, although no court of law yet has vested them with any right, Parliament shall declare it a vested right, and that the vested rights shall thus incommode the issue of the bonds, and possibly ruin the company, simply because outsiders come in and say they have a claim. No court of law has yet recognised their claim, and we, as a Parliament, have nothing whatever to do with the undecided legal disputes of the claimants. We are asked to believe further that the increase of the bonds to \$25,000 a mile will jeopardise the claims of these parties. I ask this House whether any practical business man would not prefer holding a claim against a completed road with a bonded debt of \$25,000 a mile, rather than a claim against an uncompleted road with a bonded debt of \$15,000 a mile. I wish to be as brief as possible, as the promoters of the bill are desirous to have the question settled forthwith. I simply submit that the claimants and petitioners in this case have been proceeding before courts of law for nearly three years, and if this House deems it advisable to insert a clause in the Bill, such as this and which reads:

Nothing in this Act contained shall be so construed as to alter or affect any of the rights of Stanton & Balch, under the Act 42 Vic., chap. 57—

this House will simply place an obstacle in the way of floating the bonds, and put into the hands of gentlemen outside, who are pushing a claim which they call a vested right, but a right of which they divested themselves years ago, the power to retard the progress of the company, prevent the issue of the bonds, and by simply keeping their suit in the courts of Quebec three years more until that suit is decided, preventing the company from making any progress and forcing them to abandon a portion of the work or suffer great pecuniary losses. It would be an injustice to the promoters of the Bill, men of large public spirit, who have put their means into a great enterprise, to hamper them in the carrying out of that enterprise by inserting any such clause as that which the hon. member for South Lanark (Mr. Haggart) proposes. I submit therefore that the Bill should pass in its entirety as sent from the Railway Committee.

Mr. MILLS. I agree with the views expressed by the last speaker. I think that while we ought not to legislate in any way that will interfere with the private rights of any particular party, we ought to take care at the same time that in seeking to protect one party we do not injure another. It is extremely doubtful whether the parties, whose

interest it is sought to protect by the proposed amendment, have really any valid claim at all against the company. If they have, they have not shown due diligence in its pursuit; and if we were to carry the amendment the only effect would be to enable the parties to force the company into an unfair settlement, in order to get rid of impediments in the way of selling their bonds. The effect of this would be to enable parties, who have no good claim, to enforce blackmail, it would enable them to enforce pretensions in consequence of an Act of Parliament, they could not enforce in the courts of law. When we look to the terms of the Act itself, I do not think the amendment proposed by the hon. member for South Lanark (Mr. Haggart) would give to the parties, whose interests he seeks to protect, any greater protection than this Bill would give. The Bill declares that the proposed issue of bonds shall be a first charge and lien on the whole railway, bridges, rolling stock, and so on. If it be thought well to declare that any rights these parties may have shall not be prejudiced, these bonds issued would still be the first charge on the road, rolling stock, &c., and the only effect would be to interfere with the marketable value of the bonds. That being the case, we ought not to support the amendment, but carry the bill as it is. These parties will not have their rights impaired, if they have any; but the negligence they have shown in enforcing their claim would seem to indicate that they have not very great confidence in it.

Amendment negatived and Bill reported.

Mr. SPEAKER. Shall the Bill be read the third time?

Mr. HAGGART. I object; let it wait another stage.

Mr. SPEAKER. This is not a different stage.

Mr. HAGGART. If it can, it may.

Bill read the third time.

PICTOU BANK BILL.

House resolved itself into Committee on Bill (No. 50) respecting the Pictou Bank.—(Mr. Tupper.)

(In the Committee.)

Mr. TUPPER. I think it is only right to state in regard to a despatch or a rumor which appeared in the press in reference to this bank that a portion of the rumor was incorrect. There was a report in one of the Montreal papers, I think, to this effect:

"A despatch from Pictou says James Kitchen has assigned. He was a director of the Pictou Bank, and the largest shipowner in Pictou county. He is said to owe the Pictou Bank \$70,000. His other liabilities are \$30,000. Heavy losses by disaster to his shipping caused the failure."

That statement coming after the examination by the sub-Committee of the Banking and Commerce Committee makes it necessary for me to say that Mr. Kitchen was formerly a director of the Pictou Bank but is not now a director. I am advised that the bank is secured against loss by reason of this failure and that the position of the bank will not be impaired by this misfortune.

Bill read the third time.

IN COMMITTEE—THIRD READINGS.

Bill (No. 26) to incorporate the Tecumseh Insurance Company of Canada.—(Mr. Macmillan, Middlesex.)

Bill (No. 51) to amend the Act incorporating the Nova Scotia Steamship Company, limited.—(Mr. Kinney.)

Bill (No. 14) to reduce the Capital Stock of the Bank of New Brunswick.—(Mr. Weldon.)

Bill No. 35) to amend the Act to incorporate the Lake Nipissing and James' Bay Railway Company.—(Mr. Sutherland, Oxford.)

Mr. MILLS.

Bill (No. 27) to amend the Act to incorporate the West Ontario Pacific Railway Company.—(Mr. Macmillan, Middlesex.)

Bill (No. 45) respecting the Dominion Lands Colonisation Company, limited.—(Mr. Beatty.)

Bill (No. 33) to incorporate the Shuswap and Okanagan Railway Company.—(Mr. Homer.)

SECOND READINGS.

Bill (No. 78) to amend the Act to incorporate the Guelph Junction Railway Company.—(Mr. Innes.)

Bill (No. 79) respecting the Napanee, Tamworth and Quebec Railway Company.—(Mr. White, Hastings.)

Bill (No. 81) to incorporate the Lennox Passage Bridge Company.—(Mr. Paint.)

Bill (No. 83) to amend the Act incorporating the Board of Trade of the City of Ottawa.—(Mr. Mackintosh.)

Bill (No. 85) to amend the several Acts relating to the Board of Trade of the City of Toronto (from the Senate).—(Mr. Beatty.)

INTERCOLONIAL RAILWAY—STELLARTON AND PICTOU EXTENSION.

House again resolved itself into committee on Bill (No. 57) respecting the extension of the Intercolonial Railway from a point at or near Stellarton to the town of Pictou.—(Mr. Pope.)

Sir RICHARD CARTWRIGHT. I was at first disposed to think that this Bill should have gone before the Railway Committee, but I am now rather disposed to alter my mind and to think that it was an advantage that it should be discussed in the full House. Useful information is always desirable and we have been trying for some time to get a correct idea of the worth of a gentleman from Nova Scotia. This Bill, it appears to me, will give us some valuable information as to what it cost to return a supporter of the Government to this House from the Province of Nova Scotia. Judging from present appearances, you have first of all to give them a railway for the benefit of themselves and their constituents at a cost of nearly \$400,000, then you have to promise them an extra railway which, certainly will cost \$300,000 and perhaps, for anything I know, \$500,000. Now, I am bound to say, speaking for my own Province, we do not appear to be able to do so well on either side of the House. I do not think any member from Ontario has succeeded in obtaining such subsidies as these for himself, as these hon. gentlemen seem to have no difficulty in procuring—

An hon. MEMBER. Timber limits.

Sir RICHARD CARTWRIGHT. That depends. Sometimes timber limits are very good; but, then again, as the hon. member for Hastings has found out, they do not result so profitably. But there is no discount, I fancy, on railways of this description. The member gains something, and the constituency gains something, and as the hon. gentleman, who seemed to be chiefly interested in this Bill mentioned, that was the way to get seats in Nova Scotia. I am very glad to see that the hon. gentleman is so apt and promising a pupil; he promises to develop into a very good constitutional lawyer. Well, we have had some experience of what constitutional lawyers cost, and when the Supplementary Estimates come down, we will know more about the cost of the gentleman, for instance, who said that the Crooks Act was not worth the paper that it was written upon. In this particular case, the hon. member for Pictou was good enough to tell us that the responsibility for these things rested on the Opposition. Well, that is somewhat novel doctrine.

I have hitherto been under the impression that the Government are responsible for every act dealing with the public money, which they choose to bring down to the House, and in order that the House may know the way in which hon. gentlemen treat their responsibility, I would call your attention for one moment to the information afforded to us by the Minister of Railways, when this and nineteen other subsidies were ordered on the 17th July last, twenty-four hours before the House rose, and when three-fourths of the members had left for their home :

" Mr. POPE moved that the House resolve itself into committee to consider certain proposed resolutions to authorise the granting the subsidies herein mentioned, to and for the parties, railways and railway companies mentioned."

Now, Sir, what could any hon. gentleman say more? What more could any hon. gentleman expect from the Government, with a majority at its back, then the amount of information which the Minister of Railways thought sufficient to give us with respect to some eighteen or nineteen railways involving a grant of a couple of millions of public money? I would not discuss them, and I stated the reason why, and I take the liberty of reading to the House what I said on that occasion. I said :

" It would be perfectly idle to oppose the intention of the Government to put these resolutions through; but at the same time, although I am not going to oppose them, I wish to say, as a matter of course, not only must they be passed wholly and entirely on the responsibility of the Government, but I desire to renew a protest I made last night against the introduction of measures of this kind at the present stage of the Session. These various grants which are proposed may be good or may be bad. They may open up very valuable districts; they may give important commercial facilities to important classes of the community; or they may be of precisely an opposite character. They may be roads which are of no real value to any one but a few interested parties; they may be roads which run through districts, which will not repay the expenditure; they may involve this country in heavily-increased expenditure. We cannot tell; we do not know; we possess no information."

Now, I say that this is a very pretty sample of the result of passing measures of that kind through the House in the last twenty-four hours of the Session without any information of any kind being laid before the House in order to justify their action, and I say it was specially fit and proper, under such circumstances, that a measure of this kind should have gone to the Railway Committee where it could have been sifted and discussed. The hon. gentleman may be right or he may be wrong in saying that this will cost only \$300,000. We all know perfectly well, after the Government have voted a \$250,000 or \$300,000, that the work must be gone on with, and from experience in these matters, we should say it was just as likely, for all the hon. gentleman knew or cared, it might cost \$500,000 or \$600,000 or \$700,000 as the \$300,000 which he says it will cost. I do not know anything about the value of this road for the particular quarter in which it may be built, but I do say that the granting of these large subsidies to small local railways is utterly vicious and indefensible in principle and in practice. I say it is a readymade mode of corrupting members and corrupting constituencies, and as long as it goes on there is not the slightest wonder that our debt in half a dozen years has piled up by \$108,000,000, and still less wonder that the Intercolonial Railway account on the 30th June, 1885, stood at \$45,000,000 odd, and probably at this present moment is much closer to \$47,000,000 than it was to \$45,000,000. I say that no case whatever has been made out up to the present time for even pretending that these eighteen miles are for the general benefit, and we have no right to take the money of the people of the other Provinces and grant them to one particular Province, unless, indeed, we are going to do the same all round. I warn hon. gentlemen as I warned them before, that the result of this is going to be to excite a very strong feeling indeed in those other constituencies and sections of the country which see their money taken for the benefit of this or that locality. Now, Sir, it appears, that the town of Pictou has already

got a railway to a certain point, that nearly opposite it there is a ferry which cost some \$13,000 a year, or thereabout, for the purpose of facilitating this traffic. The hon. gentleman tells us, but he does not put it in the Bill, he does not produce any binding agreement about it apparently, that this is to be commuted practically for a donation of \$300,000 for the purpose of constructing this railway. Well, we know very well by experience in the great majority of cases when these loose arrangements are made, that it will be discovered after a little space of time that something else in this locality requires that that ferry should be continued, and the end usually is, as I believe it will prove to be in this case, that we will have to spend \$300,000, \$500,000 or \$600,000 for the purpose of constructing these eighteen miles, and we will find ourselves, sooner or later, saddled with the expense of the ferry besides. I have no particular objection to this more than any other road of the sort. What I denounce, and what I have always opposed, is the vicious system of granting subsidies for purely local purposes. As long as that goes on, it will be utterly impossible for any Finance Minister to deal properly with the public finances. He cannot tell what expenditures he may be called upon to make, from one end of Canada to the other. There will be a continual series of demands made on the Government of the day for just such concessions as this. Already in Ontario, as I mentioned before to the Minister of Finance, in a great many localities the people feel, and feel very justly, that they, having contributed out of their own pockets many thousands of dollars per mile to obtain similar facilities, are entitled to be recompensed; and they can see no just or logical answer which the Government will be able to give when they come down and make such applications, if they go on in this mischievous fashion granting subsidies to other parts of the Dominion. One argument used by an hon. gentleman opposite was that Ontario had canals constructed, and therefore should not grumble. I should like to know what benefit Ontario got from the \$45,000,000 of public debt, now nearly \$47,000,000, which went to the Intercolonial Railway account. I do not want to grudge the Intercolonial Railway; it was part of the Confederation resolutions, and so also was the construction of canals. It may be that we would have done wisely not to incorporate one or other in a binding document like the terms of Confederation; but we did so; and looking at the population and the contributions of revenue, take it how you like, the Maritime Provinces have no reason to complain of Ontario canals, when \$47,000,000 of public debt is due to the construction of the Intercolonial Railway.

Mr. HACKETT. I regret very much that there should be any opposition to the passage of this Bill. I cannot see what good reason can be brought forward for opposing it. The hon. gentleman who has just resumed his seat has advanced some arguments. But I cannot see that there is any weight whatever in them. As I understand the matter, this Bill is required to enable the Government to expend an amount of money which was voted at the last Session of Parliament. I can remember that in 1832 a sum of money was voted by this House for the building of a branch railway on Prince Edward Island, called the Cape Traverse Branch. It was found necessary that a Bill should be passed for the purpose of empowering the Government to expend that money; that Bill was passed, I am glad to know that the railway was built, and that although but a branch of the island railway it has proved of immense benefit to the people of that section of the Dominion. Now, we find that after the money was voted last Session for the building of this railway, hon. gentlemen from different parts of this country opposed the passage of a Bill to enable the Government to expend it. It is quite possible that the hon. member for North Wellington (Mr. McMullea) who spoke

this evening, and who I believe acts in the absence of the leader of the Opposition, may feel justified in opposing the construction of this railway; but I cannot understand how hon. gentlemen coming from the Maritime Provinces can oppose it. The hon. gentleman was quite consistent, I have no doubt, in stating that the Intercolonial Railway was built for the purpose of affording great advantages to the people of the Lower Provinces; but he said it was not right that more money should be expended for those people. If the hon. gentleman would study more closely the constitution of this country, he would find that the Intercolonial Railway was guaranteed by the Confederation Act, an Act of the Imperial Parliament, and we have nothing whatever to do with it on this occasion. The hon. gentleman may think that the people of the Lower Provinces are obtaining a great deal of money for the building of railways; but we have frequently heard in the Lower Provinces that the money of this country was spent in the construction of railways in the western portions of the Dominion to the disadvantage of the Eastern Provinces. If the hon. gentleman will look at the facts for a moment, he will see that a very large amount of money for the building of the Canadian Pacific Railway has been expended in the Province of Ontario; he will see that the whole of the money expended for the building of a line of railway from Pembroke, in the Province of Ontario, to Rat Portage, in the same Province, has been supplied by the people of all sections of this country, and has been solely for the advantage of the people of Ontario. The people of the Eastern Provinces have contributed their share to the building of the Canadian Pacific Railway running through the Province of Ontario for some thousand miles, and costing the people of this country some \$12,000,000 or \$15,000,000. The hon. gentleman, therefore, cannot bring forward any strong argument why a somewhat corresponding amount to that should not be expended in the Lower Provinces. Hon. gentlemen coming from those Provinces at all events cannot oppose this measure. We have heard at different meetings held in the Province of Prince Edward Island that the money has all gone westward. The hon. member for Queen's (Mr. Davies), who I regret to see is not in his seat, was one of the loudest in making that statement in that Province. Now, the hon. gentleman comes forward and opposes the expenditure of a small sum of money in the neighboring Province of Nova Scotia, which will be of great advantage to the people of Prince Edward Island, short as this railway may be. We can supply the labor for building it, and the products of the farm required by the people engaged on it, and it would be of great advantage to us in every way to have this money spent there. But the principal argument brought forward by the hon. member for Queen's was that if this railway was built from Pictou town to Stellarton it would be a great inconvenience to the people crossing from the island to the mainland. There is no foundation whatever for that statement. Instead of being a disadvantage, it would be a great advantage to the people of the island. The fact is, people crossing from Georgetown to Pictou are put off at Pictou Landing. If the steamer arrives there late, there is no accommodation there for passengers, and they are obliged to cross to Pictou town and stay there over night or day, as the case may be, until they return to the landing to take the railway east or west. Now, if this railway from the town of Pictou to Stellarton were built, passengers from the island would be landed at the town instead of the landing, and could take the railway at their convenience. Therefore, it would be a great advantage instead of inconvenience to the people of Prince Edward Island if this branch were built. This very winter, people passing to the island and the mainland were obliged on several occasions to utilise the services of the *Northern Light* for the purpose

Mr. HACKETT.

of forcing a passage from Pictou Landing to Pictou town. That boat was used on one or two occasions, when the *Mayflower*, the ferry boat there, was laid up. No obstacle presents itself against landing passengers at the town instead of at the landing, and at the town people take the railway to Stellarton or other points on the Intercolonial Railway. I consider therefore that this road would be a great advantage to the people of Prince Edward Island, not only because this money will be expended in the Maritime Provinces, in opposition to the view taken by hon. gentlemen opposite who are anxious that no money should be expended except in the west, but also from the fact that it will place the people of the island in immediate connection with the Intercolonial Railway. There can be no possible reason why this Bill should not pass, as it is to the general advantage of the Maritime Provinces, and I regret to see hon. gentlemen representing western constituencies, raising objections to it.

Mr. McMULLEN. I would ask the hon. Minister of Railways whether there has been any survey of the proposed line?

Mr. POPE. Yes.

Mr. McMULLEN. Have the quantities been taken out?

Mr. POPE. Yes.

Mr. McMULLEN. Can the hon. gentleman inform us what quantity of earth has been removed?

Mr. POPE. I do not remember, but it is not a heavy road to build.

Mr. McMULLEN. Is there any rock work?

Mr. POPE. Very little indeed.

Mr. McMULLEN. On what basis has the calculation been made that \$300,000 will build the line, and are the bridges included?

Mr. POPE. Yes.

Mr. McMULLEN. What length are those bridges?

Mr. POPE. I do not remember, I really cannot give all these particulars in committee.

Sir RICHARD CARTWRIGHT. That information ought to be given in committee.

Mr. POPE. I can tell the hon. gentleman what will be the cost of the heaviest bridge, for a tender has been submitted to build it for \$40,000 or about that. The whole road will cost about \$300,000.

Mr. KIRK. Does that include the money required to purchase the roads from the coal companies?

Mr. POPE. It includes the actual cost of the roads we are going to purchase. The Nova Scotia Railway has been already purchased for about \$16,000.

Mr. McMULLEN. Does Pictou provide terminal accommodations?

Mr. POPE. They furnish the right of way; we build our own terminal accommodation.

Mr. McMULLEN. Does the town supply the accommodation in the way of land?

Mr. KIRK. The objection to this road is the fact that whilst the Government has provided to build a road from Oxford to New Glasgow, they are, in order to give Pictou further accommodation, going to build another branch from Stellarton to Pictou, which will cost at least \$300,000. This is more than the town of Pictou is deserving of. Some consideration should be given to other portions of the country that have not railway facilities. Pictou has a railway extending to the harbor, within one and a half miles of the town, with a

ferry of about one and a half mile supported by the Government, and with the prospect of building a road from Oxford to New Glasgow, through or near the town of Pictou, which the hon. member (Mr. Tupper) says will be built. Pictou has quite sufficient accommodation for any town. This House is asked to do too much, when it is asked to vote \$300,000 for the purpose of building a line parallel or nearly parallel to the Intercolonial road. What special interest is the town of Pictou to this Dominion that the Government should be so liberal towards it? The hon. member for Pictou (Mr. Tupper) said I did not know what I was talking about when I talked of this line being parallel line, but I have a plan of the road here.

Mr. TUPPER. If the plan shows the line to be parallel it is incorrect. One runs east and the other runs west.

Sir RICHARD CARTWRIGHT. Of course they do; that is how they are parallel.

Mr. TUPPER. The lines start from the same point, but one runs east and the other west.

Mr. KIRK. And they end within a mile and a half of each other.

Mr. THOMPSON (Antigonish). The hon. member for Guysboro' (Mr. Kirk) is talking about one road and the hon. member for Pictou (Mr. Tupper) about another.

Mr. KIRK. I do not think so.

Mr. THOMPSON (Antigonish). The line the hon. member for Pictou (Mr. Tupper) refers to is the Oxford line.

Mr. KIRK. I think not; we understand each other thoroughly. For all practical purposes the lines are running parallel. The hon. gentleman said I did not understand the geography of the country or I would not talk as I did, and he also said with regard to the Oxford Branch that when the subsidy was granted to it he was not a member and had not, perhaps, thought of becoming a member. Well, that grant was voted in 1882. The hon. gentleman then, perhaps, did not think of running for Pictou county, but there was another hon. gentleman here, the Minister of Railways, whom we all know, and who manifested great care for the hon. gentleman in forcing this vote through. The vote was passed in April, 1882, and the elections came off in June; therefore, the hon. gentleman had not much time to think about preparing to be a candidate, if he did not think of it before the vote was passed; and I reiterate the statement, notwithstanding the statement of the hon. gentleman that he never thought of running for Pictou at the time the vote was taken, that it was taken and the contract entered into to secure the seat to the hon. gentleman. Now that the company, so highly recommended as being able to build the road with their own means, have failed to do this, and is now in bankruptcy, according to the hon. gentleman himself, he finds that, in order to enable him to keep his seat and in view of the elections to be run, perhaps, before we meet again, it is necessary to have another vote for the purpose of building the branch from Stellarton to Pictou. If the Oxford Branch is to be built, as the hon. member for Pictou (Mr. Tupper) says it is, I maintain that the House is not doing justice to the other portions of the country in voting the subsidy at all, but I shrewdly suspect that it is not to be built, from the very circumstance which I mentioned the other day, that the Government have refused to give the whole line from Oxford to Louisburg to one company to build, but have divided the line and are willing only to give the subsidy to a company which will extend the line from New Glasgow to Louisburg, and to make two portions of the line. This circumstance leads me to believe that the object is to destroy the Oxford and New Glasgow line altogether. The hon. gentleman stated a while ago that the Opposition

were responsible for the vote taken here last Session, that they should have opposed it then or should have got the information necessary to enable them to vote for it. I do not think the Government were in a position to give any information in regard to this line when the vote was taken. They had no information themselves in regard to it, unless perhaps it was a petition, and I find even now that the Minister of Railways is not prepared to give any information to this committee, and for this reason I believe that this Bill should be submitted to the Railway Committee, which would have the opportunity of examining into any evidence the Government may have to submit in order to show the necessity for this road. I believe there have been petitions presented to the Government for the building of this branch, and petitions against the building of this branch, and there may be other information in their possession. I believe that engineers have been on the line, and it is likely that they have reported in regard to it, and these petitions and this report and the plans they have prepared could be laid before the Committee on Railways, and they would have an opportunity of examining which we have not here, and this committee is asked to vote for this Bill, to go it blind, knowing nothing at all about the merits of the scheme which would enable them to form a correct judgment upon it.

Mr. POPE. With respect to the remarks made by my hon. friend from South Huron (Sir Richard Cartwright) that all this money was being paid to the Lower Provinces and to Quebec, and that Ontario would like some of it, I have just this one thing to say. So far as the subsidies were given last year to any roads, the different Provinces stood in this position. I do not speak of those subsidies that were voted the year before, and were only changed last year, the same amount remaining there, but I speak of those to which money was actually voted last year. In Ontario, \$689,000 was voted for roads; in New Brunswick, \$137,000; in Quebec, \$223,000. There was an appropriation of the year before for the Gatineau road, which was changed last year, but not a dollar was added to it. I say this in order to show the hon. gentleman that he is not so badly used as he seems to think, and to show the hon. gentlemen from Ontario that they had more than the lion's share. I will point out what the roads were to which the subsidies were granted. In New Brunswick, \$118,400 was voted for the New Brunswick and Prince Edward Island Railway. In Quebec, \$72,000 was voted for the Sorel Railway. In Ontario, \$128,000 was voted for the Brockville Railway. In Quebec, \$96,000 was voted for the St. John Railway. In New Brunswick, \$19,200 was voted for the North-Western Railway. In Quebec, \$30,000 was voted for the Montreal and Champlain Junction Railway. In Ontario, \$92,000 was voted for the Thunder Bay Colonisation Railway. In Ontario, \$64,000 was voted for the Central Ontario Railway. In Ontario, \$10,500 was voted for the Belleville Railway. In Quebec, \$25,000 was voted for the Temiscamingue Railway, but half of that would be for Ontario. In Ontario, \$44,800 was voted for the Lake Erie Railway. In Ontario, \$70,000 was voted for the Napanee and Tamworth Railway. The Gatineau Railway vote was one of the year before, and in dollars was not changed at all. There was voted for the Grand Piles and St. Maurice Railway in Quebec \$217,600. This, like the Gatineau, was voted the year before, and cannot be included in last year's vote. In Ontario, for the Atlantic Railway, \$96,000 was voted. And there was voted the year before for the Indiantown and Miramichi Valley Railway, \$140,000. I have not taken the two subsidies which were voted the year before, and not changed last year; but, taking all the subsidies which were voted, we find there were \$639,000 for Ontario, \$223,000 for Quebec, and \$137,000 for New Brunswick, apart from the \$140,000 for the Indiantown

Branch, which was voted the year before; and there was voted for this branch we are now discussing, in Nova Scotia—and it was the only vote for Nova Scotia—\$250,000. I was afraid that my hon. friend was running away with the idea that Ontario was not properly used in this, but I think this must satisfy him that Ontario has got her full share.

Mr. CAMERON (Inverness). I have no desire to prolong this discussion, but, as I have taken considerable interest in the extension of the railway from Oxford to Louisburg, and as my hon. friend from Guysboro' (Mr. Kirk) called attention to that branch on more than one occasion during this discussion, I deem it my duty to say a few words relative to this Bill. He stated that the building of a branch from Stellarton to Pictou would interfere with the short line from Oxford to Louisburg. I frankly admit that that was the impression the vote made on my mind when I first saw it in the Estimates, but, having taken so much interest in that line, I made enquiries from those most immediately interested in the line from Oxford to Louisburg, and particularly from the company interested in the construction; and I was informed that, instead of the building of this branch interfering in the project they had in view, it would materially assist them, so that my friend from Guysboro' may rest assured that the building of the branch from Stellarton to Pictou will not interfere in any degree with the line from Oxford to Louisburg, but on the contrary, that the building of that line, a part of which is concurrent with the other line—

Mr. KIRK. No.

Mr. CAMERON (Inverness). Yes, it is. I am so assured by a promoter of the short line from Oxford to Louisburg, and he ought to be a better authority on that question than the hon. member for Guysboro' (Mr. Kirk). Besides being a part of the short line, it is a great convenience to the great and enterprising town of Pictou, and during its construction, I have no hesitation in admitting that it will materially aid all the laborers in that part of the country. I desire to point out the extraordinary opposition which hon. gentlemen opposite, led by members from Nova Scotia, always offer to votes for railway purposes in that Province. When hon. gentlemen from Nova Scotia oppose votes for railway purposes in their own Province, it is not astonishing to find the hon. gentleman who is acting leader of the Opposition, opposing a small branch of the Intercolonial Railway from Stellarton to Pictou. However, we are used to receiving that treatment, and I should have been astonished if this vote had not been opposed to-night. I have taken much interest in the extension of the road from Oxford to Louisburg, and believe that a further vote will be necessary to enable any company to build that road. I fear that the very determined opposition offered to this vote may intimidate my hon. friend, the Minister of Railways, from asking for any more money east of Pictou, but I hope he will not be deterred and that he will ask a sufficient amount of money to enable a company to build the short line, in which my hon. friend from Guysboro' seems to take so much interest. I believe that if the Minister of Railways had granted a liberal subsidy for the construction of the road, as a part of the Intercolonial Railway, the opposition would not be so strong as it is to the smaller vote which is now asked. On former occasions, I know, the real leader of the Opposition, when votes were asked for Cape Breton, seemed disposed to encourage the building of the road on the Island, and I think that if the Minister of Railways will extend the Intercolonial Railway from the Strait of Canso to Louisburg, he will be supported by a large majority of the House.

Sir RICHARD CARTWRIGHT. It may be quite true, as the Minister of Railways said, that in chapter 59 of the Act of 1883, granting subsidies, the details may be as he stated; but if you will look back, Mr. Chairman, to chapter

Mr. POPE.

58 of the same year, you will find grants of very considerable importance. For instance there is an amount for a road from a point on the Intercolonial Railway at Rivière du Loup, in the Province of Quebec, for a sum not exceeding on the whole \$253,000, said subsidy to be in addition to the subsidy already authorised to be granted in aid of the construction of the said railway. That, I take it, was a new grant made last year, and makes, in addition to the \$221,000 the hon. gentleman spoke of, \$478,000 for the Province of Quebec, and if he goes down a little further he will find a railway which, I suppose, he knows something about, a line of railway from the south bank of the St. Lawrence River to the ports of St. Andrews, St. John and Halifax, *via* Sherbrooke, Moose Head, Mattawamkeag, Fredericton and Salisbury, a subsidy not exceeding \$80,000 for twenty years, in addition to the \$120,000 granted before. Now \$80,000 for twenty years is worth certainly \$800,000, and if he will add that to the \$45,800—

Mr. POPE. That is for New Brunswick.

Sir RICHARD CARTWRIGHT. It is for the United States, so far as I can see; it is probably for the State of Maine, and I suppose the hon. gentleman may therefore have excluded it from the New Brunswick or Quebec grant. It goes most of its length through Quebec, and then through the State of Maine.

Mr. IRVINE. And for the benefit of the State of Maine, too.

Sir RICHARD CARTWRIGHT. If we get the short line made at our own expense, and hand it over, as I suppose it will be handed over, to somebody else, it will tend materially to injure the traffic on the Intercolonial Railway, and the deficit on that will be likely to reach considerable proportions, but \$800,000 per annum, for twenty years, is a very material addition, whether for New Brunswick, or Quebec, or whether divided between the two. Then there is a further declaration that an additional subsidy, not exceeding \$340,000, be granted by the Governor in Council to the Canadian Pacific Railway in order to reach Quebec. Now, I cannot conceive, in view of all these additions, how the hon. gentleman can say that last year we only gave about a quarter of a million of subsidies to Quebec, as I make it, at least, a million and a quarter, and, perhaps, a million and a half, which will go to Quebec under that Statute of 58, although he may be right enough in saying that under the Statute of 56 the details were as he gave them.

Mr. POPE. The hon. gentleman might as well say that any vote we gave to Ontario, which we have been voting for years back for the Canadian Pacific Railway, ought to be charged to Ontario. Every year we voted large sums, and if that vote is for the Pacific Railway, is it not a fair set off against the other?

Sir RICHARD CARTWRIGHT. What was voted in Ontario was for the direct benefit and interest of the port of Montreal, and was demanded by gentlemen from Quebec for their express interest. I remember the present Lieutenant-Governor of Quebec, Mr. Masson, openly, in this House, advocating a grant to the Central Railway on the ground that the traffic would go to the Province of Quebec. But he was right enough; that was part of the main line to Montreal on the Canadian Pacific Railway. The only substantial grant which was given by the Government was a grant to that portion of the Ontario roads which connected Toronto with Callander Station. But the grants through Ontario in that particular quarter were distinctly for the benefit of the country east of Montreal, and nobody knows it better than the Minister of Railways. It was a great advantage to the City of Montreal, and very little advantage indeed to the Province of Ontario, while Toronto is not benefited in

the slightest degree by the construction of that line. Toronto may be benefited by the grant which goes to connect it with Gravenhurst and Callander Station on the Canadian Pacific Railway. But it is not an answer to the question I have raised that these three grants make a sum four or five times as much as was admitted—perhaps six times as much. The truth is, there is only one doctrine that can be safely laid down, and that is that the Confederation of Canada has no business to give aid to local roads, but only to construct roads for the general benefit of the whole Confederation, and it is only on that ground that this grant can be defended at all. That is an opinion I have announced many times on the floor of this House, and I am not in the slightest degree disposed to recede from it.

Mr. FOSTER. The debate that has arisen quite unexpectedly to many members of the House has been as instructive as it has been amusing. It has brought out a good many things of which it is well for us to take notice, one or two of which I wish to emphasise just in passing. The hon. gentleman who has just sat down, if there is any point to his opposition at all, opposes the expenditure of money for railways in the Maritime Provinces, especially in New Brunswick and Nova Scotia.

Some hon. MEMBERS. No.

Mr. FOSTER. I am in the judgment of the House if there has been anything else to be gathered from the hon. gentleman's speech and his previous remarks. The point I wish to emphasise is this: The party opposite, led to-night by the hon. member for South Huron (Sir Richard Cartwright) cannot have one policy for Ontario and another for the Maritime Provinces, and yet demand to be called a consistent party. I went through two or three elections not very long since in New Brunswick. The hon. member for St. John (Mr. Weldon) will remember those elections, and if there was one point put more strongly than another by the followers of the hon. gentlemen in the city of St. John, in the Province of New Brunswick, it was the point that the Maritime Provinces were systematically neglected in the expenditure of the public money and that the Province of Ontario notably, and the Province of Quebec in part, took the larger share, the giant's share of the public money. During that contest I had the pleasure of reading the utterances of the hon. member for South Huron and of the leader of his party as well, in which they had again and again declared that the Maritime Provinces were treated quite too well and Ontario was the cow that had to be milked for the benefit of the Lower Provinces. I want that to be understood. There were two policies on the Riel question by hon. gentlemen opposite; there are two policies on the railway question; there is nothing but sectionalism that has cropped out of the debate to-night from hon. gentlemen opposite. My good friend from Guysboro' is sectional if he is anything. A day or two ago he was sectional in favor of the Province of Nova Scotia as against the Dominion. To-day, he is sectional in what? Against a grant to a railway which does not happen to run through his own county. I will tell the committee what I believe—it may be that I am mistaken but the House can judge. I believe the hon. member for Guysboro' would not have been found either speaking or voting against the granting of \$300,000 for a railway if the railway ran through the county of Guysboro'. Yet he stands up behind his leader and leads in the applause when that hon. gentleman says: There is no more vicious, no more reprehensible system of corruption than that of granting subsidies to the different parts of the Provinces. I want to point another moral to the hon. member for South Huron, and it is this: He says that the Canadian Pacific Railway subsidy was granted and the road itself was built through this section of country for the port of Montreal. That is that there was a large portion of the

railway which ran through the Province of Ontario and which ended at Montreal for the time being. He said that railway was built entirely and only for the benefit of the port of Montreal, neglecting all other advantages. Then Toronto gets nothing. Yet I thought we voted money by which Toronto was to make connection with the Canadian Pacific Railway, and I should like to ask the hon. gentleman of what great benefit that would have been to Toronto if the whole line of the Canadian Pacific Railway had not ran near there for that road to tap. The point I wish to bring home to the hon. member is this: When a grant of money was voted by Parliament to connect the Canadian Pacific Railway through the State of Maine with the ports of the Maritime Provinces, Halifax or St. John, the hon. gentleman took a quite different attitude, and he said: No, that is not for the terminal point at St. John or Halifax—it is for the State of Maine. There was no doubt about that. He contended that the whole value of that road, the major part of which runs through the Maritime Provinces, was concentrated in that portion of the road which runs through the State of Maine and there was nothing for the terminal point. That is what the hon. gentleman stated. If he wants to make a point the other way he declares that all this long line of Canadian Pacific Railway was not constructed for the benefit of the country through which it passes, but solely for the benefit of Montreal. If the hon. gentleman wishes to be successful in leading a party in this country I submit he must learn to stand consistently in the different Provinces. If the hon. gentleman advanced a principle it was this—it is one which is not desirable, and no Government could stand for ten minutes if it adopted it as the basis of its action—that the money taken from the country and put into the public Treasury ought not to be expended for merely local works. That is the doctrine which the hon. gentleman lays down. If the hon. gentleman opposes the railway subsidies to the different Provinces it is upon that doctrine; yet there is not a single expenditure probably made by any department of the Government which is not for some local purpose in different portions of the Dominion. But the hon. gentleman said if there was any vicious and reprehensible system of corruption introduced it was the system of spending public money in the different localities; and yet his friends sat behind him, almost every one of whom had voted over and over again in this House in favor of that very same kind of vicious and reprehensible corruption. But at that time the road went through their own localities. Not all of the hon. gentlemen opposite voted for them, for I see my genial and philosophical friend from Bothwell (Mr. Mills). He did not vote for them, if I have searched the records rightly—he left the Chamber.

Sir RICHARD CARTWRIGHT. I am not surprised to find the Minister of Marine and Fisheries posing as an advocate of that most corrupt system. I remember perfectly well when, three years ago, that hon. gentleman was elected as an Independent member by Liberal votes, and if I recollect aright, that hon. gentleman, whom some persons have put down as a Puritan, so far from showing any indisposition to fall in with the prevailing tendency of members of the House, had not been three months a member of this House, before an Independent member was found applying to the Minister of Interior for a grant of fifty miles square of timber limits for himself. I recollect that perfectly well, and a pretty sample it was of the sort of independent member and Minister that the hon. gentleman is likely to make. As to this railway through the State of Maine, I have this to say: My objection is not to the railway going to St. Andrews or St. John, or some point in Nova Scotia, but my objection is this: It is a competing line with a line which has actually cost Canada \$46,000,000 or \$47,000,000, and that it tends directly to make that very costly and expensive line of railway useless and to largely increase the deficit

upon it. That is the point I took, and it is a very strong point. And it in no way reflects on the right of the Maritime Provinces to share, so far as they can, in the benefit of the Canadian Pacific Railway. I have great sympathy with the Maritime Provinces for other reasons. I hold that those Provinces have been exceedingly oppressed and unjustly dealt with by the tariff imposed by hon. gentlemen opposite. I say they have perhaps some reasonable excuse for asking that a considerable sum of money should be given them out of the public chest, because I believe in their case the oppressive and unjust tariff which now exists plunders them right and left, and that is one reason why I have less objection to this particular grant and other grants to the Maritime Provinces than I otherwise would have. But as my hon. friend from Guysboro' (Mr. Kirk), has shown, this road is not for the benefit of the Maritime Provinces, it is for the benefit of a particular locality, and like its prototype, to which the hon. Minister of Marine and Fisheries alluded, it is a competing line, to a certain extent, with another line or a branch line of the Intercolonial Railway. It is not going to bring additional trade, it is going, to a certain extent, to divert the trade we now have. And moreover, I say, as I said before, that this question on which no proper explanations have been given to the House, is a question which ought to have been referred to the Railway Committee to be threshed out and discussed there, where it can, with any propriety, be sent.

Mr. FOSTER. One word of explanation with respect to an assertion made by my hon. friend, which has not before been made in the House. He said that I very soon developed into a champion of corruption, by voting for these railway subsidies.

Sir RICHARD CARTWRIGHT. That was not what I said.

Mr. FOSTER. I have only to say in reply to that, that I advise him to look around him and he will find I have a great many companions of the right stripe on the benches of the Opposition. I wish also to allude to another remark of the hon. gentleman. He asserted that I came out as an Independent candidate. That assertion has been made in the press. It is meant by that assertion that I came out and ran in the county and was elected—speaking in a party sense—upon an independent basis. I challenge my hon. friend from South Huron (Sir Richard Cartwright) to show one single line in my canvass, in my canvass, in the printed speeches I made in that canvass, which will show that I came out as anything else than a Liberal-Conservative, pledged to support the Liberal-Conservative Government.

Sir RICHARD CARTWRIGHT. What I said was not that the hon. gentleman voted for railway subsidies, but that he had not been three months in the House before he was an applicant for fifty square miles of timber limits for his own use and benefit.

Mr. FOSTER. If my hon. friend will say in his place that I took one single step towards corruption by applying in a legal way for a timber limit, let him do so.

Sir RICHARD CARTWRIGHT. I do say so. I say that no member of Parliament has a right to ask for favors of that kind from Government. I do not say that the hon. gentleman is singular in that respect. I say that members of Parliament are trustees; that no trustee has the right to speculate in the property of his ward with which he is entrusted. That is my doctrine, and the hon. gentleman in company with a great many others have violated that principle constantly and systematically.

Mr. FOSTER. That is fine doctrine, but it will not stand the test. When a man applies under a law passed by Parliament, and in a strictly legal way for what the law allows him on legal conditions, he is applying for no favor.

Sir RICHARD CARTWRIGHT.

Mr. MILLS. I beg to observe that I do not subscribe to the views of the hon. Minister of Marine and Fisheries. I think that if every member of Parliament would act on the assumption that it is perfectly proper for him to do whatever the law may permit him to do then Parliament would be worse than it is. The hon. gentleman in discussing this question has referred to two entirely distinct propositions. One is the propriety of the course adopted by the Government in assuming control of local railways, and the other is the propriety or merit of this particular application. Now, my hon. friend from Huron pointed to this instance now before the House as an illustration of the mischief that resulted from the course of the Government in undertaking to take control of the various local railways of the country. Our constitution provides that we may take control of local railways when they are for the general advantage of Canada, and the House of Commons in the preceding Parliament declared that all the railways connected with the great main roads of the country were roads for the general advantage of Canada. The result of that has been to assume control of a large number of local works and undertakings, and the effect has been to needlessly waste the public money of the country, and greatly increase the public expenditure. What is our object in having provincial establishments? What is our object in providing a Parliamentary Government in each Province, and giving to each Province a certain definite jurisdiction? Was it not for the very purpose of placing these local works and undertakings which are specially advantageous to the different Provinces, under the control of the Provincial Legislatures, to throw the burden upon those who are to receive the benefit? Well, that principle has been seriously interfered with, and, in fact, a very serious blow has been struck at our federal system by the railway policy which has been inaugurated. But I am not going to discuss to-night whether that policy be wise or unwise. I am not going to discuss the question as to whether Ontario or Quebec or Nova Scotia or New Brunswick has received the larger sum for these local works and undertakings. I leave that question out of view. We have before us a proposition that we are to spend a certain sum of money in building a railway from Stellarton to Pictou, and we have to consider whether or not it is a meritorious undertaking. I leave out of view the fact that we have other legislative bodies in this country. Supposing this Parliament was the only body which had the right to deal with this question of local projects; is this an undertaking upon which we would be justified at the present time in expending a large sum of money? Let us look at the condition of things at this moment. There is a road extending from Stellarton to Pictou. By whom was that road built? It was built by a Government of which the father of the hon. member for Pictou (Mr. Tupper) was an influential and important member—in fact, he was Premier at the time. It was possible for the Government at that time to have extended this road from Stellarton to Pictou by the particular route which the hon. gentleman says should now be adopted. The Government of Nova Scotia at that time, making a road at the expense of the people of Nova Scotia, responsible to the people of Nova Scotia, chose a different line, chose a line nine miles long between Stellarton and Pictou, instead of one eighteen miles long. That road was built and is now in operation. Is this country, is the Province of Nova Scotia so well supplied with railways, have we so large an amount of money in the public Treasury that we can afford to build eighteen miles of road to connect two points which are already connected by a road nine miles long? That is the position of things and the hon. gentleman can bring forward no justification for this measure. There is a road at present between Stellarton and Pictou. You have to cross the Harbor of Pictou, and why? Does the hon. gentleman say

that the trade of Pictou is of so little consequence that a ferry cannot be profitably kept up? Does he pretend to say that a river a mile wide is a serious impediment to the trade of Pictou? If the hon. gentleman looking at the facts cannot say—as I am sure he cannot—that Pictou is not adequately supplied with railways at the present time, and if Pictou has already a railway connecting it with Stellarton, nine miles long, why does the hon. gentleman want another railway eighteen miles long to connect the same two points. That is what he proposes. I say the railways of Nova Scotia are not so abundant. There are many parts of Nova Scotia without railway facilities, and if the Government are anxious to expend large sums of money for railway enterprises in Nova Scotia, let them spend it on some other points which are without railway facilities at the present time, instead of wasting money in connecting two points already connected by a railway, half the length of the one the hon. gentleman proposes. I was rather astonished at the argument of the hon. member for Inverness (Mr. Cameron). What does the hon. gentleman say? Does he support this scheme because it is a meritorious one? Not at all; he admits that there is no merit in the scheme; but he says, I want a railway in my constituency, and I am going to support this in the hope that I will get support elsewhere. He is going to support the system of log-rolling. This is one of the evils of this policy of usurping the control of local works which the constitution intended should be vested in the provincial establishments. Now, we have a deficit, the Minister of Finance informs us, of nearly \$5,000,000; and while the country is in these straitened circumstances, the hon. gentleman proposes to expend a large sum of money in building a road which, according to all the evidence we have before us, is wholly unnecessary, and wholly without any merit. Now, I call the attention of the House to these facts. There is a road already built from Stellarton to Pictou, nine miles in length.

Mr. PAINT. The road is seventeen miles in length.

Mr. VAIL. It is thirteen miles.

Mr. PAINT. I am positive it is seventeen miles.

Mr. VAIL. I am positive it is not.

Mr. MILLS. I have in my hand a map of the district upon which is marked the existing road and the proposed road; and it is impossible to look at this map without seeing that if the proposed road is eighteen miles in length, the existing road is but little more than half that length; and if the road were as long as the hon. member says, the proposed road, instead of being eighteen miles, would be nearer thirty miles in length; the map shows that. I say that the Minister of Railways has not treated the House fairly in this matter. He ought to have submitted plans and specifications. If he had laid on the Table of the House a map of the district, showing the existing road and the proposed road, I do not believe he could have got a corporal's guard, even on that side of the House to support this proposition. This is simply a contribution to the election fund on behalf of the hon. member for Pictou; it is impossible to make anything else out of it. When our finances are in their present condition, he is calling on the Government to expend a large sum of money for a purpose that has no justification whatever.

Mr. TUPPER. I think the hon. gentleman's speech in the county of Pictou will be a better contribution to the election fund or the election literature than almost anything else that could have occurred. Let me tell the hon. gentleman that when he makes these statements he is insulting not merely the Liberal-Conservatives in the town of Pictou, but people who rendered him good support in the days when he needed it, and who, after the remarks which have fallen from his lips, will think twice before they sup-

port him again. Coming from Bothwell with a little inaccurate plan which has been handed to him by the hon. member for Guysboro' he presumes to tell 3,000 or 4,000 people who are living and doing business in the town of Pictou, that he knows their wants and necessities far better than they do, and that when the town paid delegations to come up to Ottawa and lay before the Government the great and crying need, that existed for the construction of this road, they did not know their own business, and that they are perfectly well served by another branch. The hon. gentleman has no right thus to insult the intelligence of the people of that section of country. I take his speech in no other light. He avoids looking at the question squarely; he shuts his eyes to the facts before him. He could not have known the facts, or he would have known that this is no provincial work, on which he tried to found some constitutional argument. It is a proposition to aid one of the most remunerative public works of Canada from one end of the country to the other. The hon. gentleman cannot point to a public work that produces a larger revenue than that portion of the Intercolonial Railway known as the Pictou Branch. I must express surprise at the remarks of the hon. member for Guysboro' before recess, when he took issue with the remark of my hon. colleague that in eastern Nova Scotia the Grit party had not built a mile of railway; and he told this House in loud and emphatic language that the Mackenzie Administration had built all the railways east in Nova Scotia.

Mr. KIRK. I said, made arrangements, and I say so now.

Mr. TUPPER. I ask hon. gentlemen whether any such language fell from the hon. gentleman's lips. I have no doubt that is the language he would have used if he knew the facts, and wished to place them before the House as they really stand. Let him rather speak of these than of arrangements which produce nothing. Why, every person knows that the construction of the railway in Nova Scotia, to which that hon. gentleman alluded was carried on and completed by private capitalists aided by a provincial subsidy and \$1,200,000, which this Government, and not the Mackenzie Government, paid to the Provincial Government, and since that hon. gentleman has been sitting in this House. And yet the hon. gentleman pretends to say that a policy inaugurated or an arrangement made in connection with the Pictou Branch, by the Administration of Sir John A. Macdonald, previous to the advent of the Mackenzie Administration, was used in connection with the construction of this road, and it was never handed over; and that hon. gentleman, under these circumstances, states that we owe everything to the Mackenzie Administration for the construction of railways east in Nova Scotia. That will be news to the people who reside there. I do not understand why in connection with this question the hon. gentleman persists in harking back to a question with which this House has really nothing to do—a question that can only interest people in a certain locality, and that has a purely political interest in that locality; that is, my connection with the short line railway scheme. He has not accepted my statement; I did not expect that he would; but why should we discuss that subject three or four times over? I never accepted any responsibility for the initiation of that work; I did not choose to do so, and I could not do so; and if the people of Pictou choose to give me credit for it, all I can say is that they do me too much honor. As to the question of geography, which the hon. gentleman after several days has again referred to to-night, I say that the people who are mainly interested in the question will judge whether he is right or I am right with regard to the nature of this work. Now, to some extent that remark is relevant, because the hon. gentleman must bring it forward to say that this is an entirely useless piece of work, and he has evidently misled

the hon. member for Bothwell in that respect. Had the hon. member from Guysboro' considered another portion of his remarks, another portion of the remarks which no doubt have been handed to him, and upon which he has been coached, and had the attention of the hon. member for Bothwell (Mr. Mills) been called to that portion, he would have seen how unfair it was to bring forward this idea; because the hon. member for Guysboro' himself testified to the fact that large numbers of extensive industries have grown up upon the Pictou Branch, in a flourishing place called Trenton, and in New Glasgow itself, under the influence of the National Policy, which the late Finance Minister (Sir Richard Cartwright) could not help attacking in this debate, and these industries are now feeding that portion of the Intercolonial Railway, and adding largely to its traffic returns. The hon. gentleman knows that these industries are on this side of the town of Pictou, on this side of the harbor, and surely it will be seen at once that this road going into the town of Pictou cannot, in the nature of things, interfere with the traffic arising from these various industries. As a matter of fact, you first come to Stellarton, you afterwards strike New Glasgow about three miles away, and starting from Stellarton this proposed road runs in almost a straight direction into the coal fields, runs right away west from Stellarton to western Pictou running through Westville down over the Middle River, and then takes a turn; and for a very short distance you might call it parallel, but to term the whole line parallel, or to use that argument to show that these roads are going to destroy the one the usefulness of the other is to state an unfair view of the question, and one which will not be appreciated by the people who are on the spot and understand the matter. The ex-Minister of Finance (Sir Richard Cartwright) has alluded again to the great necessity of going into committee on this question. Well, I think that the late leader of the Opposition (Mr. Mackenzie) understood pretty well what course to pursue, and what procedure to follow in matters of this kind, and it is because I find that this course now proposed is so unusual, I am led to believe that the whole of this discussion is unusual. I am led to believe that this extraordinary discussion is not so much in the interests of the country as to stir up sectionalism and ill-will between the Maritime Provinces and the Western Provinces. When such unfair statements are made, they can only lead to the effect of an exciting prejudice, ill-will, and sectional feeling. It is unfair to place this in the category of local works for the reasons I have given, and I say this procedure which the Government is asked to follow is not usual. When the hon. member for East York (Mr. Mackenzie) led the Opposition, I take it for granted, he understood his duty with reference to schemes and propositions of this character. What took place in connection with the St. Charles branch, to which I alluded at the beginning of the debate, in 1882, when that hon. gentleman was here and paying particular attention to public works, and took charge of the discussion on the vote to that branch? All he wished to know was the probable cost of the work and one or two other particulars. When the Bill ratifying the expenditure, authorising the work, and removing all doubts so as to protect the Government in the construction of the work from any litigation, came down, I find, according to *Hansard*, that it was introduced, read the first, second, and third time and passed without any remarks or criticism whatever. Now, is this great constitutional argument to come up, is this heated partisan discussion to occur only upon Bills relating to public works in the Maritime Provinces? Why is it this heated discussion takes place on a Bill relating to a maritime work? Why did we not understand long ago that Bills of this character had to go through this test of fire? I ask the hon. gentleman to point to a single case where a proposition to construct any other branch of the Intercolonial Railway, or any other public work in Nova

Mr. TUPPER.

Scotia, met with such hostile, unfair criticism as this, and yet this is a solitary exception of works of its kind which is not going to entail any burden upon the people. I think that ought to be well-understood, since so much complaint is made about spending money down there. No one can controvert the statement I have made once or twice, that the proposition now before the House is to add to and enlarge one of the most remunerative, if not the most remunerative public work in the Dominion, and that the construction of this extension is to be carried on without costing the people of this country one single dollar more than they now pay.

Mr. KIRK. I do not propose to extend the discussion further, but one remark of the hon. gentleman I cannot allow to pass without an answer. He has stated for the third time that I did not know what I was talking about when I referred to the Eastern Extension.

Mr. TUPPER. I proved it.

Mr. KIRK. The hon. member for Pictou (Mr. Tupper), has himself given the most undoubted evidence of the most intense ignorance with regard to the matter. He has stated this Government granted, as assistance to the Eastern Extension, the Pictou and Truro Branch. It did not do so. He said this assistance was given before the Mackenzie Government came into power, but he ought to know that Mr. Hugh Macdonald, the present judge, moved, before the coming into power of the Mackenzie Government, a resolution that the Pictou and Truro Branch should be given in aid of extending the Railway east. That resolution was allowed to drop, and nothing was done until Mr. Mackenzie's Government came into office. In 1875, that hon. gentleman (Mr. Mackenzie), introduced a Bill providing that any companies which would extend the railway from New Glasgow to Louisburg, Cape Breton, should have, in aid of the work, the Pictou and Truro Branch. The Local Government of Nova Scotia, then a Liberal Government, provided also that a subsidy of \$5,000 per mile should be granted to assist the company. When this law was first enacted, a company offered to build the road to the Strait of Canso for the subsidy offered by the Mackenzie Government and the Local Government of Nova Scotia, namely the Pictou and Truro Branch and the \$5,000 per mile. They offered to extend the road to the Strait of Canso, and put a ferry on the strait, but the Conservatives of Cape Breton and others objected to the Government giving the contract to the company, unless they would build the road to Louisburg, and the then Premier (Mr. Mackenzie), held the matter open for twelve months, in the endeavor to obtain a company to build the road through to Louisburg, but without success. The consequence was that the company, which had offered to extend it to the Strait of Canso, withdrew their offer, and tenders had to be asked for by the Local Government, for the purpose of ascertaining what other companies would undertake the work, and the lowest tender they received for building the road to the strait, was \$8,000 a mile besides the Truro and Pictou Branch, so that hon. gentlemen opposite were the means of causing that road, to the Strait of Canso, to cost Nova Scotia \$3,000 per mile more than it would have cost that Province if the Mackenzie Government had been allowed to go on with the contract and build the road according to the first offer. Therefore, what I said was correct, that the Mackenzie Government and the Nova Scotia Liberal Government of that day, provided all the means necessary for extending the road to the Strait of Canso and building the ferry. Then they gave the contract, and bound a company to build the road under the increased subsidy to which I have referred. It is true the road was not completed when this Government came into power, but a large amount of the work was done, and what did this Gov-

ernment do? They simply passed a short law amending the law which had been enacted by their predecessors, and which they said was not perfect. But they never gave a dollar of assistance towards the road, contenting themselves with simply amending the law wherein they considered it to be defective. The hon. gentleman says that this Government paid back to the Government of Nova Scotia the money for the branch. That may be true, but they paid it back after the road was built and in operation, and under circumstances that were not very creditable to them. They placed the Local Government in such a position that they were forced to sell the road out. When the road was completed to the Strait of Canso, it was provided, under the law passed by this Government, that the Truro and Pictou Branch should be transferred to the company. The Local Government bought the company's right out, and when they applied to this Government for the transfer of this branch, this Government refused to hand it over, as they claimed they could not transfer it in consequence of the law not empowering them to do so. The Local Government thus could do nothing else but sell the road out to this Government, or enter into an expensive lawsuit in order to force this Government to transfer to them the road. Then this Government did not pay the Local Government for the Pictou and Truro Branch. They refused to give it up, and they paid nothing for it at all. All that this Government paid to the Local Government was the money the Local Government were bound to pay to the company for the construction of the road. They did not pay back to the Local Government a dollar of the amount they had paid to assist this road. Yet this hon. gentleman will tell us that this Tory Government built this road. They did not. They obstructed the Local Government in every possible way, they refused to transfer the road when they should have transferred it, and they forced the Local Government to sell when they should not have done so. The hon. gentleman seems to take credit for all that has been done to extend the road to the Strait of Canso. I say that if it had not been for the hon. gentleman and his friends, that road would have been extended from the Strait of Canso long ago far into Cape Breton, and whatever has been done in building the road, the eighty miles to the Strait of Canso, is due to the Mackenzie Government.

Mr. THOMPSON (Antigonish). The hon. member for Guysboro' has forgotten his history as well as his geography, perhaps it is rather complimentary to him to say that he has forgotten. He stated before recess that the building of the eighty miles of railway to the Strait of Canso was due to the Mackenzie Government. That will be extraordinary news to everybody in Nova Scotia. The Mackenzie Government did nothing in relation to that work except to carry out the arrangement made with their predecessors for the cession of the Truro and Pictou Branch as a subsidy and aid to that work. The hon. gentleman knows that it was not in any sense due to this party, either to the local party or the party in this House, that the contract was delayed, and he knows also that the reasons why the company withdrew were not due to any delay, but to a misunderstanding as to what the equipment was which went with that transfer. It transpiring afterwards, on Mr. Mackenzie's own statement, that there was no equipment intended to go with the transfer, the company withdrew their tender. The road was eventually built, as everybody knows or at least as everybody knows in Nova Scotia, by the assistance of the Local Government and by the promise of the Truro and Pictou Branch, but that was returned to this Government with the consent of the present Government of Nova Scotia. The hon. gentleman says that this Government acted very unjustly to the Government of Nova Scotia and forced them to give up that work. The present Government of Nova Scotia will not thank him for that

statement, because they are about to run their election on the ground that they deserve credit for forcing this Government to take back the Eastern Railway.

Mr. KIRK. No, by no means.

Mr. THOMPSON (Antigonish). The hon. gentleman will very shortly be stumping his county in Nova Scotia asking for support from that Government on the ground that they caught this Government by the throat, and made them take back again those works and operate them at their expense.

Mr. KIRK. It is the first time I ever heard of it.

Mr. THOMPSON (Antigonish). I am very glad to hear that statement from the hon. gentleman, and I am very glad that it should go down to Nova Scotia in that form. This, however, is beside the real question. Coming back to the question which is before the committee, it seems to me that there is hardly any ground for the contention that this Bill should go to the Committee on Railways because whether the hon. gentleman was hostile or not to its provisions, and whether it passed against the protest of the hon. member for South Huron (Sir Richard Cartwright) or not, the principle was definitely settled last Session. The vote was passed in the form of a statute, and, in accordance with the policy then adopted, a provisional contract has been made by the Minister of Railways. This Bill need not have come before the House at all but for a doubt which has arisen as to whether the Railway Act applies to this branch or not, and the only object of this Bill of three clauses is that the Railway Act shall be made to apply to this undertaking as a part of the Intercolonial Railway. It is, therefore, simply to remove a doubt and to allow the policy which was adopted last Session to be carried out that this measure is introduced. To send it to the Railway Committee to discuss the merits of the policy of the Government on the question would seem to be a very unusual course and entirely uncalled for. There is nothing in the Bill itself which would invite the scrutiny of the committee or upon which one word has been said in this long debate. I protest against this being looked upon as a concession to Nova Scotia, or even as a local railway concession in Nova Scotia. I know that my hon. friends from Pictou claim that it will be of great local advantage. That may be admitted, consistently with my argument. This, Sir, is the extension of an existing public work, the construction of a branch of the Intercolonial Railway, and not for local purposes alone. My hon. friend beside me has said that the Pictou Branch is the most productive railway property in the possession of the Dominion Government, and I think experts say so too. Therefore, our friends who have an anxiety about the way this work is to be maintained, need have no fears. This branch, as the Minister of Railways has said, yields from \$40,000 to \$50,000 over and above its working expenses, which cannot be said of any other section of equal length on the Intercolonial Railway. In addition, the new branch is to run to the town of Pictou, or to the waters of a magnificent harbor at one end, and the other end is centred in one of the finest mineral districts in Canada. As regards the anxiety which some hon. gentlemen have expressed as to the operation of what is now the existing branch from New Glasgow to the Landing, I think their objections have answered themselves. It is said that line ought not to be abandoned because it is dotted all along with flourishing factories. I hope that is so; I have some reason to believe it is so, and this fact should calm any fears as regards the operation of that branch hereafter. Instead of the new line being a competing line as regards those factories, their products run the other way; they seek an outlet in the eastern section of Nova Scotia and down the Intercolonial Railway; the district through which that line now runs has the assurance of the Minister of

Railways, and an assurance well justified by the amount of traffic which these factories can give it, and which the town of New Glasgow can give it, that that branch will be kept up, and that they will be as efficiently served as they are at this moment. As regards the ferry, it ceases to be operated at the expense of the Intercolonial Railway. My hon. friends opposite have doubted that it can be efficiently maintained by the town if it costs \$13,000 or \$15,000 a year. But it need not be maintained as such a great cost as that, because its present cost arises from the fact that it has to be a great railway ferry, whereas it can be very efficiently managed by the town on a smaller scale than at present. It is to be observed, moreover, in support of the general policy on this question, not only that we are to get this branch constructed for a sum, the interest of which will be only an equivalent to the sum which will be saved by ceasing to operate the ferry, but that the ferry can only be kept open for a little more than half a year at present, and, therefore, we are getting a branch line of railway which will serve that district, and serve the Intercolonial Railway itself all the year. Another difficulty my hon. friends have raised is in regard to this bridge, and the hon. member for Digby (Mr. Vail) said he was of opinion that the bridge would cost \$150,000.

Mr. VAIL. The bridges.

Mr. THOMPSON. I understood him to say the bridge, and he was so understood by one of his friends, who stated immediately afterwards that it would cost \$250,000. But the Minister of Railways states that he has an offer to construct the work at a cost of \$40,000. I trust my hon. friends from Nova Scotia who seem hostile to this Bill, will scarcely carry their opposition to a vote, in consideration of the fact which the Minister of Railways has referred to, that notwithstanding that large sums were appropriated last year to public works in Ontario and Quebec, made larger by the additional sums mentioned by the hon. member for South Huron, this is the only grant which was given to Nova Scotia, and their opposition would amount to asking Parliament to withdraw the only concession which was made last year to Nova Scotia out of the very liberal grants that were given to local works in the other Provinces of the Dominion, although this railway is to be considered as an extension of an existing public work, and one that will be very productive. I also feel it my duty, before closing my remarks, to protest against the view which has been advanced by the hon. member for South Huron that the cost of the Intercolonial railway, forty-six or forty-seven millions, as the hon. member stated it—forty-four millions, as I find it in the blue book.—

Sir RICHARD CARTWRIGHT. Forty-five millions—you will find it in the blue-book.

Mr. THOMPSON—no, it is, I believe, \$43,627,000—is to be considered a debit to the Maritime Provinces. That is an unsound principle, because the Maritime Provinces were induced to enter Confederation by the stipulation that they should be connected with the Upper Provinces by the construction of the Intercolonial Railway, and we maintain that the construction of that work is as much a benefit to this section of the country as it is to the Maritime Provinces. It is to be regarded as a great national work, for the benefit of all sections of the country, and it is unfair to the Provinces below to argue that that large amount of capital is to be put to their debit.

Sir RICHARD CARTWRIGHT. Has the hon. gentleman observed that his own supporters behind him had charged that the Canadian Pacific Railway had been constructed for the benefit of Ontario, for a thousand miles. Does he think that there is any warrant for saying that it was constructed for the benefit of Ontario any more than

Mr. THOMPSON (Antigonish).

that the Intercolonial Railway was constructed for the benefit of the Maritime Provinces?

Mr. THOMPSON. I have heard it stated that the Canadian Pacific Railway was constructed for the benefit of Ontario, but I do not know that any such argument was used this evening. We have it so contended continually in Nova Scotia, but only from the supporters of the hon. member for South Huron.

Sir RICHARD CARTWRIGHT. Then he might have heard it from his own supporters to-night.

Mr. THOMPSON. We have to meet that on every platform, on every husting, in every meeting, and we do meet it by saying that the Canadian Pacific Railway is a national undertaking, built for the whole of Canada; and in every place where we have to meet that difficulty it has been made by the hon. gentleman's supporters.

Mr. VAIL. I am rather disposed to differ with some remarks that have fallen from my hon. friend from South Huron. I do not endorse his statement with regard to the Intercolonial Railway. It is quite clear that road was built more in the interest of the Upper Provinces than of the Maritime Provinces, and I am quite sure that instead of carrying goods from the Lower Provinces to the Upper Provinces, it is carrying goods from the Upper Provinces to the Maritime Provinces, and carrying back our money to pay for them. Now, I cannot, at all events, be charged with being opposed to this Government granting subsidies for the building of railways in Nova Scotia. I have said before in this House, and I repeat it now, that the Local Governments are not in a position to build railways. As a rule, whenever subsidies have been voted to railways in the Maritime Provinces, they have been coupled with subsidies to roads in the Upper Provinces. They were all put together and, as a matter of course, I voted for the whole. Now, I must say a word or two more in regard to this branch line. In the few remarks I made before recess, I said that I did not object to any expenditure on railways in the Lower Provinces, provided such was made in the proper place and in the interest of the general public. My objection to this branch line was because it involved an expenditure of from \$300,000 to \$500,000 to give the people additional railway accommodation which they have already to the town of Pictou, a town which has had railway accommodation for the last twenty years, while there are other points in Nova Scotia without railway accommodation although as much entitled to it as Pictou. We have a railway in the western part of Nova Scotia, some 68 miles in length, between Yarmouth and Digby. There is another railway running out from Halifax in the direction of Annapolis, some 120 miles. Between Annapolis and Digby there is a distance of seventeen or eighteen miles of unfinished road and notwithstanding our best efforts we have been unable to get more than a paltry grant of \$3,200 a mile, although the completion of that link would perfect our railway system from Halifax to Yarmouth. It would have been much better if the Dominion Government had expended \$300,000 in connecting the road in the west before they gave a second line to Pictou. I have no objection to Pictou getting all the accommodation it can, and that the Dominion Government should expend all its surplus money at that point if it is not needed elsewhere. But in justice to the western part of Nova Scotia the Government, instead of spending money in the east where it is not wanted, might have connected those two roads in the west. There is no railway accommodation on the south shore of Nova Scotia or in the Island of Cape Breton. Will the hon. member for Inverness (Mr. Cameron) tell us that this road is going to be of any advantage to Cape Breton? When the Liberals are in power there is a great cry raised that nothing is being done for Cape Breton, but when the Conservative Government is in office, they are as peaceful

as possible and declare they are satisfied that the Tory Government would build railways in the island if they could. If the Liberals are in office, Cape Breton wants a member in the Cabinet, but when the Conservatives are in power they are quite satisfied that both members should be from Nova Scotia proper. The Minister of Justice has referred to the few remarks made by the hon. member for Guysboro' (Mr. Kirk), in regard to the Eastern Extension Railway and its transfer to the Dominion Government. I do not think my hon. friend overstated the case in any way, he gave the exact facts from beginning to end. No Government could be induced to build the line to Louisburg, and at the request of the Local Government, finding it was impossible to continue the line to Louisburg or to get a company to contract for it, the Mackenzie Government agreed at the solicitation of the Local Government to give the Pictou Branch on the understanding that the road was to be built to the Strait of Canso, with a ferry across the strait for the accommodation of the people of Cape Breton. After the road was built, in order that it might be run in connection with the Pictou road and with a view to utilising the Pictou Branch and extending a line to the Strait of Canso, and getting an extension to Louisburg, the Local Government made up their minds to buy out the company owning the road to the Strait of Canso and give them \$1,200,000. The Government of that day, of which the former member for Cumberland (Sir Charles Tupper), then Minister of Railways, agreed to hand the road over to the Local Government, and he told me there was no difficulty in connection with it, that the whole matter could be settled in three days. The Local Government bought up the eastern road, when the Dominion Government objected to the transfer, and the Local Government were left under the arrangement to pay the company one and a quarter millions; but, instead of the Dominion Government transferring the road, they raised objections and refused to advance any money to the Provincial Government. For instance, they informed the Local Government that before the road was transferred there should be about three times the quantity of rolling stock on the Pictou Branch that the Government had ever had on that branch before. The Dominion Government threw every obstacle in the way until they forced the Government of Nova Scotia to hand over the whole road to the Dominion Government on the understanding that they would pay them back one and a quarter millions without returning any portion of the subsidy. I take issue with the Minister of Justice in regard to the Local Government making this an election cry. The Local Government did not intimate that they made any money out of the road. Under the circumstances it was the best thing they could do, but they never wanted the country to understand that they made money by getting clear of the road. If the Local Government could have obtained the Pictou Branch, and been allowed to hold the road they would have been very glad to do so, but in consequence of the course taken by the Dominion Government they were obliged to sell the road, and the Pictou road was held by the Dominion Government, and now they say the road is worth some \$40,000 a year. If it is worth that much it is quite clear that the Dominion Government used the Government of Nova Scotia very badly when they refused to transfer that road, or put such restrictions upon it that the Local Government could not accept it. However, that is beside the question now before the committee, and I merely refer to it because the Minister of Justice brought up the Eastern Extension. In regard to this Pictou road, I do not feel disposed to oppose the grant. The matter is in the hands of the Government. I asked for information in regard to it, and if it was the intention of the Government to pass it through Committee of the Whole, the Minister of Railways should have placed before the House

much more information than was obtained from him at first, or was subsequently dragged from him; for at the outset he did not tell us what the line could be built for.

Mr. CAMERON (Inverness). Owing to some remarks made by the hon. member for Guysboro' (Mr. Kirk), I was called upon to say a few words in connection with this question. He said that the building of the branch from Stellarton to Pictou would militate against the construction of the short line from Oxford, but I think I have shown him that this is not the case on the authority of the promoter of that road. Owing to the remarks since made by the hon. member for Digby (Mr. Vail), I feel it to be my duty to say a few words further in connection with it. It is well known, as my hon. friend from Guysboro' (Mr. Kirk) admitted, that Mr. Hugh McDonald, who represented the county of Antigonish in the first Parliament of Canada, was the first who, on more than one occasion, placed resolutions on the notice paper with a view of securing the Pictou Branch in aid of the Eastern Extension from New Glasgow to Sydney, or Louisburg. Before the Government of Sir John A. Macdonald resigned in 1873, a Minute of Council was passed which offered the Pictou Branch as aid to any company which would undertake to build the road from New Glasgow to Sydney, or Louisburg. That being the case, it ill becomes the Liberal or Reform party of this House to take credit for giving the Pictou Branch as aid to the Eastern Extension, and as my hon. friend from Digby (Mr. Vail) endeavors to mislead the House in believing that the party to which he belongs did a great deal for Cape Breton, I thought it my duty on this occasion to point out the fact that they did nothing but give promises. Yes, they did go further, for they refused to give us that which the Liberal-Conservative party offered before they resigned power in 1873. On the 19th of May, 1874, in accordance with the policy of the Liberal-Conservative party, the Reform party submitted the following resolution in this House which was unanimously adopted.

Mr. KIRK. That was the first thing which was adopted.

Mr. CAMERON (Inverness). No, it was the policy of the Conservative party. That resolution was as follows:—

"Resolved, that the Government be authorised to negotiate during Parliamentary recess for the transfer of the railway from Truro to Pictou to some authorised company on condition that such a company will extend the said railway from New Glasgow or Pictou to the Gut of Canso, or some place in Cape Breton, within a specified time—such transfer to be subject to the approval of Parliament at the next Session."

Mr. KIRK. Hear, hear.

Mr. CAMERON (Inverness). I hear the derisive "hear, hear," and I think if he will hear the rest of it, he will not "hear, hear," so derisively. This was the policy of the Government as proposed on 19th May, 1874.

Mr. KIRK. The Mackenzie Government.

Mr. CAMERON (Inverness). Yes, in carrying out the policy of their predecessors.

Some hon. MEMBERS. No, no.

Mr. KIRK. Read to the House the policy of the previous Government.

Mr. CAMERON (Inverness). With reference to giving railway aid to Cape Breton, that Government never had a policy except to disapprove of such aid and, I dare say, they will continue it to the end of the chapter. Owing to the influence of an hon. gentleman, a member of the Government, who happened to be from the Island of Cape Breton, the policy of the Reform party was slightly changed, and a decision was come to on the 19th June, 1875, that the Pictou Branch would not be given to a company unless they undertook to build, equip and run a line from New Glasgow to Louisburg. That was everything the Reform party did, to carry out the policy of the Conservative party in 1873, and that was done at the instance

of a representative of the Island of Cape Breton, who happened to be in the Government. It would appear that gentleman took a lively interest in the promotion of railway enterprises on the island, and on account of his earnest advocacy of railway extension on the island, he was forced out of the Government. At any rate, it was assumed by us that the reason he was forced out of the Government was that he advocated a little too energetically the interests of the island in the Government, and in order to endeavor to defeat any railway project which would contemplate the extension of the road in the Island of Cape Breton a successor to that gentleman was procured from the western part of the Province. The hon. member for Digby (Mr. Vail) seemed to be anxious to lead the House to believe that the party to which he belongs always favored railway extension in Cape Breton, while the fact appears to be that they did not do much for the island. On the 6th day of May, 1875, an Act was passed by the Legislature of Nova Scotia to encourage the building of a line of railway from the Strait of Canso to Louisburg, which provided as follows:—

“For the purpose of aiding the construction of a line of railway from the Strait of Canso to Louisburg, an allotment in all of three thousand acres of Crown lands in the counties of Cape Breton, Richmond, Inverness and Victoria, and a money subsidy of \$5,000 a mile, and the mineral, if any, contained in 150,000 acres of such Crown lands, and also the sum of \$5,000 to assist in establishing a steam ferry across such strait, shall be granted to any company now incorporated or hereafter to be incorporated, that shall, on or before the 1st day of September ensuing, give security and assurance to the satisfaction of the Governor-in-Council, to establish such ferry, and construct, finish and equip such line of railway, within three years of the 1st day of June next, ensuing, and work and operate the same.”

Now, Sir, the object of this Bill was to defeat the scheme for building a railway through the Island of Cape Breton. That is apparent on the face of it, because instead of giving a reasonable time to organise a company to build a road from New Glasgow to Louisburg, they only afforded a little over three months for that purpose. This Act was passed with the view of deceiving the people of Cape Breton into supporting a railway scheme which had in contemplation the building of a road from the Strait of Canso to New Glasgow only. The subsidy which was provided by the Liberal-Conservative party in 1873, in order that a railway should be built from New Glasgow to Louisburg, and which was reaffirmed by the Liberal party in 1875 to utilise the Pictou Branch for the same purpose, was reversed by the policy of the Local Government in 1875 and 1876, and that subsidy was diverted from its original purpose and utilised for the purpose of building to the Strait of Canso only. Besides that I would ask who expended all the money placed to the credit of the Province of Nova Scotia in 1875? Where did that money come from? Did it come from the Reform party? Was it not obtained as a concession to the Province of Nova Scotia from the Liberal-Conservative party, and instead of utilising that money to the advantage of the whole Province, it was utilised to build railways in Nova Scotia proper? This Bill shows that out of the \$2,000,000 to the credit of the Province of Nova Scotia \$600,000 was for the Island of Cape Breton; but there was no intention at that time to expend money on the island. It was simply put there with the view of securing the support of the members from the island at that time. I have proof of the fact by a Bill which was introduced into the Local Legislature in 1879 or 1880, reviving the same Act; and it was a singular fact that the very party who placed that Bill on the Statute-book, in 1875, refused to revive it, whereas the Liberal Conservative party did so. This shows that the placing of the Act in the Statute-book was simply a delusion and a snare. The hon. member for Gt. Gt. says that is the policy of the present Government. I say it is not. It is true that the deception practiced against the Island of Cape Breton for several years led the people to believe that promises made in 1883, Mr. CAMERON (Inverness).

1884 and 1885 might also prove delusive; but if they do, it will only be a repetition of what they suffered from the Reform party when it was in power in Nova Scotia and in this House. But as the promise has been made so repeatedly in this House by the Government of the day, to extend the road through the Island of Cape Breton, I believe that unless a company can be secured to extend that railway at an early day, the Government will adopt it as part of their policy to extend it from the Strait of Canso to Sydney and Louisburg, and that which the hon. member for Gt. Gt. declares to be a delusion and a snare will be proven by the Minister of Railways in the near future to be a fact

Mr. KINNEY. I wish to make a few observations in reply to some remarks made by the hon. member for Digby (Mr. Vail). That hon. gentleman would lead the committee to believe that the non-completion of the Western Railway was due to a disposition on the part of this Government to thwart that enterprise. It is quite true, as he stated, that some fifteen years ago a company was chartered to build a road from Annapolis to Yarmouth. The hon. gentleman was at that time the leader of the Provincial Government, and for the purpose of securing his seat, he caused the projectors of the road to change the line of the road from the interior, to that extent that it cost \$250,000 more to build it, and for that reason the provincial subsidy proved inadequate to complete the road. This, the hon. member did, I believe, and I think everybody else in Nova Scotia believes for his own personal interest, in a political sense, to make secure his seat in the county of Digby. That is one reason why the road is incomplete. Another reason is that, although this Parliament gave the Windsor Branch to assist in completing that road, yet the ex-leader of the Opposition signed a contract which rendered null and void the Act of Parliament; so that when the company went on the London market, they found that by this contract, which was contrary to the spirit of the Act, they were thrown out of their property for twenty-one years. That is the second reason why the road is not completed; and a third reason was that the hon. member for Digby was sent home to England, in 1872, after his party came into power, ostensibly to assist the road, but really to damn the project of consolidation. There are four members sitting on this side to-night, who were members of the Government who initiated the amalgamation scheme to put the railway under one management from Halifax to Yarmouth. This project was assisted by the Dominion Government; but the hon. member for Digby was a paid delegation to damn the project and kill the road. Yet he comes to-night to blame the Government for not carrying out an enterprise which he spent fifteen years in the attempt to kill—simply that he could injure his opponents and secure himself in his seat—by adding ten miles to its length and \$250,000 to its cost, although this Government had given \$1,500,000 to assist the road. We are left to-day with eighteen miles of a gap in the road, all for those three causes; and the hon. gentleman has the audacity to get up to-night and blame the Government for not carrying out an enterprise which he spent fifteen years in trying to thwart.

Mr. VAIL. It is not very often that the member for Yarmouth speaks in this House, and I suppose it has been because he had not an opportunity before to attack me in regard to a subject which he thinks he knows something about; but I think I will be able to show in a few moments that the hon. gentleman does not know what he is talking about, and if he thinks for a moment, he will conclude that he has made a statement which has no foundation in fact. I was in the Local Government and introduced a Bill to build a line of railway from Annapolis to Yarmouth. After that Bill was introduced, and when the survey was being made, contrary to the expectations of the Government, and contrary to the spirit and intention of the Railway Act,

the company undertook to run a line from Annapolis straight through the interior of the country from five to twenty miles from the shore, in order to divert all the trade and traffic from Digby. I, representing Digby, interposed to prevent it. The hon. member for Yarmouth says this was contrary to the contract. He knows very well that it was not contrary to the contract, or the spirit of the agreement. I am quite satisfied to take the responsibility of carrying the road through my own county. The Yarmouth company, in a selfish spirit, endeavored to carry it away from Digby as far as they could. Now, the hon. member in his place in Parliament has stated that I was sent to London by the Local Government, in his choice language, to damn the project. I assert the statement has no foundation in fact. I was sent by the Local Government to assist in every possible way to carry out that scheme, and I lent my assistance to the company for that object. I only required what the present Minister of Justice said in his place when the Act was being passed, would be required before the bonds should be signed. All I asked of the company was to fulfil their contract. The present Minister of Justice (Mr. Thompson), when Attorney-General of Nova Scotia, stated what was incumbent on the company. In fact it was a wildcat scheme, without a dollar of money behind it, and the Act was so constructed that they could carry out the arrangement to a certain point until they succeeded in getting bonds from the Government to the extent of \$5,500,000, then put \$1,250,000 in their pockets, and say to the Government: We find we cannot raise the money to complete the road; take what there is and complete it yourselves. They could have done this, because the only security provided was the security of the road itself; and because I declined to sign those bonds until the first part of the contract was fulfilled, the hon. member for Yarmouth has the hardihood to state I neglected my duty; and, notwithstanding that I went home ostensibly to secure the carrying out of the work, that I "damned the road." Every honorable man in Nova Scotia—I am not including the hon. member for Yarmouth—now gives me credit for the course I took; and if I had not understood the parties I was dealing with, the Province of Nova Scotia would have been mulcted in the sum of \$1,250,000, and the company would have left the work incomplete. That is the sum and substance of the whole thing, and I am glad the hon. member for Yarmouth has given me an opportunity to make this explanation.

Mr. McLELAN. This debate has taken up a great deal of time, and now an entirely new phase is opened. I have been reminded of what I knew before, that the reason why there is a gap of eighteen miles in the road between Halifax and Yarmouth, is that it has been carried away towards the county of Digby. The hon. gentleman himself has admitted it.

Mr. VAIL. No.

Mr. McLELAN. He said that the people of Yarmouth proposed to run it away from the shores and carry it direct through Annapolis, which, according to the hon. member for Yarmouth, would have resulted in a saving of fifteen miles in distance and \$250,000 in outlay. But the hon. gentleman insisted on having the county of Digby served. He should remember what his leader to-night stated, that all these appropriations, intended to serve counties in order to secure members' seats, were the grossest corruption, and should not be sanctioned by Parliament. His leader therefore charged that the action of the hon. gentleman was corruption of the grossest kind, which should not have been tolerated by any Parliament; yet the hon. gentleman acknowledges that he had the road diverted from a direct line in order that his county and particular seat should be cared for. The hon. member for Digby (Mr. Vail) says that the Local Government had no funds with which to subsidise railways, but they have been able to appropriate certain funds to that

purpose in Nova Scotia. Where then did they get the money? The hon. member for Guysboro' (Mr. Kirk) says that everything that was done in the way of promoting railways in Nova Scotia was done by the Mackenzie Government. I go back to the assertion of the hon. member for Digby (Mr. Vail) who says, respecting the Local Government subsidies, and I say that they got from the present Government the money with which they subsidised the railways.

Mr. VAIL. No.

Mr. McLELAN. Yes; go back to 1869, and you will find that Nova Scotia had no money to appropriate; but in that year they got over a million dollars from the leader of this Government. In 1873, they received more from the same source, and that is the money with which they subsidised the Eastern and Western Extension. The Mackenzie Government never gave them a dollar to enable them to subsidise railways.

Mr. KIRK. The Pictou and Truro Branch.

Mr. McLELAN. The Pictou and Truro Branch was built by the Local Government itself, and Mr. Mackenzie looked upon it as worthless property; he looked upon the whole Intercolonial Railway as worthless and wanted a company formed to take it off his hands, and he offered the Pictou and Truro Branch to any party who would undertake the construction of the eastern section. He never gave a dollar in cash. What did this Government do? They purchased the Eastern Extension at \$1,250,000, they furnished a subsidy of \$3,200 per mile, and last year or the year before they increased that subsidy again; thus, not only giving eighty miles of railway but large cash subsidies to extend the line east to Cape Breton. The hon. member for Guysboro' says we took an unfair advantage of the Local Government in obtaining the Pictou Branch. We only called upon the Local Government to fulfil the terms of the contract, we called upon them to show that the railway was properly equipped, and that they would not run it so as to be injurious to the people, by exacting undue tariff charges from those who would be compelled to use it. Under the original contract, a company built the Eastern Extension, and the Local Government were the parties who were appointed to see that the tariff was not unnecessarily high. When the Local Government stepped in and became the proprietors of that road, the Federal Government said: We must take the place of the Local Government, and see that an undue tariff is not imposed upon the people using that railway. The Local Government refused to agree to that, and they refused to equip the road in the way which we thought the interests of the country required. But, if they had acted up to the contract, and had equipped the road, we holding the right to regulate the tariff, they would have had the road without any difficulty. The hon. gentleman says that we have compelled them to give over the road. We did not want it, and they would have had it if they had run it in the interests of the people in the east.

Mr. VAIL. I do not desire to occupy the time of the House, but I must defend myself in a matter of this kind, because, when the Minister of Finance says that it is because of a divergence made by me that this road is not completed I tell him that he does not know what he is talking about. The road was originally to run to Digby, and it is between Annapolis and Digby that the gap occurs, and that is what I referred to. I am surprised that the hon. gentleman did not give us more information in reference to the Pictou road. I remember a discussion which took place in Nova Scotia, when the hon. gentleman stated that the road should have been carried to the town of Pictou and not to Fisher's Grant, and, if I had the documents here, I could read some very interesting literature to the House on the subject of the Pictou road. I could read some statements of the hon.

gentleman when he referred to the gentleman who was then leading the Government as having his hand in the public chest up to his elbow, and that he was really one of the contractors of the road and was making money out of the public treasury. I might refer to many of these things, but I will not do so. If the hon. member had pointed out to the House that he had recommended the building of this road, which is now going to cost the Dominion of Canada \$300,000, instead of the other line, and that, if they had taken his advice, the Dominion would have saved \$300,000, it would have been the correct thing. The Minister of Finance, in referring to what took place between the Dominion Government and the Local Government, is entirely mistaken, and has either forgotten what took place or has never taken the trouble to look into it. He says the Dominion Government did not require any more for the equipment of this road than the traffic required. I could show, in five minutes, from the documents in the Library, that the quantity of rolling stock which the Dominion Government required the Local Government to provide, was three times the quantity which was put upon that road by the Dominion Government themselves. The fact is, the Dominion Government determined from the first to keep the road out of the hands of the Local Government, and now I am afraid they are pursuing the same course in regard to an offer before the Local Government to finish the line between Annapolis and Digby. That is the honest way in which the Dominion Government has been acting towards the Local Government of Nova Scotia. As the hon. member for Guysboro' (Mr. Kirk) said, they have never spent a dollar west of Halifax, and now it is proposed to build eighteen miles of railway into a town which has railway accommodation already, while, at the same time, they leave the rest of Nova Scotia, including Cape Breton, without railway accommodation. My hon. friend referred to my having carried this railway through Digby county in order to make political capital out of it. He also referred to the money we got in Nova Scotia in 1869. But we got no more from the Government at that time than Nova Scotia was entitled to according to her population. The fact is she did not get proper treatment in the first place, and the only reason for the amount granted to her in 1869 was to bring her up to the amount which had been apportioned to the other Provinces. Perhaps the granting of that money was of some advantage to the Minister of Finance. I would not like to say that he sold himself to the Government, but he certainly looked well after number one. He was made Commissioner of Railways, with a seat in the Senate at the same time, and profited as much by the transaction as did Nova Scotia.

Mr. IRVINE. I think the hon. gentlemen imagine that Nova Scotia is the hub of this country and that Pictou occupies a very important position. I want to change the discussion to New Brunswick. I do not desire personally to say a word against the Pictou Branch. I am not personally opposed to the town of Pictou. But I have to ask the question why Pictou has a better right to a road being subsidised than my county has. Do I not show as much independence as the hon. member for Pictou? Am I not as good as good looking a man? Are not my constituents as good as his? Why is my constituency left out and his road to the town of Pictou subsidised when that town is already served by a railway? The hon. the Minister of Inland Revenue has been pleading for years and endeavoring to get the Government to give a subsidy to a road in New Brunswick, why does he not get it? Is it possible that the Minister of Inland Revenue has not as much influence with the Government as the member for Pictou? Or is it possible that the Government of the day are persuaded that the Minister of Inland Revenue is safe in his seat and that it does not require any expenditure from the Treasury to make that seat safe, while the seat of the hon. member for

Mr. VAIL,

Pictou is perhaps unsafe? I am not opposed at all to the Pictou Branch, but I would like to know upon what principle the Government of this country disburse the moneys which belong to the people of this country. I would like to know, so that I might get my share, for I am sure that the Government of the day, I am sure that my smiling friend the Minister of Customs, would not say that it was necessary for me to fall at the feet of the Government of the day, that it was not necessary for the county of Carlton to send a member to this House to serve the Government in order to get a share of the revenues of the country. The revenues of the country do not belong to the hon. gentlemen who sit on the Treasury benches, they belong to every man, woman and child in the Dominion of Canada, and we want to know how they are distributed. I was very much struck by the crushing argument of the Minister of Marine and Fisheries when he said to the member for Guysboro' that he would not object to have \$300,000 expended in his county. Of course he would not. He is not a fool. I would not object to it myself. But how can the hon. member avoid being crushed by such an argument? The expenditure of that amount might help him in his election. I want to know upon what principle this money is distributed. I ask for the information. I would like to know, because I would like to apply on my own behalf, or on behalf of my constituents. I have made a declaration before that I am wholly and entirely opposed to the Government of this country subsidising one mile of local railways, it is contrary to the spirit and to the letter of the arrangement entered into at the first by the various members of this confederacy, and I say that it was never publicly stated in this House of Commons until 1883 that local railways would be subsidised, and when it was stated it was in my judgment one of the most humiliating days this country ever saw, when the floodgates of corruption were thrown open by the announcement of that policy of subsidising local railways. When I saw some members from New Brunswick suing for assistance for local railways, when I know that that assistance is simply a means used to corrupt hon. members and make them servile followers of the Administration, I think I have a right to protest against such a system. It is a system which is subversive of good government, it is a system which tends to destroy the independence of this country and of this House, it is a system which must end in ruin, it is a system which no honest Government would ever have introduced. I maintain, that if they receive money from the people of this country in the shape of revenue, that it should be divided upon a correct basis between the several members of this confederacy; but I maintain, as I have before, in the House and out of it, that no honest Government ever would have adopted the system that hon. gentlemen opposite have adopted since 1882. The money is not disbursed now in the interests of this country, but in the interests of servile followers of hon. gentlemen opposite. Do you tell me that the town of Pictou occupies a more prominent position than the town of Woodstock in the county of Carlton? Give me a reason why a line of railway should be subsidised into that town more than into my county? Give me a reason why you should subsidise the town of Pictou more than you should subsidise a railway to the plaster rocks in the constituency of the Minister of Inland Revenue, when he has been asking for subsidies for years. Then, again, reference has been made to the Intercolonial Railway, and I differ from the hon. member for South Huron (Sir Richard Cartwright) in his view of it. Whoever the building of that road may have benefited, it certainly has not benefited New Brunswick, for the reason that it was built where no sensible man would have built it. It was built contrary to the interests of a large portion of the people of this country, east and west. But it is well known that an arrangement was entered into before Confederation for the building of that road. Then, what has New Bruns-

wick done since the road was constructed by the North Shore? New Brunswick had to build a line of railway out of her own means, subsidising a line in moneys and land, from St. John on the seaboard up to the boundary between Quebec and New Brunswick, to connect St. John with the railway system west. We were obliged to do that in our own defence. An arrangement was entered into for the construction of that road between the Province of Quebec and the Province of New Brunswick, and Quebec agreed to build her portion of it if New Brunswick would build to the boundary line. Our portion of it is built to Edmundston, but instead of the Province of Quebec finishing those eighty-six miles, as she agreed to do, this Dominion Government has come to her rescue and offered a subsidy of \$6,400 a mile for that purpose. So, Sir, instead of having one line, we are to have three lines of railway competing with each other. When the Rivière du Loup line is built, that is to compete with the Intercolonial Railway; when we have subsidised the Short Line, that is to compete with the Intercolonial Railway. These hon. gentlemen who made such a blunder before, now come down and subsidise two more lines to compete with one they have already built; but there is a worse state of things than that. It is with shame that I refer to it; it gives me pain to refer to it. What is that, Mr. Chairman? It is simply this: I see before me the smiling countenance of the Minister of Railways; I am told he had an interest in this Short Line Railway, and what did the hon. gentleman do three years ago? Like a good man, like an hon. gentleman, the Government came to his rescue, and gave him \$3,200 a mile for putting steel rails on a road that was already running.

The CHAIRMAN. You must not open up that discussion.

Mr. IRVINE. They have gone all over the world, and I am not worse than the rest. That hon. gentleman, it was said, put into his pockets \$150,000 of the money belonging to the people of this country. Now, Mr. Chairman, if I named that act properly out of doors—it might not be proper for me to name it here—I would call it a mean swindle—that is what I would call it out of doors. That is a transaction an honest Government would not have done, and an honest party would not have sanctioned. I think the better way, Mr. Chairman, is to call everything by its right name. That was done to cover up something that was outside the line of honest conduct on the part of the Government, or on the part of an individual.

The CHAIRMAN. The hon. gentleman is out of order.

Mr. IRVINE. I admit, Sir, that this question is not properly before the Chair, but I have not gone a bit further than other hon. gentlemen. I have probably said enough. I do not think it makes much difference how much or how little is said in this House.

Mr. WIGLE. Then sit down.

Mr. IRVINE. I will sit down when I like. The hon. gentleman did not sit down when he made a declaration that he sat in this House all last year and took his pay, when he was out canvassing.

Mr. WIGLE. Do you want to discuss that?

Mr. IRVINE. You can discuss it, Sir. What I meant to say is that it does not make the slightest difference, for me or any other hon. gentleman, to speak in this House, because it is an acknowledged fact, I believe, that, no matter how eloquent a man may be, no matter how truthful he may be, or how logical he may be, no man has ever yet

changed his opinions in this House. Hon. gentlemen vote at the ringing of the bell.

An hon. MEMBER. Speak for yourself.

Mr. IRVINE. There is no hon. gentleman in the House more servile than the hon. gentleman who said "Oh!" just now.

The CHAIRMAN. The hon. gentleman is out of order to say that any hon. gentleman is servile. I must ask him to withdraw the expression.

Mr. IRVINE. I will withdraw it, Sir, if you will mention the name of the gentleman to whom I referred. I did not mention any hon. gentleman's name. I do not know the hon. gentleman who said "Oh," but if you, Mr. Chairman, will mention his name, I will withdraw the expression. Certainly if I have violated any rule of order I must withdraw it, but not otherwise.

An hon. MEMBER. Withdraw.

Mr. IRVINE. Withdraw what, Sir?

An hon. MEMBER. Withdraw your presence.

Mr. IRVINE. I must say you are very kind to listen to me so long. I did not intend to say unpleasant things. Of course I wish to make this Parliament as pleasant as can be, so that hon. gentlemen may have smiling faces. I do not care to be addressing wry faces. I thank you for the kind manner in which you have borne with me.

Mr. KING. I have a few words to say with regard to this policy of subsidising branch lines of the Intercolonial Railway. I was pleased to-night when the Minister of Fisheries rose to his feet and gave his sanction in most unqualified terms to the proposition before the House. The Intercolonial Railway, as most members of this House know, is not confined to Nova Scotia, but it also traverses a large portion of the Province of New Brunswick. Very early after the completion of that road the people of New Brunswick felt that it would be in their interest to secure branch lines to connect them with the main line of railways, and an application was made to this Parliament for aid. The policy of the late Government was to assist branch lines, by giving old rails that were taken off the Intercolonial Railway. That policy, if I am not greatly mistaken, was opposed by the Conservative party in this House. But since that time, the business of constructing branch lines of the Intercolonial has been carried on to a large extent in the Province of New Brunswick, and to-day, we have no less than seven or eight lines of railway, varying from ten to 110 miles in length, connected with that road. Those branches have all been built by aid received from the Provincial Government and from private sources, with the exception of the small grant of \$3,200 per mile, given to two or three of them. In the aggregate, the Province has built 300 miles of feeders to the Intercolonial. If the statements made to-night are anywhere near the mark, the whole amount of aid received for the 300 miles would not exceed that proposed to be given to these eighteen miles at Pictou. I shall be pleased to hear that the Minister of Marine and Fisheries will see that justice is done to the Province of New Brunswick in future, and that in the construction of any further branch lines to the Intercolonial, the Province will be treated as well as the people of the town of Pictou are being treated in regard to the building of a branch line. We find the Dominion Government have given New Brunswick \$3,200 per mile towards feeders to the Intercolonial; and yet this Pictou Branch can be regarded in no other light than as a branch of the Inter-

colonial. On what principles does the Government propose to deal with branch lines of the Intercolonial? There should be some settled policy so that in the Province of New Brunswick we should not be expected to build branch lines with the aid of \$3,200 per mile while Pictou is receiving from \$18,000 to \$20,000 a mile for a branch railway. I was anxious to call the attention of the Minister of Marine to this phase of the subject as I am sure he will be prepared in the future to stand up for the rights of his Province as he should do. I might go further and say that this Government measure is opening a very wide door. The time is not far distant when the Province of New Brunswick will be able to claim that it should be recouped for all the expenditure it has made on feeders to the Intercolonial. If in the future it is to be the policy of the Government to build branch lines in Nova Scotia and pay the cost of operating them, while the people of New Brunswick have to contribute their private means and local funds for the construction of similar lines, the people of New Brunswick should know it. The Minister of Marine thinks the member for South Huron (Sir Richard Cartwright) has, to-night, given him a peg to hang his hat on. I know the hon. Minister found very great difficulty in reconciling some statements he made in regard to the Short Line Railway at his election, and one of the great cries at that election and at another election which occurred since was that the leader of the Opposition (Mr. Blake) had opposed the Short Line Railway. I have been in Parliament quite as long as the Minister of Marine and if the leader of the Opposition ever opposed the Short Line Railway I have yet to be satisfied on that point.

Mr. FOSTER. He voted against it.

Mr. KING. I recollect when the subject was first introduced, and if reference is made to *Hansard* it will be found that he said he was glad that the Tory party had at last come to their senses and were prepared to give the Maritime Provinces a short commercial line.

Mr. FOSTER. He spoke in favor of it and voted against it.

Mr. KING. The hon. gentleman does not need me to defend him, but if it were necessary I could do it. I might say that what he opposed was the whole scheme which proposed other subsidies than that of the Short Line, subsidies of the character asked to-night, and of course he had to vote against the whole. At the same time he spoke as I have mentioned, as will be found on reference to *Hansard*. So that charge cannot be laid at the door of the leader of the Opposition. It did service however in New Brunswick and I dare say it will do service again, and perhaps the remarks of the hon. member for South Huron (Sir Richard Cartwright) may be a satisfaction to the Minister of Marine. I think he will require all the advantage he can derive from them.

Bill reported.

Mr. POPE moved that the Bill be read the third time to-morrow.

Sir RICHARD CARTWRIGHT. I am not satisfied with the explanations given, and I move that the Bill be referred to the Standing Committee on Railways, Canals and Telegraph Lines.

Amendment negatived.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to; and the House adjourned at 12.10 a.m., Saturday.

Mr. KING.

HOUSE OF COMMONS.

MONDAY, 12th April, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FIRST READING.

Bill (No. 95) to incorporate the Victoria and Sault Ste. Marie Junction Railway Company.—(Mr. Dawson.)

MAJOR-GENERAL MIDDLETON.

Mr. SPEAKER. I have received from Major-General Middleton a communication acknowledging the receipt of the resolutions adopted by this House on Friday, the 17th of July last, and expressing, on behalf of himself and his colleagues, their appreciation and thanks for the great honor done them by the said resolutions.

PROTECTION OF NAVIGABLE WATERS.

Mr. FOSTER, in moving for leave to introduce Bill (No. 96) respecting the Protection of Navigable Waters, said: The Bill is mainly an adaptation of the law as it at present exists, with some change in the verbiage, and two or three new sections, or parts of sections, added. To section 1 is added a sub-section defining the word "owner," making the owner of a vessel to mean the registered owner. Section 2 has in it an addition, to the end that if a vessel is wrecked, or sinks, or is lying in the course of a navigable water, the owner of it, as long as it remains there, shall place a signal by day and a light by night, to give notice of its position, so as to prevent danger to passing vessels. Section 3 empowers the Minister of Marine and Fisheries to place such signal and light, in default of the owner, or the person in charge of the vessel, doing so. Section 4 has little or no change—the change in it enabling the Minister of Marine and Fisheries to take out from the proceeds of the sale of such wreck or vessel, the expense which the Department has incurred in placing the signal or light. Then, in section 7, there is an amendment which adds "navigable waters" to "navigable streams," which is meant to protect them from sawdust, or rubbish, or other deleterious substances. The law, at present, simply has reference to navigable streams, but there are many bays that run up into the land, which are valuable for their fisheries; and mill rubbish, sawdust, or other deleterious substances being placed in them, makes the water injurious to fish. The amendments are also made for the purposes of navigation.

Mr. MILLS. How about vessels that are totally wrecked?

Mr. FOSTER. The law, as it at present exists, provides for the removal of the wreck either by the person or, in default of the person doing it, by the Government.

Mr. DAVIES. It does not touch the question of the construction of piers and wharves?

Mr. FOSTER. It does not. It is just to cover the channels of navigable streams.

Motion agreed to, and Bill read the first time.

QUESTION OF PRIVILEGE.

Mr. KIRK. Before the Orders of the Day are called I desire to direct your attention, Mr. Speaker, and the attention of the House, to a matter which has just come under my notice. I find, with respect to a debate which occurred on a motion moved by myself for papers and correspondence in regard to better terms in the Province of Nova Scotia,

that this debate is published with interpolations and corrections under the official heading of the Debates of the House of Commons. This is done for the purpose of creating a false impression, and for the purpose of giving the authority of this House to that false impression. I have the paper here. It is under the official heading: "House of Commons Debates; Fourth Session, Fifth Parliament, 49 Victoria. Better terms to Nova Scotia. The insincerity of the Grits exposed. Only one from Ontario and one from Quebec in favor of better terms to Nova Scotia. The member for Guysboro' caught in his own trap by Cameron (Inverness) and McDougall (Cape Breton)." I do not complain at all of the report having been printed, but I have a right to complain that false statements of this character are made under the heading of the Official Debates of the House of Commons. The impression made here, or sought to be made, is that but one Grit from Ontario and one Grit from Quebec voted in favor of better terms, that all the rest of the Grits from all the Provinces voted against better terms; but it does not point out that every member of the Government, and every supporter of the Government, except a few supporters from Nova Scotia, voted against better terms also. I, therefore, complain that the Official Debates of the House are made to convey a false impression to the people of Nova Scotia in this regard. The division is also purported to be given, but it is not fully given, as it only gives the names of those who voted for the amendment of the hon. member for Inverness (Mr. Cameron), and the names of those who voted against it are suppressed in order to deceive the people.

Mr. SPEAKER. I presume the hon. member is not reading from the official report?

Some hon. MEMBER. No, no.

Mr. KIRK. It purports to be the official report. It is under the heading of "House of Commons Debates."

An hon. MEMBER. On what date?

Mr. KIRK. 1st April.

Mr. SPEAKER. It is most improper to use the official reports of the debates to convey statements of this kind, and to have them printed by the parliamentary printers. It is most improper, I say, for the parliamentary printers to publish statements of this kind. I shall call the attention of the Chairman of the *Hansard* Committee to the fact. This paper purports to be a report—

Mr. WHITE (Cardwell). Does it not purport to be the speech of an hon. member?

Mr. SPEAKER. It purports to be the official report printed by the parliamentary printers of the House of Commons.

Mr. WHITE (Cardwell). Is it not a speech of an hon. member?

Mr. SPEAKER. No; it is a most improper proceeding for any person to use the official titles in that way.

Mr. WHITE (Cardwell). There is only this to be said: It has been perfectly well understood, ever since we had an official report, that any member could get a number of copies of his own speech printed in *Hansard* form from the parliamentary printers at a certain price. This appears to be the speech of an hon. member who obtained copies of his speech in the ordinary way, and sent them out in the ordinary way. This is done every day.

Mr. BÉCHARD. It is the practice, when an hon. member's speech is printed, to have it printed as it was spoken, and an hon. member assumes the responsibility of taking it from the official report of the House; but to have a speech published in the way this has been published is an outrage. You, Mr. Speaker, have stated that you will call

the attention of the Chairman of the Debates Committee to this proceeding. I observe that the Chairman of the Committee is not in his place; but, as a member of that committee, I assure you, Sir, and this House, that the attention of the committee will be called to this proceeding.

Mr. WHITE (Cardwell). I know, as an ex-member of the Debates Committee, that it is part of the contract with the parliamentary printers that copies of the speeches of members shall be supplied at a particular price. The hon. member for Inverness (Mr. Cameron) evidently got his speech printed in the ordinary way, as hon. members are doing every day.

Mr. VAIL. The hon. member cannot point to an instance of this kind that has previously occurred in connection with the Debates of this House. No man has put in his own views after the speech was delivered. It is a very common practice to have a number of copies struck off by members when *Hansard* is being printed for book form, but no one would pretend to insert anything but what has been stated in this House.

Mr. WHITE (Cardwell). That is what has been said.

Mr. VAIL. It has a different heading. It contains statements at variance with the facts, and it really suppresses what is the truth in regard to the vote which was taken.

Mr. THOMPSON (Antigonish). I suppose the question is really one for the Debates Committee and not for the House at all. I would not have spoken except for the circumstance that the hon. member for Guysboro' (Mr. Kirk), in the course of his statement, gave a very strange version as to what took place in the House. He said every member of the Government voted against better terms to Nova Scotia. There was no such question before the House. There was a question put to the House by the hon. member for Guysboro' (Mr. Kirk) as to whether certain papers should be brought down to the House or not. An amendment was moved expressing the opinion of the House upon the repeal of a certain clause of a statute. The resolution would not have effected the repeal, and I preferred to vote for the hon. member's own motion to bring down the papers, although he did not want to vote for it himself. No one voted against better terms.

Mr. KIRK. That is the very thing of which I complain. It is not I who say that every member of the Government, and those who support them, except the few members from Nova Scotia, voted against better terms. The heading of this paper points out that every Grit except two voted against better terms. I pointed out the fact that if they did so, every member of the Government, and every member supporting the Government, did the same thing. But that paper is misleading, it is intended to deceive, and the printers of the Official Debates of the House are made the instruments of impressing upon the minds of the people that such votes were given in the House; and all this was done for the purpose of deceiving the people.

Mr. WHITE (Cardwell). I call attention to the fact that the hon. member for Huron (Mr. Cameron) did exactly the same with respect to his speech on the Riel debate. I find that report has the imprint of MacLean, Roger & Co., Parliamentary Printers, Wellington St., Ottawa.

Mr. CAMERON (Huron). No.

Mr. KIRK. This is not only a speech delivered by the hon. member for Inverness (Mr. Cameron), but it purports to give also my speech. Whether this is done correctly or not I do not know; but I have good reason to believe that my own remarks have been changed from those which were delivered.

Mr. SPEAKER. I shall call the attention of the *Hansard* Committee to the matter, and allow them to adopt a rule in future as to whether hon. members shall be allowed to circulate speeches prepared in this manner, and whether it is the proper practice.

Mr. BOWELL. The only difference between those two speeches that this House or the committee would have to consider, is, as to whether gentlemen delivering speeches in this House should be permitted to take another gentleman's speech and the published proceedings as found in the official report of the Debates, and circulate them amongst his constituents or anywhere else, or whether he is to be permitted simply to do as Mr. Cameron has done, put at the head of his speech the words "Speech of Mr. Cameron, M.P., on the subject of the execution of Louis Riel," or whether he should be allowed to state in the way of a preface—or whatever you might choose to call it—what is in those speeches.

Some hon. MEMBERS. No, no.

Mr. BOWELL. Is not that the question before the House? I am only putting the position of the matter, and what are hon. gentlemen contradicting? I simply ask the question, whether a gentleman is to be permitted to use the official name of the printers to any speech he may circulate, or whether he may be permitted in addition to show at the head of it what the report contains. The question is, if he puts such words as I have read at the head and follows immediately with the official report, as he finds it in the *Hansard*, is he to be permitted to do that, with the name of the official printers added to it? There certainly can be no objection to his putting what he pleases to what he delivers in his speech indicating what it contains, providing he does not put at the bottom the names of the official printers.

Mr. PATERSON (Brant). Put what he finds in the speech.

Mr. BOWELL. I said nothing about that.

Mr. BÉCHARD. Provided it does not appear as being the official report of the House, because then it would be misleading.

Mr. CAMERON (Huron). My speech has been referred to, but it is precisely as it was printed, and there is put at the head of it this heading: "Speech of M. C. Cameron on the execution of Louis Riel." But this other gives a false impression; a false impression lies on the face of it, because it gives to the world these words as the utterances of Parliament, printed by the parliamentary printers: "Better terms for Nova Scotia—The insincerity of the Grits exposed—Only one from Ontario and one from Quebec in favor of better terms for Nova Scotia—The member for Guysboro' caught in his own trap by Cameron (Inverness) and McDougall (Cape Breton)." Yet we find that a Minister of the Crown, the Minister of Interior, justifies that proceeding; it is quite the proper thing, from his point of view. I say it is a scandal on Parliament and on the Printing Committee to allow it to be done, and I challenge him to point to another instance giving such a false impression, giving such a document with a false garb lying on the face of it, and apparently with the sanction of Parliament and the Queen's printers; and the hon. gentleman thinks that is right.

Mr. WHITE (Cardwell). Hear, hear.

Mr. CAMERON (Inverness). I desire to give a word of explanation. I am responsible for the heading on the *Hansard*, if it be the *Hansard*, for I went into the printing office and gave them that heading. There is not a word in that heading which is either misleading or unfair to any person.

Mr. Kirk.

Some hon. MEMBERS. Oh, oh!

Mr. CAMERON (Inverness). The hon. member for Guysboro' (Mr. Kirk) endeavored to mislead the people of the Province of Nova Scotia to believe that they could secure better terms for Nova Scotia if the party at present in power were defeated. My object was to show that better terms for that Province were not favored in this House, and that for many years previously we had repeatedly passed through the ordeal of endeavoring to secure them better terms. I showed that any concessions made to Nova Scotia were made by the party now in power in this House.

Mr. KIRK. Is this in order?

Mr. SPEAKER. Yes; the hon. gentleman is in order, as this matter was referred to in the discussion.

Mr. CAMERON (Inverness). I spoke with regard to the better terms for Nova Scotia; I showed the insincerity of the Grits, the speeches of whom are published here; I gave them the whole discussion; I gave them the whole division—

Mr. KIRK. No, no.

Mr. CAMERON (Inverness). The whole division of those who supported better terms is given here, and the object was to let the people of the Province of Nova Scotia see how many members of this Parliament would concede any better terms to that Province than they had already received. There is not a word changed by me nor by the *Hansard* people, so far as I know. But for the heading I am responsible, and I have as much right to put a heading to this as the great leader of the Opposition to put on his speech such a heading as this: "Ministers on trial—Was the execution of Riel necessary or proper—Mr. Blake's great judgments—Delivered in the House of Commons of Canada on the 19th of March, 1886."

Mr. LANDERKIN. And where printed?

Mr. CAMERON (Inverness). I say that the heading of my speech is equally as honest, equally as fair, and it gives the whole discussion on the question. But is that done in this case? It is not intended to mislead anyone in connection with that discussion, or to refuse fair play to opponents; the whole discussion is given, and the people of the Province of Nova Scotia who will read it, will find that nothing but justice was done. Here is another speech with a heading, and who authorised this heading?—"House of Commons Debates—Speech of Mr. Wilfred Laurier, M.P., on the Riel question, delivered in the House of Commons, at Ottawa, March 16th, 1886." There is the official heading, "House of Commons Debates." I say that that is exactly a parallel case, and yet we find hon. gentlemen opposite clamoring just because we have been following their example. But that is the policy they have always pursued ever since I have had a seat in this House; it is a policy which has kept them in a minority and will in future leave them in a more miserable minority than they are now.

Mr. DAVIES. The hon. gentleman may have succeeded in deceiving himself into believing that a document purporting to be printed at a private printing office purports, in any sense, to be official, in the same sense as one which purports to come from the Queen's Printer and has the official heading of the Debates of this House. A member who goes to the *Free Press* office, or to the *Citizen*, or the *Montreal Gazette*, or any other office, can print what he likes and give what heading he likes. The speeches of the Hon. Mr. Blake and of Mr. Laurier, to which he refers, were printed at private printing offices; they did not profess to be the official reports; but the speech of the hon. member for Inverness, under the guise of an official report—

Mr. CAMERON (Inverness). No.

Mr. DAVIES. Yes; it is headed: "House of Commons Debates, 4th Session, 5th Parliament;" and at the end it is stated: "Printed by MacLean, Roger & Co., Parliamentary Printers." It is printed in a form to deceive, and with the object of deceiving.

Mr. SPEAKER. Order. I do not think the hon. gentleman should state it was printed with the object of deceiving.

Mr. DAVIES. I said printed with the object of deceiving—not by the hon. gentleman; we are talking of the printing by the printers.

Some hon. MEMBERS. No, no.

Mr. DAVIES. If the hon. gentleman has stated here that he did not intend to deceive anybody by the document, we accept his statement. But does the hon. gentleman mean to say that there are not hundreds and thousands of people who, reading that report, would believe it to be the proper official report.

Mr. WHITE (Cardwell). So it is.

Mr. DAVIES. The hon. member for Cardwell (Mr. White) says, "so it is." Does he mean to say that the words: "The insincerity of the Grits exposed" is part of the official report?

Mr. WHITE (Cardwell). No, they are not.

Mr. DAVIES. It is under the official heading "House of Commons Debates, 4th Session, 5th Parliament." Then it says: "Only one from Ontario and one from Quebec in favor of better terms for Nova Scotia." In the first place the statement is not true—

Mr. CAMERON (Inverness). It is true.

Mr. DAVIES. In the next place, it is printed under the guise and form of the official report, and this document, which is so calculated to deceive, has the *imprimatur* of a Minister of the Crown—the Minister of the Interior—who says it is all right. Well, that may be his idea of party exigencies, but it is not mine.

THE NORTH-WEST DISTURBANCE—RECOGNITION OF SERVICES.

Mr. ROSS asked, Is it the intention of the Government to recognise in a suitable manner the services rendered by teamsters and other non-combatants in the various engagements during the late North-West rebellion?

Sir ADOLPHE CARON. The teamsters have been paid for their services. They were not enrolled in the militia. All who were enrolled in the militia are entitled to land grants.

Mr. ROSS asked, Is it the intention of the Government to issue scrip to the Prince Albert Volunteers?

Sir ADOLPHE CARON. This corps was organised by the North-West Mounted Police and maintained under their control, and as such they were not entitled to land grants. The advisability of giving them land grants is now being considered by the Government.

Mr. ROSS asked, Do the Government propose to pension the volunteers wounded at the Duck Lake fight?

Sir ADOLPHE CARON. These claims are also now under the consideration of the Government.

Mr. CAMERON (Middlesex) asked, Is it the intention of the Government to recognise the services of any of the non-combatants who participated in the field operations in the North-West, by grants of scrip or land similar to those granted the enrolled volunteers then on service?

Sir ADOLPHE CARON. That question has been already answered by the answer I gave to my hon. friend.

Mr. CAMERON (Middlesex). That did not cover all cases. This question asks if it is intended to recognise the services of any of the non-combatants?

Sir ADOLPHE CARON. The non-combatants who were enrolled are entitled to land scrips. The cases of those who served without being regularly enrolled are now being considered by the Government.

CANADIAN PACIFIC RAILWAY—AGREEMENT WITH NORTHERN PACIFIC RAILWAY.

Mr. TROW (for Mr. EDGAR) asked, Did the Canadian Pacific Railway Company enter into any agreement with the lessees of the Northern Pacific Railway providing for through rates and fares and proper traffic arrangements as required by the agreement of 12th April, 1884, under which the Government granted the subsidy of \$12,000 per mile for the construction of the railway from Gravenhurst to Callander? If such agreement has not been executed, why has it not been done?

Mr. POPE. No such agreement has been entered into. It was provided by the contract that "this clause shall have no effect unless the Canadian Pacific Railway Company shall, within six months from this date, enter into such an agreement." There has been no agreement.

PIER AT FATHER POINT.

Mr. GAULT asked, Is it the intention of the Government to place a sum in the Estimates for the erection of a deep-water pier at Father Point?

Sir HECTOR LANGEVIN. Petitions from ship owners, especially steamship owners, have lately been presented to the Government on this matter; and it is now engaging the attention of the Government. I do not know what will be the decision.

LOTS ON LACHINE CANAL BASINS.

Mr. GAULT asked, Is it the intention of the Government to lease, by auction or otherwise, the lots on the Basins in the Lachine Canal? And, if so, when is the sale likely to take place?

Mr. POPE. It is the intention of the Government to lease the lots on the Lachine Canal Basins very soon. I think perhaps the advertisement has been issued.

GEOLOGICAL SURVEY EXPENDITURE.

Mr. HOLTON asked, By what amount has the expenditure on account of the Geological Survey during the present financial year exceeded the sum voted for that purpose, and how has such deficit been provided for?

Mr. WHITE (Cardwell). It is impossible to state exactly by what amount the expenditure on account of the Geological Survey during the present financial year exceeds the sum voted for that purpose until the close of the financial year. It is, however, estimated that the amount will be about \$18,400, which amount has been provided by Governor General's warrant. I ought to say, however, as has been explained to me by Dr. Dawson, that the payments properly chargeable to former years, but which have been going over from year to year and made in the present financial year, will amount to about \$18,700, so that I fancy the expenditure of the present year will be about equal to the estimate.

THE CASE OF LOUIS RIEL—PETITIONS FROM PROVINCIAL GOVERNMENTS.

Mr. HACKETT (for Mr. TASCHEREAU) asked, Whether the Dominion received from any of the Provincial Governments a petition asking that the sentence pronounced against Louis Riel should not be carried out?

Mr. THOMPSON (Antigonish). No.

SAVINGS BANKS DEPOSITS.

Mr. TROW (for Mr. MULLOCK) asked, What is the aggregate amount of deposits amounting in each case to \$1,500, or upwards, on deposit, on the 1st of January, 1886, in the Government Savings Banks and Post Office Savings Banks, respectively?

Mr. McLELAN. It is impossible to give an answer to this question without an enormous amount of labor, as all the accounts would have to be examined. The returns are completed only up to the 30th of June, 1885, which we could give with some considerable labor; but there are no monthly or quarterly returns made up, by which we could give an answer to the question without going through 400,000 or 500,000 accounts.

Mr. TROW (for Mr. MULLOCK) asked, What is the aggregate amount of deposits amounting in each case to \$1,000, or upwards, on deposit, on the 1st of January, 1886, in the Government Savings Banks and Post Office Savings Banks, respectively?

Mr. McLELAN. The answer is the same.

FACTORY LEGISLATION.

Mr. TROW (for Mr. MULLOCK) asked, Is it the intention of the Government during the present Session to introduce a Factory Act, or any legislation affecting the employment of labor in manufactories?

Mr. THOMPSON (Antigonish). The matter has been brought recently to the attention of the Government by some correspondents, but a conclusion has not yet been reached about it.

REPENTIGNY WHARF EXPENDITURE.

Mr. HURTEAU asked, What is the amount expended for the work of excavation done at Repentigny, with a view to the construction of a wharf? Has an estimate been made of the work required to finish the same? Is it the intention of the Government to complete the work? If so, when?

Sir HECTOR LANGEVIN. The amount which has been expended on this work is \$1,050. To complete it to a depth of nine feet of water will require a further expenditure of \$5,000.

CENTRAL BOARD OF AGRICULTURE.

Mr. LANDRY (Montmagny) asked, Whether it is the intention of the Government, in organising the Central Board of Agriculture, to appoint, in conjunction with the entomologists already appointed, a French entomologist capable of meeting more effectually the wants of all the farmers of the Dominion?

Mr. CARLING. There is no Central Board named at present; but should the Government decide to appoint one, the party referred to will have every consideration.

FREE EXPORT OF LUMBER.

Mr. IVES asked, Does the Government intend to obtain power at the present Session to permit the export of saw

Mr. WHITE (Cardwell).

logs and other lumber free from export duty, in case the proposed tariff changes in the United States should become law admitting sawn lumber free from duty when imported from countries not collecting an export duty on logs or lumber?

Mr. McLELAN. That is being considered by the Government.

HALF-BREED CLAIMS.

Mr. LANDERKIN moved for:

Return giving the report of Matthew Ryan and J. M. Machar, the commissioners who were appointed to investigate the half-breed claims to land in the North-West in the year 1877.

He said: I see by the return brought down, in reply to a motion of last Session, that these gentlemen were appointed to investigate the claims of the half-breeds in either 1876 or 1877. The claims of the half-breeds were known and duly considered by the Government of that day, who were alive to the importance of the matter. They appointed a commission, which, I presume, reported in 1877 or 1878. I would like to see their report, as no doubt it will furnish a vast amount of information, and tend to show the people that the Government of that day was alive to its duty.

Mr. WHITE (Cardwell). There was no formal report, but they sent down several memorandums and lists, which will be brought down, with any remarks that may be attached to them.

Motion agreed to.

NORTH-WEST FLYING COLUMN.

Mr. WATSON moved for:

Copies of all correspondence between the Government and the Government officials in Manitoba or the North-West Territories, or any other person or persons, concerning or relating to the proposed despatching of a military expedition into the Territories, with a view of preserving the peace, or for any other purpose.

He said: Some time ago it was stated that the Government intended sending out a flying column to the North-West. I think, in the first place, a great mistake was made in proposing to send out such an expedition. If the Government intended to increase the forces, the increase should be a permanent one. The Government have, however, I believe since made up their minds not to send the flying column; and, inasmuch as they made a mistake in proposing to send it and in informing the Indians, through Mr. Dewdney, that it would be sent—Mr. Dewdney asking the Indians to make preparations to receive the column quietly and give no grounds for any disturbance—now the effect of this column not going will be to disturb the Indians. The Indians are now of opinion that the Government are afraid to send out the column. It is always a great mistake on the part of the Government to make any proposition of this nature and not carry it out. I would suggest that before the Government come to any decision in a matter of this kind, they should consider it wisely, and not first publish their intention to the Indians and then fail to carry it out. I therefore move that all correspondence in connection with this matter be laid on the Table.

Sir ADOLPHE CARON. I am quite sure the hon. gentleman will join with the Government in congratulating the country upon the fact that it became unnecessary to send out the column. The facts indicated to the Government convinced us that the flying column was not required. It was the duty of the Militia Department to be prepared for any possible emergency, and the column, had it been required, could have been sent at a very short notice, as it could be sent to-morrow. But I cannot agree with the hon. gentleman in considering it advisable to bring down the information which came to the Government, and upon which

the Government acted, in taking the necessary measures to have a flying column ready in case of necessity. A good deal of this information is of a strictly confidential character, and I do not consider that now, when the country knows that it is no longer considered necessary to take any further measures for the protection of the North-West, it would be advisable to produce papers, the production of which might have a bad effect in many cases. A good deal of information is communicated by people living in that district, and who considered they were fulfilling their duty to the Government by putting the Government in possession of any facts which might be of use in arriving at a conclusion as to the measure of protection required. It would not be advisable to give the names of these people who have to live in the North-West Territory, and their communications. I do not consider it advisable, therefore, to bring down the papers the hon. gentleman requires.

Mr. WATSON. I think we should insist upon the papers being placed before the House, as it has been said repeatedly by members in this House that residents in the North-West Territory were the cause of exciting the Indians and half-breeds, and were thus partly the cause of the rebellion. Now, I think if there are any charges of that kind to be made, if there are any men living in the Territories who have communicated such information to the Government, their names ought to be made known, and those gentlemen ought to be dealt with. It is unfair that a large number of people in the North-West should be accused of rebellious sentiments, should be accused as traitors to the country, and those who give information that they are not willing to back up by having their names made public, should be exposed. I think, for the very reason given by the hon. gentleman, this correspondence should be laid before the House. It is well known that for the past year such charges have been made in this House by supporters of the Government against people in the North-West, and it is unfair that all the residents of that country should lie under this stigma. I do not know of any white men in the North-West who are more rebellious, probably, than the parties who gave this information to the Government, and the chances are that if the names of these parties are laid before this House, they will be found to be men who expected to get a little more plunder out of the Government by transporting these troops, and furnishing them with supplies. I know myself that men have been waiting around Ottawa and lobbying here in an endeavor to obtain contracts for furnishing transport and supplies to a flying column to be sent to the North-West, and I think the names of those men ought to be made public. In the first place I think the names of those who started the movement of having this expedition sent out, should be laid before this House. I may say that the stockmen living at Fort Macleod discussed this matter, and were strongly opposed to a flying column visiting that country and I believe that any gentleman who may have informed the Government that it was necessary to send a flying column in the first place was himself not very well posted. Any person living in the North-West must know that the Indians have little regard or fear of a flying column, or any body of men travelling through that country in order to make a little bit of show. If they were sincere in wanting more protection for that country they would have asked for a permanent force or an increase in the Mounted Police. For these reasons the House should be made acquainted with all the facts in connection with this flying column, and the correspondence should be laid before the House whereon the Government based their proposition to do so.

Sir HECTOR LANGEVIN. I agree with my colleague on my left that these papers should not be published. I think the hon. gentleman cannot have realised the position

of the parties who may have informed the Government from time to time of the state of feeling in the Territories, and outside, amongst the half-breeds and the Indians. The hon. gentleman should see at once that if officials and others have been employed by the Government to obtain information from various quarters, it would be improper to make their names public. Therefore, their communications must be considered privileged, must be considered confidential, and ought not to be brought down. That has been the usual practice under similar circumstances. The hon. gentleman, in saying that the Government did finally decide that there should be no flying column sent out to the North-West, evidently believes that we made that decision after carefully weighing and considering all the information that was brought to the Government. We have saved the country a large expense in that way, and I think the House, as well as the country, will see that the Government were perfectly right in what they did. Of course, I know it may be a matter of curiosity to have the names of certain parties who might be compromised, but, on the whole, I think the weight of prudence is against communicating those papers to the public.

Mr. WATSON. I do not see why we should not have the information that has been given by public officials—for instance, a communication from Lieutenant-Governor Dewdney cannot be considered as confidential. Of course, when the Government say that there are papers that are strictly confidential we are bound to accept their explanation; but there must be some public documents in connection with the matter.

Sir HECTOR LANGEVIN. The hon. gentleman must see himself that Lieutenant-Governor Dewdney was not in a position to go and seek for information himself; he had to employ people to do that, and in reporting to the Government he must have reported the names of those parties, their statements, and so on. Therefore, those communications are in the same position as those of other parties.

Motion negatived.

ASSISTED IMMIGRATION.

Mr. WILSON moved for:

Return showing the total number of assisted immigrants, and the total number of unassisted immigrants who entered Canada in each month of the calendar year 1885; such statement to show how many of such immigrants were skilled artisans, unskilled artisans, farm laborers and domestic servants, and the amount paid towards assisted passages to each of said classes of immigrants during said year.

He said: In moving this resolution, I desire to call the attention of the House to the manner in which we have been expending money for immigration purposes. While I am quite willing that any reasonable amount should be expended for this purpose, I am certainly not of opinion that at the present time we ought to incur any more liability for the purpose of bringing immigrants to Canada, where, it is admitted by all who have an opportunity of knowing, the labor market is already overstocked. I would hesitate to say a single word against the utility of any country obtaining as great a population as possible. I believe we have in this country useful and valuable citizens who have been brought out here as immigrants from the Old Country; and while I cheerfully recognise their merits, I feel at the same time that we ought to consider seriously whether our Immigration Bureau is performing services that are really useful to the country. I am well aware that for the last year a smaller amount has been expended on immigration purposes than in the previous year. I am also perfectly aware that the present Minister of Agriculture, in his perambulations through the country, has taken the opportunity to address public meetings where he has displayed an ability and an eloquence beyond what we had previously

supposed him to possess. But I ask you, Mr. Speaker, did he take a straightforward course, that honest course a Minister of the Crown ought to have taken when he was before these public audiences, and tell them plainly that, although not a very large amount was paid directly in the way of assisted passages, yet a large sum indeed was being expended for immigration purposes. That is one reason why I complain of him, and I complain further that he should take an opportunity of writing to the various labour organisations letters which, if they were intended to mean anything, were intended to mislead public opinion in regard to what the Government were doing. A Minister of the Crown ought to be fair and honest with the whole country; he ought not, under any circumstances, to convey a misleading impression to those to whom he writes. Although I should feel that the hon. gentleman was doing a proper duty if he was bringing out a reasonable number of immigrants for the amount of money expended, his letter should show that the Government were expending a large amount for immigration purposes and thereby overstocking to a great extent the already overstocked labor market of Canada. We find that his policy in reference to these labor organisations is quite different from the policy announced by his predecessor, the present Minister of Railways. That gentleman's doctrine seems to have been that these labor organisations were of no avail, but the present Minister has roused himself from the lethargy of the previous Minister, and thinks it is necessary to conciliate these labor organisations and to claim that he has always been in sympathy with them. Wherein has he ever shown that sympathy for the laborers of this country? Wherein has he ever displayed his interest in the welfare of the labor organisations or the laboring classes? Do we not all know that, day in and day out, year in and year out, the course of this Government has been to enhance the cost of everything which these men require for their maintenance? But, when the hon. gentleman placed his hand to the pen, he said he had always been in favor of those organisations. Unless I read his letter, you would hardly imagine that such a letter had been written to these organisations, so I will read it and it will speak for itself. I might imagine that his idea was to mislead these organisations, but I will give him the benefit of the doubt, and suppose that he was ignorant of his Department, having so lately taken charge of it, and that he was crammed by some official of that Department, and that, in consequence, this letter was sent out. There is a labor organisation in the town that I have the honor to represent: it is called the Knights of Labor. At that place there is a good Conservative who was rather concerned as to the reports which were in circulation in reference to the amounts that had been expended for immigration purposes, and I suppose that, among other things, he thought it was necessary to keep the faithful within the fold satisfied that the present Government was doing nothing but what was in the interests of the country, and thereby get as many votes for itself as possible. So I find in the *St. Thomas Times*, the hon. gentleman's organ, one that praised him so highly when he paid a visit to our constituency not long ago, and showed that the Government was in a very prosperous condition, that everything was progressing admirably, and said that he was most enthusiastically received there, the following is the letter:—

"THE GOVERNMENT'S POLICY ON THE QUESTION OF ASSISTED PASSAGES.

"Mr. A. B. Ingram, Vice-President of the Trades and Labor Council, St. Thomas, Ont.:—

As I have already said, the hon. gentleman has an interest in these councils now; he has an interest in their votes, and he thinks it will not be proper to do anything to weaken his position in that view.

Mr. WILSON.

"DEAR SIR.—I have to acknowledge your letter of the 5th instant, in which you refer to my remarks in my address to the people of Dunnville,"—

It appears that our friend has been at Dunnville also as a missionary, and has done something there.

"as reported in the *Mail*, on the subject of the relations between trade and labor councils and immigration, as encouraged by the Dominion Government. You are quite right in supposing that my sympathies are with an object having in view the protection of the interests of workingmen."

Mr. CARLING. Hear, hear.

Mr. WILSON. My hon. friend says "hear, hear." That is all he has ever done for them, to say "hear hear." I would like to see a little more work and a little less "hear, hear." It would be more beneficial for these labor organisations.

"But I have noticed that some of their utterances in relation to immigration, and especially in so far as it is encouraged by the Dominion Government, have been erroneous."

You see he is very much concerned. He has heard the rumor. He has heard somewhat of the rumbling, and it was hard on the Government; so he says:

"For instance, it is erroneous to assert as has been done, that any policy or act of the Government of late years has had for effect to bring out artisans or workmen of any sort to compete with those of this country, and so cause a glut in the labor market, thereby lessening the rate of wages. I find, also, that what is called the 'assisted passage' has been greatly misunderstood and also misrepresented. The passage is not 'assisted' to the individual in the manner commonly alleged; but it is simply an arrangement affected with certain steamship companies, by which a cheapened or reduced rate of passage is afforded to agricultural laborers, families of agricultural laborers and female domestic servants, which is paid by them and not by the Government. The rate is, moreover, strictly confined to the classes named by special regulations made by the steamship companies, and none others can obtain it, except by double fraud; that is, first, by a fraud of declaration on the part of the intending emigrant himself, in which he is required to specify what he is and where he has worked; and, second, by a fraud in the certificate of a minister of religion or magistrate as to the good faith and truth of the declaration made. And, even as respects the class of general laborers, when it was seen more than a year ago that the Canadian Pacific Railway and other public works would cease to afford employment for many thousands of men engaged in their construction, special instruction was sent home to prevent this class from obtaining the advantage of the cheapened or so called 'assisted' passage, and comparatively few of this class have come, as compared with former years."

I will agree with him that comparatively few immigrants have come, compared with former years:

"Very few mechanics have come to Canada. If we take the test of the port of Quebec, where alone there is a registration of trades and callings, and where, with the exception of a few at Halifax, all emigrants holding cheapened tickets. I have, however, reason to believe that many of those who came successfully changed their callings and became agriculturists. There are many cases of this kind in the North-West. As regards agricultural laborers and female domestic servants, I find from the reports of all the Dominion agencies that there has been a steady and unsatisfied demand for this kind of labor, and I find the same fact very strongly reported by the Bureau of Industries of the Ontario Government last year."

In passing, I may state that I will have reason to refer to that further on, but I will state that I have carefully looked over these reports, and find them just the opposite of what the hon. gentleman represents:

"I confine my letter simply to meeting the facts in issue, without dwelling on any question of needs or advantages of increase of population, especially in the North-West, where there is a vast unoccupied country to fill up, or without dwelling on the fact, immigrants have brought as much as \$8,000,000 of money or money's worth into Canada in a single year.

"Believe me, etc.,
(Signed) "JOHN CARLING.

"OTTAWA, 16th February."

The House will observe by this letter that its whole tone would have a tendency to mislead those who perused it, and it did not give that information which the people really desired. But I believe in the intelligence of the members of those organisations, and my confidence that they are not so easily misled as to be betrayed by a letter of this kind. The hon. gentleman tried to convey the impression that

none but agricultural laborers and domestic servants were being assisted by the present Government, a statement which is entirely erroneous. Had not that hon. gentleman, at the time the letter was written, seen reports of the various speeches delivered by Sir Chas. Tupper in England, in which he held out strong inducements to the people of that country to come to Canada where they could improve their condition and could obtain full employment? Was there not before his eyes at the time the speech made by Sir John A. Macdonald? Not only so; but has not the hon. gentleman been a member of the Government sufficiently long to know that the various guide books scattered broadcast in the Old Country contain advertisements declaring that the Government granted assisted passages to emigrants to the Dominion of Canada? Did he not know at the very time the letter was written that the Beaver line of steamships were publishing an advertisement, stating distinctly that arrangements were in force with the Government, by which assisted passages were provided for emigrants to Canada? With all those facts before him, and ample data to which he might have had recourse, I say that letter was not such a letter as should have been written. But I suppose the hon. gentleman has changed his views, or the Government have changed their views since last Session in regard to the course they intend to take in connection with the various labor organisations. We had the matter under discussion when the Estimates were before the House in 1885. A discussion took place at that time as to the propriety of expending so much money, as was being expended during that year. The then Minister of Agriculture (Mr. Pope) said:

"Hon. gentlemen opposite may sneer at the men who have come out to this country, and talk about labor unions. Are we going to adopt the policy because the labor unions say so? No. Ours will be a better and a broader policy, one I believe which the country requires. Although there may be in Montreal and Toronto some labor unions, I am satisfied to appeal to the common sense of the farmers who want laborers and who will not believe in the nonsense of pandering to a set of men in towns."

I ask if the labor unions of 1865 did not ask that a less sum of money be voted for immigration purposes; and yet the then Minister of Agriculture stated that it would be pandering to the unions to reduce the amount. Although the hon. gentleman's predecessor announced his intention of resisting their demands, the present Minister comes this year and asks for a less grant by \$100,000 for immigration purposes? Who is pandering now? If it was wrong for the Government to reduce the grant a year ago, is it not wrong to do so to-day? The state of the labor market a year ago was very similar to what it is at the present time; and I ask this House whether it does not appear, judging from that letter and from the manner in which the Minister comes before the House this year to ask for a less grant, he is not pandering to the labor unions? I have every confidence in those labor unions. I have no hesitation in saying here that they have rights and those rights should be conceded by the people to them as the rights are conceded to any other class, and while we have been protecting year after year all the other classes, the labor classes have been systematically ignored and everything possible has been done to render their position more unsatisfactory. In view of the large amount expended for immigration purposes we ought to have had a reasonable return for that expenditure. I ask even the Government if they are prepared to declare to the House that they are fully satisfied with the results of their immigration policy. Let us look at the increase of population during the last eight or ten years and at the amount which has been expended for immigration purposes. We find that the increase of population has been hardly equal to what we ought to have had by our normal increase, and that the men we have brought from the older countries to Canada must have

displaced a similar number of our citizens and compelled them to go to another country. I am perfectly well aware that if I should say that in various counties a large number of the people have left Canada and gone to the United States, the cry would be raised that I was disparaging our own country. If it be disparaging the country to tell the truth, I am perfectly willing to meet the charge. I know whereof I speak, and I am able to say that in the county which I have the honor to represent a very large number of the people have left and gone to Dakota and other parts of the United States, and at that very time we were making a large expenditure for immigration purposes. I might refer to the number of people who have left Canada and gone to the United States, and show where they have gone, and show that all that time the Government were quite indifferent to the fact, and continued to spend money for immigration purposes lavishly. I can quite understand that there are a large number of the newspapers supporting hon. gentlemen opposite that require subsidies. There was nothing more convenient than to make large appropriations for immigration purposes and devote a large part of the money to pay a number of those newspapers. We have for instance, my hon. friend, the Minister of Agriculture, who has an organ in the city of London, the *Free Press*, which does yeoman work for the hon. gentleman and always supports him and his Government. It is always ready to say a good word for him, because we find that in 1884-85 something over \$10,000 was granted to that paper for printing and advertising. If you go to Montreal you will find there another paper, with which, of course, no one in this House, no one connected with the Government, has anything to do. An appropriation was necessary to be kept up, and so that little paper, the *Montreal Gazette*, with which of course no member of the Government has anything to do, directly or indirectly, received, according to the Auditor-General's report, between \$6,000 and \$8,000 for immigration purposes, though, of course, it may have received other sums outside of that. But this much has paid that paper for advertising and printing pamphlets giving information to people in Canada and abroad. Other papers have received large sums for similar purposes. We find that a much larger amount was expended for printing and advertising than there is admitted to have been expended on account of assisted passages.

Mr. SPEAKER. The hon. gentleman should not refer to questions other than the subject of his motion, namely, the question of assisted passages.

Mr. WILSON. Certainly I do not wish in any way to trespass on the rules of the House. My object is to show that the number of immigrants we have brought out to this country is not at all in proportion to the expenditure we have made for immigration purposes. I have no hesitation in saying that, considering the condition of the labor market as well as the financial condition of the Dominion, it is no longer in the interests of Canada that we should keep up this expenditure, and I for one will be prepared to vote that we expend no further sums for immigration purposes. I hope the Government will reconsider their determination and will deal with the matter with a view to the requirements of the country and the actual condition of the labor market. They will find, if they look at the reports of the Province of Ontario, that both as to agricultural laborers and skilled artisans the market is overrun. I therefore ask for this information so that we may be able to see, when the Estimates are before us, whether it is in the interests of this country that we should make further appropriations for immigration purposes.

Mr. JACKSON. We were told last year by the Minister of Agriculture that there would be a large reduction in the

expenditure for immigration, and there was last year a reduction in the estimate of \$150,000. In looking at the report of the Auditor-General, however, we find that about half a million of dollars was expended for that purpose. The amount for assisted immigration was \$423,860; quarantine, \$54,000; and then if we take the various items for repairing and building immigrant sheds at Point Lévis, Port Arthur, Emerson, Qu'Appelle, Calgary, Brandon, Medicine Hat and other places, it brings the total up to nearly the round sum I have mentioned. The Minister stated that the number of immigrants who had come to this country last year was 79,000. The Secretary of his Department, Mr. Low, stated that over 22,000 of those were Canadians who had returned from the United States, so that the actual number of immigrants we have received is reduced to 57,000, of whom only 7,240 went to the North-West Territories, according to the report of the Minister. That is a very small number considering the sum of money we have expended to bring them here. The hon. member for South Brant (Mr. Paterson) stated a short time ago that, taking the census of 1881 and the census of the North-West Territories taken last year, which, according to the Minister, was 125,000 for Manitoba and 48,000 for the North-West, there was a discrepancy of 103,000 to be accounted for. The hon. member for South Brant asked where those people had gone. Now, Sir, I will try to show where they have gone. The Canadians who have gone into the United States have formed themselves into what are called Canadian-American societies, and these societies are to be found in many of the larger cities of the Union. The Canadians in the various States report themselves to those societies, by which they can ascertain their number and render mutual assistance. The *Chicago Times* of February 23rd, 1886, contains a statement made to one of these societies, in which occurs the following:—

"Canadians claim that the population of the Dominion is at present 5,000,000. This is not a very large number of inhabitants for a country of such a vast territorial extent, especially when it is remembered that the Government there has during the past ten years expended large sums to assist immigration; but, in view of the surprisingly large Canadian element to be met with in the northern portion of the United States, one finds an explanation for the discouragingly small population which has all along, and still continues to exist in Canada. If Canadian statesmen are at a loss to understand how it is that with all their efforts and expenditures to secure settlers from European countries, the increase from all sources in the Dominion during the past ten years has not much exceeded half a million, let them turn to published official and other reliable statistics in this country, and they will receive some important instruction. They will discover that there are now living in the north-eastern States more than 750,000 persons—native Canadians—who have settled there within a comparatively short period, and in the north-western States and Territories over 500,000 who have selected homes under the stars and stripes within the last quarter of a century, and a majority of them within ten or twelve years. In addition to this there are on the Pacific slope about 50,000 more, raising the total to 1,300,000, which is more than one-fourth the present population of the Dominion. It is not surprising, under these circumstances, that there should be the strongest feelings of friendship between the two countries.

"The following statistics, compiled from the last census and more recent returns, show the distribution of Canadian-Americans settled in the North-West:

Michigan	200,000
Illinois	55,000
Wisconsin	50,000
Minnesota	65,000
Iowa	60,000
Dakota	40,000
Montana	10,000
Nebraska	20,000
Total	500,000

"The number in Colorado is set down at 40,000, and that on the Pacific coast at considerably over 50,000. All these figures are probably within the mark, as those connected with Canadian-American societies in this and other cities who have devoted time to the collection of such statistics place the quota considerably higher.

"This large number of Canadians can scarcely be said to have greatly increased that which is generally called the foreign element in this country. They had for the most part become thoroughly Americanised at home, so that their tastes and habits as well as their language were the same as those of the people with whom they came to dwell. If anything was lacking in their general make-up, upon arrival in the United States, that was necessary to perfect assimilation with its customs,

Mr. JACKSON.

laws, and institutions, it required but a brief residence to acquire it. Therefore Canadians settled down everywhere in the northwest without manifesting provincialisms sufficiently strong to indicate their nationality. They have, in all sections where they have taken up their abode, proven to be most excellent citizens, pushing their way into every avenue of industry, taking an honorable place in all the professions, and filling the workshops, manufactories, and commercial establishments with a class of young men and women characterised by a high degree of sobriety, industry, skill and honesty.

"There are in Chicago between forty and fifty thousand Canadians, and they are creditably represented in every branch of business, in every profession, and in the great industrial pursuits which engage so many thousands of workmen and skilled artisans. Railway men in positions which enable them to estimate correctly say that more than one-sixth of all the hands employed in the yards, the workshops, and the general offices of the railways in this city are natives of the Dominion; in the factories they are very largely represented; in wholesale and retail business houses they constitute a large percentage of the hands employed, one establishment in the dry-goods business having at present on its list of clerks the names of over fifty Canadians. There is scarcely a newspaper published in Chicago which has not one or more Canadians prominently connected with its staff. The list of physicians in the city includes more than one hundred who were born and raised in Canada. The job-printing and publishing business of the city is very largely conducted by ex-Canadians, and some of the heaviest board of trade operators were former residents of Canada. In the legal profession there are a number of shining lights who came from the Dominion, and banking, commerce and education have also distinguished representatives from the same section.

"The Canadian club of Chicago is a chartered institution, of which Dr. Ogden is president. It is conducted for the social advantage of the members, and is in a flourishing condition; the Canadian-American association, Rev. T. D. Phillips president, has well-appointed rooms at No 208 La Salle street, and meets twice a month for the discussion of questions of interest to its large membership. Aside from these there is *The Canadian-American* newspaper, a weekly of sixteen pages, published by the Jeffery Brothers, late of Brantford, Ont. This paper was for some years issued in Minneapolis, but was recently moved to Chicago. It is gotten up in the interests of Canadians settled in this country, and seeks to promote a Canadian sentiment among them. It is creditably edited, and has had an existence of about four years.

"Turning to Wisconsin, it will be noticed that the large Canadian population there is chiefly scattered throughout the immense lumbering districts of the northern part of the State. But these people are not all confined to the work of felling trees and rafting logs. The Ingrams and the Kerrs, the heaviest lumber proprietors of the Eau Claire valley, represent them in the highest successes to which that business has attained. Some of the largest lumber proprietors in the Chippewa valley are also Canadians. In Milwaukee one may meet a great mill-machinery inventor whose reputation is world-wide and who has presided over the construction of many of the best mills in Minneapolis. He, too, is a Canadian. In all the commercial centers of Wisconsin his countrymen may be found occupying positions of trust or engaged in business or industrial pursuits."

I know that gentleman personally; his name is Wilkin; he is from Canada, and his wife is the daughter of the model farmer of the county of Norfolk, I. B. Carpenter.

"The State of Minnesota has been a very successful competitor with the Canadian North-West in securing English and Canadian settlers for the broad prairie areas in the northern part of that State. Until within the past year or two immigration to the territories north of the boundary line was obliged to travel through that State. The opportunity was not lost. Immigration agents besieged immigration trains and placed glowing descriptions of the advantages of Minnesota and Dakota as fields for settlement in the hands of northward-bound passengers, many thousands of whom yielded to the allurements presented, and cut their journey short by selecting farms under the flag of the United States. In many instances these trains, by the time they reached the international boundary in 1880-1-2, were emptied of their passengers, and were compelled to enter Winnipeg unoccupied. The result is, that in the northern portions of Minnesota or Dakota, many of the best farming districts are populated almost entirely from the Province of Ontario. Grand Forks, and its vicinity, for instance, are as completely Canadian, so far as the nationality of the inhabitants goes, as any portion of the Province of Manitoba.

You will see from this that a great portion of the money that has been spent in assisting immigration, has been spent upon persons who, in travelling through the United States, have stopped in Minnesota and Dakota instead of going to Manitoba and the North-West, as they intended.

"In St. Paul the wealthiest residents are Canadians. Mr. Norman Kittson, the millionaire and celebrated stockman, is from Ontario; Mr. Ryan, also a millionaire, and principal owner of the Hotel Ryan, is from Pontiac, near Ottawa, the capital of the Dominion; Mr. Beaupre is from Kingston, Ont.; Mr. Overbach is from Quebec. The railway offices and workshops of St. Paul are filled with Canadians, who are represented in a notable manner by Mr. J. J. Hill, president of the St. Paul, Minneapolis and Manitoba road, who is supposed to be worth ten or fifteen millions.

"In Minneapolis, where there are over ten thousand Canadians, it is a significant fact that a part of the site of the city was pre-empted by Col. J. H. Stevens, who is a native of Montreal. Mr. Stevens is now editor of *The Farm and Stock Journal*, published there, and is considered a good authority on agricultural questions. Col. R. S. Innis, a native of Port Hope, Ont., is one of the principal real-estate operators of that growing city, and Hon. F. H. Boardman, also from Ontario, is numbered among its principal lawyers. Throughout the state Canadians are to be met with in every branch of industry, in educational and literary pursuits, in the commercial and industrial establishments, in the pulpit, in the Legislature, and in every calling of life.

"Dakota has secured the cream of the immigration that the Canadian Government set in motion for its own North-West Territories; and the population of the northern part of that district, which is now asking Congress to be admitted as a State, is about one-half Canadian. Attorney-General Hughes is one of their leading representatives, and so is Hon. Alex. McKenzie, the well-known Dakota 'boomer.' The latter served on the capital commission, and is one of the rising men of the territory.

"Montana enjoys an important Canadian element. Some of its principal supply-houses are conducted by ex-Canadians. A large number of the most active miners in the territory are from New Brunswick, and a few from Ontario are engaged in the ranch business.

"Iowa's 60,000 Canadians are located principally on farms. Many of them have become wealthy. They have an able and widely-popular representative in Hon. John Van Valkenburg, of Fort Madison, Iowa, (formerly from Ontario), who is supreme chancellor (of the world) of the Knights of Pythias. He is now engaged in the organisation of a State Canadian association.

"The 20,000 Canadians in Nebraska have a flourishing club in Omaha, of which Mr. George H. Leslie, of that city, formerly of Toronto, is president, and the 40,000 located in Colorado have an association in Denver. There are also similar associations in Portland, Oregon, and in San Francisco, but the largest, and probably most active, is that in Minneapolis, of which Mr. C. E. Brown, ex-mayor of St. Thomas, Ont., is president."

Now, you will see that the gentleman who wrote this article knew what he was writing about; he gives the names of the parties and refers to their former places of residence, and I have no doubt that there are hon. gentlemen in this House who will recognise a great many of the names which I have read. This article proves conclusively to my mind that hundreds of thousands of our young, energetic and ambitious Canadians, whom the article speaks of as being all men of promise, have gone from this country. This takes us back to the policy of the Government in assisting immigration, which has filled the country with a set of immigrants and driven our native element out of the country. Now, what do we see? A delegation from Toronto waited on the Government which stated that Toronto was overburdened with a certain class of immigrants, and that, although the city had voted \$6,000 for certain casual purposes, last winter, that amount would not be half enough to cover the expenditure. Alderman Hall said that he had visited one of the police stations on the 20th March, and found there thirty vagrants, of whom eighteen were Irish, nine English, and three Scotch. He asked them where they came from, and they said they came out as assisted immigrants. And that is only for one police station in one city. Alderman Turner said that a certain clergyman had told him he knew of a family of seven, all mechanics, who had been assisted out here as agricultural laborers. The deputation also complained largely of the system of bringing out families of small children, who only became a burden on the cities. Montreal and Toronto were the two great dumping grounds for this immigration, and these two cities have to bear the burden of this policy. I have a statement here to show that even during the last month, the month of March, nearly 7,000 French Canadians left Bonaventure depot for the New England and Middle States. These would return at the end of the summer season, a great portion of them, and they are the class, I suppose, who, the Minister's secretary states come back from the United States. In his statement the other day, he estimates at 22,000 or more the Canadians who returned last year from the States. I suppose these are the parties who go to make up the 79,000 who, the Minister says, must come to this country. 227 families, representing about 1,000 persons, left Quebec during February to make a permanent residence in the United States. What is

the cause of this immigration from Canada? It must be the policy of the Government that drives the people out. What did Mr. Meredith do, a few days ago, in the Local House? He moved a motion of censure against the Government for putting \$18,000 in the Estimates to assist immigrants; but I am not going to propose a motion of censure against the Government here, though, if any other hon. gentleman will, I will give him my hearty support. I do not believe in a policy of expending \$500,000 a year annually in bringing immigrants into the country, when we are overburdened with a similar class who have shown themselves detrimental to the country. In England the newspapers are advocating sending out their paupers to Canada, as our Government is encouraging such immigration. That certainly is the class we are getting, and I hope some hon. gentleman will propose a motion of censure to show the people that the Government are moving in the wrong direction.

Mr. ROSS. I did not intend to say anything on this question, but, inasmuch as the hon. gentleman who last spoke has quoted some figures from a Chicago paper, I deem it my duty to set him right. In that statement which he quoted there is not a single figure correct, although the statement has been going the rounds of a certain portion of the Canadian press for some weeks back. Having gone fully into the matter, I am in a position to state that in not a single case in which the American press make statements as to the number of Canadian residents in the United States, do they state anything near the facts. In the States of California, Colorado, Illinois, Indiana, Iowa, Kansas, Minnesota, Montana, Ohio, Oregon, Wisconsin, Washington and Dakota, the total Canadian population, according to the census of 1880, instead of being 500,000, is 191,676.

Some hon. MEMBERS. This is 1886.

Mr. ROSS. What figures have they got since, or how could they secure them when no census was taken, except in Minnesota and Dakota? I can state that the Canadian census of Minnesota for 1885 shows only 45,473 Canadians in that State instead of 60,000. The returns from Dakota I will have in a few days: The Chicago authorities which the hon. gentleman quotes show figures to make out 40,000 Canadians in that city; but, by the census of 1880, there are not 14,900 Canadians there, and it is extremely unlikely that the difference has been made up in the five years which have elapsed since 1880. What does the total population of the Western States mentioned show, in each decade, from 1850 to 1880? In 1850 there were 29,901 Canadians in those States; in 1860, 73,039; in 1870, 131,397; in 1880, 191,696, and the total population of those States in 1880 was 14,454,456; so that the Canadian population averages only one and one-third per cent. Of all those States, the native population, according to the census of 1880, was over 89 per cent. of the entire population, leaving 20 per cent. for the total foreign population including the one and one-third per cent. Canadians. As regards that portion of Dakota, in the northern part where there has been a large immigration during the past few years, the population of Canadians is not equal to what it is represented to be. In that northern part which has been represented as almost entirely Canadian, the native population, according to the census of 1885, is more than 50 per cent. of the whole, leaving less than 50 per cent. for the entire foreign population, thus proving that the figures copied by the American papers and recopied by ours are not correct. Three States in the Union, Massachusetts, New York and Michigan contain about one-half of the total Canadian population in the whole of the United States, thus leaving to the Western States and the balance of the Eastern States and the Southern States, one half the total number of Canadians in the whole of the United States. The statement was also made that there are 50,000 Canadians on the Pacific slope. That is equally

incorrect, as there were not 25,000 there, according to the census of 1880. I do not wish to say anything about assisted immigration. We in the North-West are satisfied to get good *bond fide* settlers to whom we have as free homes to offer as they can find in any part of the United States, and to whom we offer more liberal land laws. We are willing to aid any one who comes out ready to do his own work, ready to take hold and work out the destinies of the country, and we object to continually setting the United States against us by representing them as offering more favorable inducements to settlement, and while too many Canadians have gone to the western parts of the United States, not one-half of those who are represented to have gone to the north-western parts have gone there.

Mr. CARLING. I am very glad to hear the remarks of the hon. member for East Elgin (Mr. Wilson) with regard to my visit to his constituency. That perhaps has raised the ire of the hon. gentleman a little, and has caused him to take a very high stand against the policy of the present Government with reference to immigration. It is true that I addressed a meeting in East Elgin and met with a very kind and hearty reception; and the more the policy of the Government was discussed the more hearty that reception was. I also had the honor of an invitation to the county of Monck, where I had the opportunity of addressing the constituents of my hon. friend the member for that county (Mr. McCallum), and there the members of the Government and those who took part in the discussion were most heartily received by the people generally. In discussing the policy of the Government, I happened to refer to the matter of assisted immigration, and, that speech being reported, the vice-president of the Knights of Labor of the city of St. Thomas, in the county of Elgin, wrote me a letter for an explanation. In reply to that, I sent the letter which has been read by the hon. member for East Elgin (Mr. Wilson). My hon. friend says it is dishonest. Well, I am not in the habit of making false statements, and I defy the hon. gentleman to show me any one particular in which my statements were untrue. I said that there was a wrong impression with regard to assisted immigration, and I find that there is a wrong impression in the different cities and towns with reference to the amount of money which is paid for that purpose. There are those in the country who would try to make one believe that the Government expended from three to four or five hundred thousand dollars annually in assisting immigration to this country. Such is not the fact, and I took great pleasure in making that known to the vice-president of the Knights of Labor of St. Thomas. The amount of money, instead of being \$300,000 or, as some say, half a million, for assisted immigration, was last year, all told, I am sure, not more than \$40,000, and the number of immigrants brought out assisted by the Government was not more than between 7,000 and 8,000, and the amount paid to assist such immigrants did not much exceed \$4 per head. It is necessary to keep up a large staff of agents in this country and in the Old Country, and although it has been said that the American Government do not expend large amounts of money for immigration, that may be true in regard to immigration agents, but we know that the United States have their ambassadors in every country in the world; we all know that they have their consular agents in every part of the British Empire, and that in Canada they have some seventy or eighty consular agents who are, to all intents and purposes, immigration agents. We have them in every town of importance. We have them representing among our people that the United States is a much better country to live in than Canada; that the Western States are much superior to our North-West Territories. There are all these influences brought to bear as well as those which are brought to bear through the press of

Mr. Ross.

the United States, and I am sorry to say that we have also immigration agents in this House. I am sorry to say that we have members in this House who, for party purposes, and for the sake of gaining a party point, are willing to decry their country; but I was glad to find that there was one hon. gentleman in the Opposition, the member for South Perth (Mr. Trow), a gentleman who is highly respected on this side as well as on that, who had the manliness to stand up and defend his country and the North-West. We had a speech the other night from the member for Wellington (Mr. McMullen), and I would ask the House if the Americans could have a better immigration agent than Mr. McMullen to advise people to go to the United States. On the 2nd April, Mr. McMullen said, as reported in *Hansard*:

"I should like to ask the people of this Dominion whether we, with the drawbacks arising from our severe winter and other causes, are in as favorable a position as the people of the United States, who have great diversity of climate and produce everything under the sun."

Some hon. MEMBERS. Order.

Mr. SPEAKER. The hon. gentleman must not refer to a previous debate.

Mr. CARLING. If hon. gentlemen refuse to allow me to quote parts of the speech of this hon. gentleman—

Some hon. MEMBERS. Read it all.

Mr. CARLING. I am not going to read it all, but only this portion with regard to the country:

"Would any one studying the speech of that hon. gentleman decide to stay in this country rather than go to the Western States? No, he would decide to go to a better climate."

Those were the words of the hon. gentleman. Then he goes on:

"Then the hon. member for Cardwell told us that wheat on the Canadian Pacific Railway is worth more than what it is on the Northern Pacific. Now, I am strongly inclined to doubt that statement, because I have friends who live in Manitoba with whom I have continuous communication with regard to prices, and I have also friends in Minnesota. I have received letters from friends of mine since I came here, and I am satisfied that wheat is higher in Minnesota than it is in Manitoba. * * * Reference was made by the hon. member for Cardwell, to the Australian colonies, and the hon. gentleman tried to show that their debt was greater than that of Canada. The Australian colonies are, however, in the same position as the United States. They have a climate very much more desirable than ours. In consequence of the shortness of the seasons here a farmer is obliged to have a large force of horses and machinery, whereas in countries with a more favorable climate they are able to work almost all the year round."

I would like to know if that is the speech of a patriot? Is that the speech of a gentleman who has the love of his country at heart more than the love of the country across the lines? I say not, and I say it is to be regretted that any gentleman in this House should decry his own country and praise the country which is endeavoring to take our people away from us. Then, the *Globe* of 5th April contains this article:

"There is no other country under the sun the Government of which could survive such an attack as that contained in Sir Richard Cartwright's speech on the Budget. He proves by unanswerable figures and logic that this country is rushing into bankruptcy and ruin."

Those are the speeches of hon. gentlemen, taken from the *Hansard* and articles published in the *Globe*. These are the statements which are published in the papers in the United States, and I would ask whether there can be any better immigration pamphlet than these speeches taken from our own reports in Parliament. Then, with regard to the people being brought here to fill up this country, my hon. friend says they are not wanted. Well, I regret very much to hear him say that we do not want immigration in this country. We have expended a very large sum of money in purchasing the North-West; we have expended many millions of dollars in opening up that country, and I think it is the duty of Parliament to do everything in their power to make known the advantages of that country to immigrants who desire to come to Canada instead of

going to the United States. I am satisfied that our country is equal to the Western United States, better than Dakota, of which so much has been said, and I do not think it is either fair or right for our representatives or the press of Canada, who are interested in its welfare, continually to decry their own country in favor of another. Now, with regard to assisted immigration. I stated in the House a short time ago, in answer to an enquiry, that the number of immigrants who had been assisted to this country was somewhat over 7,000.

Mr. WILSON. Was that for 1884-85, or 1885-86?

Mr. CARLING. It was for the period between the 1st of January, 1885, and the 1st of January, 1886, and that was the period asked for by the question of the hon. gentleman which he placed on the notice paper. The amount paid for the assistance of those 7,000, was, as I have before stated. I may say here, Mr. Speaker, that there is a great demand for agricultural laborers and domestic servants. We have information, from all parts of Canada, that these two classes are in great demand. I will read from the report of the Commissioner of Immigration, in the Province of Ontario, Mr. Hardy, in which he says:

"From the beginning of August to the end of October there was a steady demand for farm laborers, especially for single men. More than double the number who arrived could easily have obtained employment by the year at fair wages. Of one large lot of practical and experienced farm hands, thirty reached Toronto at 5 a. m., their expected arrival having been published in the morning papers, and before noon all had been engaged at fair wages, ranging from \$144 to \$150 per annum, with a maintenance. It must, however, be understood that only experienced men are wanted by the year. A single man who can plough well, and who has had some experience in taking care of stock, can readily obtain employment at about \$150 per annum, with maintenance, with a prospect of considerable increase if he should be found to be a good, trustworthy man. Should thirty or forty come together, and advise the Department, on their arrival, at Quebec, farmers would certainly be in waiting at Toronto to employ them. Farmers have been so often disappointed in coming for men, that they do not now feel disposed to come to meet immigrants unless they have some assurance of success.

"Families of farm laborers can find ready employment if they are experienced and have the means of providing a little furniture and provisions. If there are young women in the family, able and willing to take places as servants, so much the better. Some farmers may be found willing to provide furniture and provisions, but, as a rule, they prefer not to allow the men to get in their debt till they know whether or not the latter are worthy of being trusted.

"During the last immigration season only a few female domestic servants came to Ontario; not more than eighty-eight reported themselves at Toronto. These were employed in this city and in various parts of the country. The demand for this class is everywhere so great that the few arriving at Quebec are employed in various parts of the Lower Provinces. Wages of experienced servants were higher in 1885 than in the preceding year. Good general servants can readily find employment at from \$8 to \$10 per month."

Now, Mr. Speaker, I have read from the report of the Commissioner of Agriculture for the Province of Ontario in which he clearly states that there is a great demand for agricultural laborers and domestic servants, and those are the classes of people we have assisted to come to this country. The demand is not confined to the Province of Ontario; agents from all parts of Canada, from British Columbia and the North-West, Quebec, New Brunswick and Nova Scotia, say to us that there is an unsupplied demand for domestic servants and agricultural laborers. The Government of Canada during last year brought out to this country something like 7,000 of these classes and still there is a great demand for them. I think it is a wise policy for the Government to hold out every inducement they can to these two classes of immigrants to come to this country.

Mr. DAVIES. During what period did you bring out these 7,000?

Mr. CARLING. Between the 1st of January, 1885, and the 1st of January, 1886. But we have given no assistance to mechanics coming to this country. I will read to the House the certificate that is required on behalf of an immigrant before he can get a cheapened ticket:

"I beg to certify, for the information of the agents of the Canadian Government, that the persons named on the other side are of good character, able and willing to work, and have expressed to me their intention of settling in Canada. To the best of my knowledge their statements are correct, and I recommend that their application for the Government assisted passage may be favorably considered."

This declaration is signed by a clergyman or a magistrate, and this statement heads the form of application that the applicant has to make:

"Agricultural laborers of good character, and their families, desiring to settle in Canada, will, if the application made on this form is approved, be provided with passages to Quebec or Halifax at the following rates:—Adults of twelve years and over, £3; children between one and twelve years, £2; infants under one year, 10s. These rates include an ample supply of provisions, but not bedding and mess utensils, which can be obtained for a few shillings at the port of embarkation."

The parties have to make a statement that they are agricultural laborers or domestic servants, before a magistrate or clergyman, and the magistrate or clergyman certifies that he knows them to be such as they represent themselves. The Government have taken every precaution that no one should be assisted but agricultural laborers or domestic servants, and I think the House will agree with me that the precautions I have stated are sufficient. I did not expect that this discussion would have taken so wide a range, and I thought that when the estimates for immigration came up, as they will in a few days, this matter would be fully discussed and explained to the satisfaction of the House. But with respect to the statement which the hon. member for East Elgin (Mr. Wilson) made, that I perambulated the country making untruthful statements, I do not know there is any sin in a Minister of the Crown accepting an invitation to visit a particular part of the country, even if it is the constituency of the hon. member, an opponent. I have had the pleasure of knowing a great many people in that county, and they were very desirous that I should go there, and whether I gave them satisfaction or not it is for them to say. I, of course, did my best to explain to the people of East Elgin the progressive state of the country and its financial condition. The hon. gentleman has stated that the policy of this Government has been one opposed to the interests of this country, and that Canada has become a dear country instead of a cheap country to live in on account of the National Policy. I know there is not an hon. member in this House, I do not care on which side he may sit, who will say that statement is true. I am prepared to show by figures, which cannot be doubted, that nearly every article of consumption and every article used by the farmer can be bought to-day at 25 per cent. less cost than in 1878. I state that as a fact, and I defy contradiction. I say that the implements used by the farmers, the clothing worn by him, the luxuries used and everything used on the farm can be bought to-day at 25 per cent. less than they could be in 1878 when hon. gentlemen opposite were in power.

Mr. MILLS. The hon. gentleman said in 1876 that the prices were so low the manufacturers could not live.

Mr. CARLING. The cry was that the National Policy was going to make this a dear country to live in, and that it would increase the number of factories and the number of producers.

Mr. SPEAKER. I hope the hon. gentleman will confine his remarks to the subject before the House.

Mr. CARLING. I was only endeavoring to show the House and the country that this has not been made a dear country to live in by the National Policy.

Mr. DAVIES. The hon. gentleman has made that statement, let us now hear him prove it.

Mr. CARLING. The hon. gentleman says, why did I not prove it. I was not prepared for this discussion, as the

hon. member for East Elgin (Mr. Wilson) simply placed a notice on the paper to ascertain the total number of assisted and unassisted immigrants who entered Canada in each month of the calendar year, 1885. In the course of his remarks that hon. gentleman said the policy of the Government had been a policy that had increased the cost of goods used by the people instead of reducing the cost, and I reply that I am prepared to show this House and the country that nearly every article consumed by our mechanics and farmers is 25 per cent. less to-day than during the last year when hon. gentlemen opposite were in power. If that be the case—and I say I can prove it and can substantiate it without doubt—then hon. gentlemen opposite should cease, and their organs should cease, stating to the people that this is a dear country to live in and that increased prices have been caused by the National Policy introduced by the hon. leader of the Government. There is no objection whatever to bringing down the information asked for by the hon. gentleman, and I only regret that he should have said that the statements I made in East Elgin were exaggerated, and that the letter I wrote to Mr. Ingram in his town was written for political purposes.

Mr. WILSON. I did not say that the statements made by the hon. gentleman at the public meetings were deliberate misrepresentations. What I said was that there was misrepresentation in the letter and in the letter alone, because I did not hear what the hon. gentleman said at the meeting.

Mr. CARLING. In regard to that letter, which has been read by the hon. gentleman to the House, and which, I suppose, will appear in the records of *Hansard*, I want the hon. member in this House, or over his own signature, to show wherein I have made a false statement.

Mr. WILSON. I have the evidence.

Mr. CARLING. I want the hon. gentleman to show where I have made a false statement. I endeavored in writing that letter to Mr. Ingram, who is a very highly respectable gentleman, I believe, although I have not the pleasure of his acquaintance, and who is vice-president of the society referred to, to answer the questions honestly and fairly, as I did. When the question comes up I am quite prepared to defend every line in that letter and to defend every utterance I made at public meetings with regard to the financial standing and general prosperity of the country.

Mr. McMULLEN. The Minister of Agriculture has read from a speech of mine, delivered on 2nd April. I am quite sure the Minister of Agriculture does not wish to misrepresent what I said. I can honestly say there is not a Minister of the Crown for whom I have greater personal respect than for the Minister of Agriculture, and I believe if he had seen the corrected report of my speech he would not have made the quotation he has done. I will give the hon. gentleman the correction I made. I read from the report:

"I regret that the hon. member for Cardwell (Mr. White) was forced to admit that our debt *per capita* is in excess to that of the United States as well as our taxes. I should like to ask the people of this Dominion whether we, with the drawbacks arising from our severe winter and other causes, are in as favorable a position to pay a *per capita* tax, as the people of the United States who have great diversity of climate and produce everything under the sun."

"To pay a *per capita* tax," are the words inserted in my corrected speech. I stated, in connection with the statement of the Finance Minister, that I regretted exceedingly that we were in the position the Minister of the Interior had to confess we occupied, that our *per capita* debt and our *per capita* tax was in excess of that of the United States, and that, owing to our drawbacks, we were not in a position to pay a *per capita* as well as the people of the United States. Referring to the Australian colonies, I said that the diversity of climate gave them great advantage over us,

Mr. CARLING,

from the fact that they could produce almost everything they wanted. They were more in the position of the United States in that particular than we were, and they consequently had advantages in the matter of climate. I said I had no intention whatever of making any reference to our country in the way of decrying our country. It is our duty, as an Opposition, to criticise statements made in the House by hon. gentleman opposite. We are consequently expressing our regret that the debt of the country has ran up to such an extent, that it has gone beyond the *per capita* debt of the United States and the *per capita* tax of the United States. There is another point in connection with this matter to which the hon. gentleman referred, and to which I will take the liberty of referring. I am sorry he did not read all I said. He garbled my utterances on that occasion. I was referring to the fact that we were running into debt so rapidly and that hon. gentlemen opposite were responsible for it, and settlers would hesitate to remain here as our taxes were so much in excess of the burdens across the borders. I hold that if any one inducement beyond another would tend to bring the people in and settled them here it would be that this was a cheap country to live in and that of all the British colonies this was the cheapest country to live in under the British Crown. I said if we were in that position to-day, it would be more of an inducement to people in the Old Country to come and settle here than any other inducement we could possibly hold out. Now, I say we have been spending altogether too much for immigration. As regards the number of people who have gone from Canada into the United States, I do not say that hon. gentlemen opposite are entirely responsible for the number who have gone there from year to year and from month to month, but we cannot forget this, that when the Mackenzie Government were in power hon. gentlemen opposite were continuously charging the Government that the population of the country was going out of Canada year by year and month by month, and that it was the want of a proper policy on the part of the Mackenzie Government that brought about the state of things, and they held that Government responsible for the exit. They said that they were not prepared to deal in a proper way with the great industries of the country. But I would like to ask hon. gentlemen opposite if their National Policy, of which they feel so proud, has accomplished this object—that of stopping our people from going abroad. The returns show that all the professions they made with reference to the advantages of that policy in keeping our people at home and giving our mechanics and laborers work at home and putting a stop to the exit of our population, have not been maintained, that our people are still going across the borders, and that we are contributing largely to populate the United States. I say that while they held out these inducements, as I stated then in the debate on the Budget speech of the Finance Minister, they were humbugging the people and —

Mr. SPEAKER. The hon. gentleman is not speaking to the question of assisted passages.

Mr. McMULLEN. Well, Sir, I was confining myself to that subject, but the Minister of Agriculture led me away by referring to the other question. However, I think the time has come when a close, careful and economical policy with regard to assisted passages should be adopted. I have no doubt that in the past hon. gentlemen thought it was desirable that a considerable sum should be spent for that purpose, but I cannot see for the life of me, how they came to the conclusion that by spending something like \$80,000 on various printers and newspapers for printing and advertising in connection with immigration, they hoped to be able to bring out immigration here; why the granting of a large sum to the *Montreal Gazette*—

Mr. SPEAKER. Order, order.

Mr. McMULLEN. We are now talking with regard to immigration.

Mr. SPEAKER. The question is the policy of assisted passages to immigrants. I stopped the hon. member for East Elgin (Mr. Wilson), when he touched on the same question and I hope the hon. gentleman will not pursue it further.

Mr. McMULLEN. I am sorry we are not allowed to discuss the whole question, as I think it would be in the interest of the whole country as well as in the interest of the House. I am glad the Government have intimated their intention of reducing the amount expended on immigration. I believe it is desirable that they should do so. I believe we should make a decided and determined effort when we bring the people to our shores to induce them to settle here. I think we should try, if possible, to show them that our North-West is a good country to settle in. I hope it will prove a success; I dare say it will; I have some good grounds for saying and believing it will, but we want to be able to say that we have there a sufficient quantity of land to give every man a good homestead, that we have many inducements for immigrants to come and settle amongst us, and the best way that we can have an increased number of inhabitants is by showing that we can give them anything they want cheaper, and if we can show them that I believe it will be a greater inducement than anything else. I did not intend to speak on this question at all, and I would not have taken up the time of the House for a moment had not the Minister of Agriculture referred to my remarks. If the hon. gentleman had waited for the corrected report of what I said, I do not think he would have drawn the attention of the House to the matter.

Mr. CARLING. I should be very sorry indeed to do any injustice to the hon. gentleman, but I may say that I took up *Hansard* and I was not aware whether the report was the one made by the *Hansard* reporters or a report corrected by the hon. gentleman. I knew that I was quoting from the *Hansard* as issued, I read the remarks to which I refer in the pages of the official report, and gave them just as I found them and as hon. gentlemen will find them if they will refer to the *Debates* of the 2nd of April, at pages 510 and 511. There you will find the quotation I read, just as I read it.

An hon. MEMBER. And just as he uttered it.

Mr. CARLING. Then with regard to what the hon. gentleman said about these newspapers—

Mr. SPEAKER. I have stopped other hon. gentlemen from speaking on that question, and I do not think the hon. gentlemen should make any remark upon it.

Mr. CARLING. I want to explain the expenditure as hon. gentleman opposite have made charges with reference to it.

Mr. SPEAKER. I stopped the mover of the motion when he was commencing to speak on that subject, and other hon. gentlemen.

Mr. CARLING. I think it is rather unfair that the hon. member for West Wellington (Mr. McMullen) should have been allowed to make charges against certain newspapers—

Some hon. MEMBERS. Chair, chair.

Mr. SPEAKER. I stopped other hon. gentlemen from doing it—

Mr. CARLING. After the charges were made.

Mr. WOODWORTH. I think the hon. Minister of Agriculture has a right—

Mr. SPEAKER. Order, order.

Mr. WOODWORTH. This is a question of order.

Mr. SPEAKER. What is the question of order?

Mr. WOODWORTH. I will tell Your Honor when Your Honor will hear me. I say that the hon. Minister of Agriculture had already spoken, and Your Honor had not ruled him out of order, but allowed him to speak on this question. It was then taken up by other speakers on the other side, and now the hon. Minister of Agriculture desires to make an explanation on that point, as to what was said on the other side, and I think that would be a perfectly proper explanation and one which would be in order.

Mr. BEATY. I was very glad to hear the remarks and explanations of the hon. Minister of Agriculture with regard to the class of immigrants who are assisted by the Government, for there is much misapprehension, particularly in the cities, with reference to this matter. I have found the policy of the Government very frequently misrepresented, and the statement is often made that mechanics and artisans are assisted by the Government to immigrate into this country. Mechanics in the cities who have not been able to find enough work in the winter season feel very keenly the fact—if it is a fact—that the Government should bring in mechanics from other countries to compete with them in their trades. That is my view of the matter repeated over and over again, but misrepresentations are constantly made in the city of Toronto, and no doubt other cities as well. I think that with regard to agricultural laborers and domestic servants, who are said to be assisted, there can possibly be no objection, but in cities and especially in great centres of population like Toronto, and no doubt in Montreal and other places, any aid given to the mechanical classes of other countries to bring them into those cities, would be very strongly objected to, and so far as I can speak on their behalf I would join them in protesting against such a course.

Mr. GAULT. I was just about to make the same remark as the hon. member for Toronto (Mr. Beaty) with regard to assisted immigration. I do not say, of course, that we should bring artisans or skilled mechanics into the country, because they are usually people who can pay their own passage and who do not want assistance. But you cannot bring too many female servants. In Montreal we can find places for a thousand female servants any day; the employment agencies receive a hundred applications for every servant they can get. Many of our laborers go to the Eastern States for work in the spring, and come back in time for harvest; and the ship laborers of Quebec go south during the winter. But I am glad to say that in Montreal we have no people working on half time; our industries are kept fully occupied; wages have not diminished; and there are no houses to rent. Although we have no boom—we do not want a boom—I believe there are no people better off than we in the Dominion of Canada. I believe we in Canada are better off than the people of England, France, Germany, or even of the United States. As for the cotton mills, for three or four years the shareholders have had no dividends; but the operatives have been fully employed, and not one reduction of wages has ever taken place with the skilled mechanics, because if we let them go to the United States we could not get them back again, and I think they are perfectly well satisfied with what we have done for them. With regard to the North-West, we must look forward to the filling up of that country with immigrants; if we do not, I shall despair of Canada, and I hope and trust that every effort will be made by the Minister of Agriculture to induce immigrants to go there. There is no doubt that it has one of the finest soils in the world; I have been there myself and seen it. In the Western States, in some parts the water is not drinkable, in other places there are great storms, and you hear complaints everywhere; but in our North-West Territories there is no doubt we have a home for future millions.

Mr. PATERSON (Brant). I am glad that at last the Minister of Agriculture has taken the ground he has done to-day, that he thinks the time has come when assisted passages to mechanics should cease. I am glad also that the hon. member for West Toronto (Mr. Beaty) has expressed the views we have just heard from him; for it will be in the recollection of the House, that scarcely two years ago I moved a resolution in the House expressing the opinion that the time had come when assisted passages to mechanics coming to Canada should cease, and that that resolution was voted down by every Conservative member in the House; and, speaking from memory, I think the hon. member for West Toronto was in his place and helped to vote it down. That resolution expressly omitted agricultural laborers and domestic servants, and it is only two short years since these hon. gentlemen declared by their vote, which was more emphatic than their word, that they did not think that assisted passages to mechanics should cease. Why this change? Are wages lower, or is the country less favorable for mechanics than was the case before? This question requires a little explanation.

Mr. FERGUSON (Leeds and Grenville). One expression has been made use of in regard to immigrants which I have been sorry to hear. I think it is unfair and unjust to the country that it should be permitted to go abroad that this country is unfavorable to mechanics. It is right enough to say that we require agricultural laborers and female servants, but the immigrant for this country is the skilled man—the man of muscle, and trained muscle if you can get him—the man of energy and vigor, who is willing to work. I have as strong sympathy with the agriculturists as any member of this House; but we know that there are many agricultural laborers in England, Ireland and Scotland who have not a tithe of the brains of skilled mill men and artisans in factories. Take away the mechanics like the weavers, the stone-masons and carpenters, and their first descendants, and you will depopulate the country. They are the very best men we have; their training taught them business habits when they came to this country, and they have developed into the best farmers we have. I say it is unfair that the impression should go abroad that this country is unfavorable to this class of men. It is evident that the hon. member for Brant (Mr. Paterson) wishes to create the impression that the National Policy has reduced the price of mechanical labor. I deny that emphatically. I cannot speak of large centres like Toronto and Montreal; but I know that in Eastern Ontario, stone-masons, carpenters and plasterers are receiving fully 30 per cent. more than they did in 1878. You can hardly get a house built unless you get it done in the winter season when work is slack. Everybody is building; and to say that the country is not prosperous and that wages of mechanics are not good is simply contrary to the fact.

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

After Recess.

FIRST READINGS.

Bill (No. 97) to incorporate the London and Ontario Investment Company, Limited.—(Mr. Beaty.)

Bill (No. 98) to consolidate the borrowing powers of the Canada Permanent Loan and Savings Bank Company and to authorise the said Company to issue Debenture Stock.—(Mr. Small.)

Bill (No. 99) an Act relating to Druggists.

ASSISTED IMMIGRATION.

Mr. MILLS. I could not help noting the tone of the hon. the Minister of Agriculture, as he addressed the House.
Mr. GAULT.

He spoke in a very melancholy tone like a Niobe, he seemed to be in tears, and his manner was most affecting. But the reason was easy to find. It was due to the fact that some hon. gentlemen on this side made the statement, in some other debate, that the climate of the North-West Territories was not quite so favorable as that of some parts of Australia.

Mr. CARLING. Of Canada.

Mr. MILLS. The hon. gentleman read the statement with reference to Australia; if he will look at his own notes he will see it. He may be of opinion that the climate of the North-West Territories is less severe than that of Australia or the continent further to the south, but a great many members of this House and people in the country—in fact people generally who know something about geography—will entertain a different view. I do not think we are going to promote settlement in the North-West Territories, or do anything to favor the occupation of that country by people, either from other portions of Canada or the United States, or the continent of Europe, by stating misleading facts. People, when they go there, if they find the climate is not such as it is represented to be, if they find the conditions and circumstances different from what they expected, will be seriously disappointed; and we will fail to retain many who might be disposed to remain, if they had gone under different circumstances. The hon. gentleman has stated that we on this side of the House have very seriously impeded the growth and prosperity of the country by stating that a large portion of our own population had emigrated. That is a question of fact or it is not. If it be a fact it is of far more consequence to the people that we should take steps to obviate the evil than that we should deny its existence. What did these hon. gentlemen do in 1878? They seem to forget the resolution moved then by their leader. In 1878, the First Minister moved the following resolution:—

"That it be resolved, that this House is of opinion that the welfare of Canada requires the adoption of a National Policy, which by a judicious readjustment of the tariff will benefit and foster the agriculture, the mining, the manufacturing and other interests of the Dominion; that such a policy will retain in Canada thousands of our fellow countrymen, now obliged to expatriate themselves in search of the employment denied them at home, will restore prosperity to our struggling industries, now so sadly depressed, will prevent Canada from being made a sacrifice market, will encourage and develop an active interprovincial trade, and moving (as it ought to do) in the direction of a reciprocity of tariffs with our neighbors, so far as the varied interests of Canada may demand, will greatly tend to procure for this country eventually a reciprocity of trade.

This was the representation at that time; that there were thousands of people who had left Canada because they were unable to find employment. The hon. the Minister of Agriculture was then a member of this House, sitting on this side, and he voted for this resolution.

Mr. CARLING. I was not then a member.

Mr. MILLS. At all events, all the hon. gentleman's colleagues and all the hon. gentlemen behind him, who were then members of this House, voted for that resolution. They affirmed as a fact what was not a fact. They affirmed what there is difficulty now, but what there was no difficulty then, in showing was not a fact. We did not complain that those hon. gentlemen then voted to affirm something that was true, and ought not to be made known, for I believe the country will suffer nothing by the truth being made known, but what we complained of was that hon. gentlemen opposite voted and affirmed that to be a fact which was not at the time a fact. What I quote this resolution for is to show that hon. gentlemen then did not think they were degrading the country when they declared there were thousands of people leaving it because they were unable to find enjoyment. The hon. gentleman referred to the speech of the hon. member for Lisgar (Mr. Boes), which

he declared was a patriotic speech. It may be in his view, but it was not a speech consonant with my opinions of patriotism, because I do not think anything can be affirmed as a patriotic effort which is at variance with the facts.

Mr. CARLING. I referred to the hon. member for South Perth (Mr. Trow).

Mr. MILLS. I do not know to what speech the hon. gentleman referred, but I understood him to refer to the speech which the hon. member for Lisgar (Mr. Ross) made this afternoon. I am glad to see that he repudiates that speech.

Mr. CARLING. I do not.

Mr. MILLS. For although it was intended to support the Government and the policy in which the Government persisted in the matter, it was a speech at variance with the facts. Although the hon. gentleman confidently asserted that the statement made by the hon. member for Norfolk (Mr. Jackson) was inaccurate, and one he would show to be inaccurate, while he dealt within strong and positive assertions, he gave no information calculated to substantiate the assertions he made. The Minister has told us that everything is 25 per cent. cheaper to-day than it was in 1878. I do not suppose he meant that everything is cheaper on account of the fiscal policy of the country, for in my opinion, that would not have been in order, as the fiscal policy is not the question before us. If the hon. gentleman is disposed to affirm that as the consequence of the National Policy we will have an opportunity to discuss it at another time; but as he mentioned it in this debate in connection with the subject of immigration he means no doubt to affirm that the effect of the Government's policy in importing a large number of people into the country has been so far to lower the wages of the laborers that the cost of production has been greatly cheapened. If that be not his argument then it is not pertinent in the debate. I would call his attention to the fact that 25 per cent. is more than the price of wages in the manufacture of an article. If the hon. gentleman means that the wages of laborers are being so far reduced by the policy of the Government that the manufacturers are able to produce an article 25 per cent. cheaper than before, he must make it appear that the wages of the laborer are reduced by his policy to a mere cypher.

Mr. CARLING. Wages are not reduced.

Mr. MILLS. Then in what way has the policy of immigration affected the cost of production? If the manufacturers and the industrial classes are receiving larger profits than before and are in a more prosperous condition, I would like to know how that is brought about? What is the statement in this resolution proposed in 1878 by the hon. gentleman's chief leader and supported by all hon. gentlemen opposite? It is this, that in Canada the industries had been injured, had been ruined, because Canada has been a sacrifice market. How is it a sacrifice market? Why, because foreign goods sold here at such rates that it was impossible to produce them at the same price, and yet the hon. gentleman tells us that the prices at which the manufacturers were unable to produce them are reduced by 25 per cent. and that what was sold then at a \$1 is sold now for 75 cents, and yet that those who could not afford to sell for a \$1 are prospering now when they are selling for 75 cents. That is what the hon. gentleman said he could establish. I trust, when the time comes, and when it will be more pertinent than it is now, when he can assign some other reason than the importation of labor for the diminution of price, that he will be able to give it further light in reference to the proposition which he has laid down. But

the hon. gentleman has gone further. In 1878, the leader of the hon. gentleman told the people at the Amphitheatre in Toronto that during Mr. Mackenzie's régime 500,000 people has left Canada. Now, what does the Bureau of Statistics show? Why, that during the Administration of Mr. Mackenzie there was an average of 22,000 people a year who left Canada, or 110,000 during the five years—just one-fifth of the number stated by the hon. gentleman's leader. Was that patriotic? Was that statement an evidence of the patriotism of the hon. gentleman and of those associated with him? The leader of that party, at a time when the trade of the country was depressed, represented that five times the number had gone out of the country that had actually left it. The hon. gentleman may consider that to be patriotic. That was patriotic when the hon. gentleman and his friends occupied this side of the House, but any reference to the subject is highly unpatriotic when they are on that side of the House. Then, I take the same statistics that those gentlemen quoted at that time, and I find that, during the five years that preceded Mr. Mackenzie's Administration, on an average 44,000 people left the country every year, or 220,000 during the five years—just double the number that left during Mr. Mackenzie's Administration. Then, according to the same statistics, I find that in 1879, 54,000 left the country; in 1880, 89,416; in 1881, 125,000; in 1882, 98,109; in 1883, 69,354; in 1884, 60,406; and in 1885, 88,500. Now, this is the statement, according to the American Bureau of Statistics, of the number of people who left Canada during this particular period of time, and I would call attention to the fact that the census which hon. gentlemen opposite have taken in Manitoba and the North-West Territories shows that, making the ordinary allowance for the increase of population, there are 215,000 people to-day fewer in that country than the returns which they have brought down from year to year would lead this House to expect. I would ask the hon. gentleman to explain that fact. How is it with these patriotic statements, as he calls them, which it is unpatriotic on this side of this House to question, when their accuracy is tested by the census taken a year ago in the North-West Territories, and that census shows a population of 215,000 less than there ought to be in that country, if the statements the hon. gentleman has made are correct? Have the hon. gentleman and his colleague been misleading this House, or is it a fact that a very large proportion of those who have gone into that country, and have been taken there with so much trouble and expense to the country, have left and gone elsewhere? The statistics I have quoted, the statements they have brought down from year to year, show that the statements, which the hon. member for Norfolk (Mr. Jackson) read from a Chicago paper, are far more likely to be accurate than the information which the hon. gentleman from Lisgar (Mr. Ross) undertook to impart to this House. Let us take another test. In the United States, in 1870, we had 490,000 Canadians. In 1880, we had 712,000, or 222,000 more. Making the necessary allowances, making the actual allowances for deaths, during those ten years, we find that 348,000 Canadians left Canada during the ten years, or 34,800 a year, which just about makes the number which the Bureau of Statistics shows left Canada for that country—that is 22,000 a year during the period of Mr. Mackenzie's Government, and 44,000 a year during the administration of the Government which preceded it. We have other tests of what the hon. gentleman has accomplished in this way. By our own census, in 1871, we had foreign-born people in Canada to the number of 489,500; in 1881, we had 487,600, or 1,900 less, although the hon. gentleman claimed to have brought into the country nearly 400,000 people during that time. I would like the hon. gentleman to explain that fact. What has become of those people? Why should we expend large sums of money

every year to promote immigration, when it is perfectly obvious, when we examine into the question, that those whom we pay to come here do not remain with us? That is what the information he has given to the House discloses. Then the hon. gentleman says that, during the past year, he has only assisted, I think, some 7,000 immigrants in coming to this country. He says he has expended for that purpose \$40,000.

Mr. CARLING. Less than \$40,000.

Mr. MILLS. Well, I suppose it was very nearly \$40,000, or he would not have given us that figure. But the appropriation is \$422,860. What has become of the rest of the money? How is it distributed? We see; we know what goes to the *London Free Press*; we know what goes to the *Hamilton Spectator*; we know what goes to the *Brockville Times*; we know what goes to the *Montreal Gazette*.

Some hon. MEMBERS. Order.

Mr. MILLS. I am showing, what is a perfectly legitimate thing to do, that this assisted immigration has resulted in the expenditure of a large sum of money, outside of that which is expended to aid the passengers. And the hon. gentleman knows that, if he would put an end to the assisted immigration, this \$422,000 would fall with it; that the expenditure is unnecessary, and that the whole attempt to aid in the introduction of immigrants into this country, has been a huge failure. The hon. gentleman knows that we have failed to retain the population, and that we have merely aided a large number of people, year by year, to come to this country, to ultimately take up their abode in the neighboring republic. If the hon. gentlemen were to adopt a policy which would do more to retain our native-born people in Canada, it would be eminently more satisfactory than the course which has been taken.

Mr. MACKINTOSH. It was laid down this afternoon, I believe, that in discussing the question, we should be confined altogether to the subject matter of the motion itself. My hon. friend from Bothwell (Mr. Mills) by introducing the National Policy—

Mr. MILLS. No.

Mr. MACKINTOSH. The hon. member for Bothwell certainly read the resolution introduced by the then leader of the Opposition with regard to the National Policy.

Mr. LANDERKIN. Regarding immigration.

Mr. MACKINTOSH. I am well aware that the hon. gentleman stated what was in the resolution, but he passed on to speak of the exodus, criticising the Department of Agriculture, the Premier, and, in fact, made a tour throughout the entire Dominion, in order to make a point against the Government. I was very much amused, this afternoon, when the hon. member for East Elgin (Mr. Wilson) presumed to pose as an advocate of the mechanics and laborers. Why was not the hon. member for Bothwell (Mr. Mills) candid enough to say at once, that in view of a pending election, in view of the fact that perhaps within fifteen months, this House will be dissolved and the respective claims of both parties will be before the people, he was merely bidding for the support of the workingmen in this country. Well, I tell him at once that the Conservative party, so far as their record is concerned, are prepared to meet the hon. gentlemen in their appeal for the votes of the mechanics and the workingmen of the Dominion. The hon. member for Elgin has become the friend of the workingman, and to hear his protests against mechanics being brought into this country, one would imagine that his

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career was such as to entitle him to their confidence. Why, Sir, at the inception of the policy of assisting immigrants, my hon. friend was one of the warmest supporters of the then hon. member for South Bruce (Mr. Blake) when he introduced a policy of assisted passages, into the Ontario Legislature. No man was more warmly in favor of assisting mechanics coming to Canada. Looking into the Ontario Immigration Reports of 1872, when my hon. friend was in the Ontario Legislature, and when the Government of that Province adopted the policy of assisted passages, I find an Order in Council passed on the 10th April, 1872:

"The Government will pay to regularly organised societies in the United Kingdom or Ontario or to individuals the sum of six dollars for every statute adult sent to this Province at the end of three months continuous residence in the Province."

Further, in 1872, the "Passage Emigrants' Money Fund" was established by Order in Council and ten immigration agents appointed, and a further Order passed directing these agents that:

"In carrying out these general instructions it should be their endeavor that, of the total number of immigrants sent out, at least 75 per cent. should be agricultural and ordinary laborers and the remainder mechanics or skilled laborers."

Thus all of the immigrants sent to this country might virtually have been mechanics and laborers, and still the hon. member for Elgin supported that policy. Again, when the Government of Sir John Macdonald went out of power, hon. gentlemen opposite warmly and earnestly advocated the bringing of immigrants to this country. Several pamphlets were published, one of which stated, in 1874:

"The Dominion of Canada includes within its far-reaching borders, means for the employment of capital and labor, skilled and unskilled, in an endless variety. There is no danger in this country of people jostling each other too closely. There is room, and to spare, for all. And the more population increases in the new settlements, while yet millions of unoccupied acres remain to be filled up beyond, the more opportunities are afforded for the exercise of industrial skill and energy, for the investment of capital, and for the employment of unskilled labor in all departments of production. But there is also a very large demand for the classes of the able-bodied laborers, arising from the numerous and extensive public works and buildings everywhere in progress in the Dominion, and this demand will be largely increased by other large public works projected—notably, the Canadian Pacific Railway and the enlargement of the Canadian canal system.

"The handicrafts and trades generally which are, so to speak, of universal application, can also always absorb a large number of artisans and journeymen."

You will remember, Mr. Speaker, and so will other hon. gentlemen, that at that time a cloud of depression had been foreshadowed by the then Minister of Finance, the present member for South Huron (Sir Richard Cartwright). Immediately after the speech in which he painted a picture of gloom and depression throughout this country, what do we find? Another departmental pamphlet published in the fall of 1875, setting forth:

"Meals are provided for immigrants, of good quality at very low prices; and they are afforded gratuitously by the Government to the absolutely indigent"

That is, the Government were prepared to bring indigent people to this country, in a time of depression, when starving multitudes were knocking at the doors of Parliament for bread, were prepared to pay and to feed indigent immigrants sent to this country to compete with the already starving multitudes.

"Railway tickets at the public charge, or free passages are given from Quebec, to indigent immigrants to points at which the Grand Trunk Railway has stations, in the Provinces of Quebec and Ontario. Mechanics of various descriptions, but more particularly blacksmiths, carpenters, railway navvies, shoemakers, tailors, printers, stonemasons, and masons, gardeners, bricklayers, millwrights and machinists, for whom there is a demand."

Then there is the following tabulated statement, prepared to induce mechanical competitors to come to the Dominion:

" RATE OF WAGES IN CANADA.

" The following statement shows an average range of the rates o wages paid in Canada in some of the principal callings :—

	DAILY.			MONTHLY.		
	Currency.		Sterling.	Currency.		Sterling.
	\$ c.	\$ c. s. d.	s. d.	\$ c.	\$ c. £ s. d.	£ s. d.
Farm servants, male (with board).....	0 50 to 1 00	2 3 to 4 1		10 00 to 20 00	2 1 0 to 4 2 0	
Farm servants, female (with board).....				4 00 to 10 00	0 16 5 to 2 1 0	
Dairy maids, (with board).....				4 00 to 15 00	0 16 5 to 3 1 7	
Domestic servants (with board).....				3 00 to 12 00	0 12 4 to 2 9 3	
Cooks (with board).....				4 00 to 15 00	0 16 5 to 3 1 7	
Bakers.....	1 25	5 1		12 50 to 15 00	2 11 4 to 3 1 7	
Blacksmiths....	1 00 to 2 00	4 1 to 8 2				
Bookbinders...	1 00 to 1 50	4 1 to 6 1				
Bricklayers....	1 50 to 2 50	6 0 to 10 2				
Cabinetmak'rs	1 25 to 2 00	5 1 to 8 2				
Carpenters.....	1 25 to 2 50	5 1 to 10 2				
Coopers.....	1 50 to 2 00	6 0 to 2 8				
Gardeners.....	1 25 to 1 75	5 1 to 7 2	\$120 per an.	24 13 1 per an.		
Machinists.....	1 50 to 2 50	6 0 to 10 2				
Masons.....	1 50 to 3 00	6 0 to 10 2				
Millers.....	1 50 to 2 00	6 0 to 8 2				
Painters.....	1 25 to 2 00	5 1 to 8 2				
Plasterers.....	1 25 to 2 50	5 1 to 10 2				
Plumbers.....	1 25 to 2 50	5 1 to 10 2				
Rope-makers...	0 75 to 1 50	3 1 to 6 0				
Saddlers and harness-makers.....	1 25 to 2 50	5 1 to 10 2				
Shoemakers....	1 00 to 2 00	4 1 to 8 2				
Tailors.....	1 25 to 2 00	5 1 to 8 2				
Tanners.....	1 66 to 1 50	4 1 to 6 0				
Tinsmiths.....	1 25 to 1 75	5 1 to 7 2				
Wheelwrights..	1 25 to 2 00	5 1 to 8 2				
Ship carpent'rs	0 75 to 2 50	3 1 to 10 2				
Ordinary laborers.....	1 00 to 1 50	4 1 to 6 0				

And the price per diem was stated to be from \$1.25 to \$2.50, when hon. gentlemen opposite knew that at that very time in this city, under the very shadow of the Parliament buildings, men were working for from 75 cents to \$1 per day, and yet the hon. member for East Elgin has told us that the present Government were absolutely criminal in bringing artisans to this country, although the Minister of Agriculture said they were not assisting artisans. In looking over the returns, I find some facts in regard to mechanics being brought into this country in that time of depression when the Reform party was in power, and with regard to the artisans brought into this country by the present Administration while there was prosperity throughout the land. The record of mechanics arriving at the port of Quebec is :

	" AT QUEBEC.		Per cent.
	Mechanics.	Total.	
1874.....	2,773	8,828	.....
1875.....	977	6,035	23
1876.....	491	3,810	.....
1877.....	1,118	2,740	.....
1878.....	897	4,027	.....
	<u>6,256</u>	<u>25,440</u>	.....
1879.....	923	8,411	.....
1880.....	903	11,730	.....
1881.....	330	14,524	.....
1882.....	1,420	21,352	7
1883.....	1,872	19,449	.....
	<u>5,448</u>	<u>75,484</u>	.....

Yet, hon. gentlemen rise in their places and charge this Government with bringing artisans into the country in a time of prosperity, when they themselves, in a time of depression and gloom, brought to the port of Quebec 23 per cent. of mechanics, while this Government, of the whole number arriving at that port, has simply brought 7 per cent.,

many of whom, the Minister has explained, were not assisted. The hon. member for Bothwell has spoken about the cost of immigrants. The total number of immigrants for five years from 1874 to 1878 inclusive, was 147,277, at a total cost of \$1,201,295. Then, from 1879 to 1885, 371,670 immigrants were brought out at a cost of \$1,131,358. Thus the record was \$8.15 per head under a Reform Administration, and \$3.56 per head under a Conservative Administration, or \$4.59 less per head under Conservative than under Reform rule; and yet hon. gentlemen opposite call this an extravagant, a reckless Government, indifferent to the interests of the mechanics and working people, because they spend at least 100 per cent. less in a time of prosperity than the Reform Government did in a time of depression and gloom. I stated that I would not refer to the National Policy, but my hon. friend from Bothwell unfairly attacked the Government, without coming directly to the issue. Well, I find that in 1879, that the hon. gentleman found fault with the then Minister of Agriculture in 1879, who is now the Minister of Railways and Canals, because he would not encourage artisans to come to Canada. On the 25th April, 1879, Mr. Mills stated :

" Mr. Mills said the hon. gentleman had stated that he was very careful in determining who should emigrate to this country—in fact he controlled the entire immigration. He had taken good care that parties emigrating hither should not be persons whose labor would bring them into competition with those who were already in the country. They were assured over and over again during the past year that the Government were going to adopt the policy that would give them a home here and would create a demand for their labor. The hon. gentleman said he was not going to be a fly on the wheel, and yet he said the Government had done all it could, had exhausted its resources, and could do nothing more. The last step of this great National Policy was to take care that no one in the Old World engaged in any skilled industry should have any encouragement to come to this country."

The hon. member for Compton (Mr. Pope) replied as follows:—

" There was about as much knickerbocker in the hon. gentleman's remarks as in anything he had heard for a long time. He, Mr. Pope, said nothing of the kind attributed to him; what he said was this: Any body could come to this country that liked, but the Government did not encourage people to come here who would come into competition with our laborers."

The present hon. member for East York (Mr. Mackenzie) stated on 20th May, 1879 :

" I have only to say upon the general proposition that I am quite willing to consider any scheme of colonisation that will settle up the interior of our continent. I am quite prepared to consider the propriety of extending any aid that may be thought desirable in advancing such a proposition. I am convinced, and have always been, that, in order to make our railroad a paying one, we must have a large population thrown into the heart of the continent."

The hon. member for South Huron (Sir Richard Cartwright) said :

" My hon. friend is perfectly right in saying that, for the purpose of developing that country, it is, in the very initial stages, of great moment to give away some land to encourage settlement; but he never pretended it would be part of his policy, or that of any Government, to give the great mass of the lands along the line of the Pacific Railway in free grants. We recognised distinctly and clearly the fact that, for the purpose of promoting the settlement of that country, some sacrifice might be undergone, more especially because we knew there was great competition to be borne with from the United States in the settlement of the North-West, and that they offered great tracts of land to settlers on very favorable terms, and that so long as that rivalry continued, it would be practically impossible for us to attract to the North-West any but the most inferior class of settlers, unless prepared to give corresponding advantages to those offered by the United States."

Mr. POPE. What date ?

Mr. MACKINTOSH. The 20th May, 1879. I read from Official Debates. In fact, from the day the Government passed resolutions in favor of colonising the North-West and building the Canadian Pacific Railway out of the public lands, the Opposition has spoken and acted in a way certainly detrimental to the interests of the country. I am convinced this question will come up in a much larger form before this House, and I quite understand the design of the motion introduced by the hon.

member for East Elgin (Mr. Wilson). So far as the Conservatives are concerned, I, as a private member of the House, am prepared to discuss the whole question, the whole policy of the Government with respect both to the exodus and the effect of the immigration policy, the effect of the general policy and of the National Policy of the Government, with hon. gentlemen opposite. But it is most unfair and most uncandid, under the guise of an unpretending motion with respect to the number of immigrants, to discuss the National Policy, the exodus and other questions which hon. gentlemen were warned by the Speaker they could not refer to as being without the limit of the resolution. When the question in its broad features comes up for discussion I am prepared to discuss it, as well as the record of the hon. gentlemen opposite is concerned, so far as regards the cost of immigrants and the treatment the late Government meted out to the mechanics and workmen, for that record of hon. gentlemen opposite will not bear the light of day any more than their record of other acts for which they were responsible. I simply rose to make a few remarks in order to let the House and the country understand that there is not merely one side of the story but two sides; and I am satisfied the people of Canada and the workmen and the knights of labor, for whose support hon. gentlemen opposite are angling, when they come to look at the truth and to discuss it, will have very little confidence in hon. gentlemen opposite, who in opposition become their friends and the very moment they obtain power are prepared to act to their injury on the ground of what they term political exigency. I am prepared to show that hon. gentlemen opposite when in power spent large sums to send back immigrants. I remember a discussion that took place when it was proved they paid \$5,000 to send 250 Frenchmen back to old France; that during the time of the depression, between 1875 and 1878, they paid \$100 and \$200 a night for a hall in Birmingham for lecturers to induce mechanics there to come to Canada where they would have deprived our workmen of employment; and on the other hand, we can point to the record of this Government as a chivalrous and public spirited one, and I have confidence that when an appeal is made to the electors hon. gentlemen opposite cannot by such a policy as they now adopt, hope to gain power in this country.

Mr. LISTER. The hon. gentleman who has just taken his seat has undertaken to predict what the workmen of this country will do in a short time. He has told us that within fifteen months there will be a general election and at that election the workmen will be found arrayed upon the side of the Government. It is remarkable how very much interest hon. gentlemen on the other side take in the workmen of Canada to-day. When the hon. gentleman thought proper to quote to us ancient history he ought to have considered for a few moments the altered circumstances. At the time the then Government initiated a policy of bringing immigrants into this country, there was no protest from the workmen of Canada against further immigration. At that time there was a period of prosperity which does not exist to-day. In every town throughout the country you to-day find workmen's associations denouncing the Government and complaining of the public expenditure for the purpose of bringing workmen into this country to compete with those already here. To-day you will find thousands of men throughout Canada unemployed. We find the industries, which hon. gentlemen opposite promised would give prosperity, all in a declining condition, the factories closed, the workmen out of employment, and the working classes in a very unsatisfactory condition indeed. We find wherever there is an association of workmen in cities and towns they pass resolutions at their meetings imploring the Government to stop the

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system of bringing labor into the country, which has the effect of further reducing the earnings of those already here. The hon. member for Ottawa (Mr. Mackintosh) thought proper to go back to 1874-75, and to take four or five years about that period and compare the expenditure of the present time. During the past two years the immigration has cost nearly a million dollars; last year \$500,000 and this year nearly half a million has been spent. In those two years that sum has been spent for the purpose of bringing artisans from the older countries into Canada to compete with our own workmen. Not only has the money been so employed, but it has been given with a lavish hand to supporters of the Government who happened to be so fortunate as to own newspapers.

Mr. CARLING. I call the hon. gentleman to order. I was called to order myself for referring to the press and money paid to newspapers in connection with immigration.

Mr. DEPUTY SPEAKER. I think the hon. member has wandered away from the question. We are discussing only the expenditure so far as relates to this motion.

Mr. LISTER. It was somewhat refreshing to listen to the arguments of the member from Lisgar (Mr. Ross), who is not in his place to-night. He entered into the discussion with all the warmth and zeal of a new convert to Toryism. Sir, he thought proper to present to this House a table representing the exodus from Canada into the United States. He took the census of 1880, and I ask the hon. gentleman if he thought it was honest to tell us that according to the census of 1880 there were 140,000 Canadian people in the whole of the United States or if it is reasonable to suppose that in the five years which have elapsed since that time that the number has not been greatly augmented. I believe it is no stretch of the imagination to say that there are 1,000,000 of Canadians in the United States, possibly owing allegiance to the Government of the United States, who have been driven from Canada by the maladministration of the present Government. He takes the census of 1880 and he wants us to understand that the number of Canadians is a mere bagatelle as compared with the population of that country. We have it on most indubitable evidence that in 1880 there were 700,000 Canadians who had sought homes in that country. During the past few years we have been spending millions of dollars to bring foreign immigrants to this country and yet the census shows that to-day there has been only an increase over 1870 of 1,000,000 people. Where are all the thousands of people that they spoke of bringing to this country? Where have they gone? They have vanished like the snow beneath the summer's sun. Where is the natural increase of our population which we ought to have had in this country to-day, and which ought to have amounted to 1,000,000? They have been driven from our country; unable to find employment here in Canada, they have sought homes and employment in the United States, and yet if we confront the Government with these facts, if we reproach them with this state of affairs we are told we are unpatriotic. Dr. Johnson said that patriotism was the last refuge of a scoundrel; and I believe that if we did not get up in this House and denounce the Government and lay before the country the true state of affairs we would be false to the positions we occupy here, and we would not be doing our duty to the country to which we owe our allegiance. To tell us when we state that they have so maladministered the affairs of this country that certain things have taken place—to tell us that we are lacking in patriotism is in my opinion a piece of cool impudence on the part of these hon. gentlemen. We are here to criticise the acts of the Government, to point out to the people wherein they have failed in the discharge of their duties, and if we fail to do so we are false to the duty which the country expects us to discharge. Sir, it is all very well for hon. gentlemen to say that this

is not a matter which should be brought up; it is all very well for hon. gentlemen to say that in 1874 the Government of that day supported a policy of bringing immigrants into this country. I desire to remind hon. gentlemen that since 1874 things have changed. In 1874 we had a time of prosperity; in 1874 we had not workmen enough in the country to do the work we had for them; in 1874 there was no clamor by the workmen of this country against further immigration. To-day the workmen of Canada represent a large proportion of our population, and we are bound to pay regard to what they are telling us all over the country. Then, Sir, I say there was no clamor, no protest against the bringing of workmen into Canada, while to-day you cannot go into a single meeting of workmen throughout this vast Dominion but you will find one of its resolutions is condemnatory of the Government for assisting immigrants to come into the country, to enter into competition with them. Their language is strong and unmistakable upon that point; and the best proof that the ex-Minister of Agriculture felt that he was not altogether clear in this matter is to be found in the fact that at a meeting at St. Thomas and other meetings held elsewhere, he had to get up and excuse himself and say that the Government were not doing so badly and that it was only agricultural laborers that they were bringing into the country. We know very well that mechanics are coming in day after day in the guise of agricultural laborers and entering into competition with our own mechanics. That hon. gentleman does not get up to-day and say that his policy was a good one; he does not get up in an aggressive mood and assert that what he did was right, but he tries to excuse himself for bringing in the classes of people that we say he is bringing in. Sir, the policy is bad and wrong, and the Government know very well that the workmen throughout Canada will hold them responsible for that policy within fifteen months or perhaps in a less time than that. What have they done with the millions of dollars that they have been appropriating for immigration? They have been squandering it among the Tory press of Canada—squandering it in that way and other ways. They have referred to the Ontario Government, but I say the policy of the Ontario Government is a different one. Only \$18,000 was appropriated this year by that Government and yet the leader of the Opposition in that House felt it to be his duty to get up and protest against further immigration being brought into this country. The man in the small House in Ontario thinks that it is a bad thing, but hon. gentlemen in the big House of the Dominion think it is a good thing. So far as the Conservative party in the country is concerned, one portion of them are entirely opposed to bringing immigrants into the country, whilst the other portion of this House seem to be in favor of that policy. I repeat that the workmen of Canada will hold the Government responsible for this enormous expenditure which has been going on for the last seven years; I say that that expenditure has assumed the proportion of—shall I call it—a huge job, and the quicker the people of the country put their foot down and give the Government to understand that this expenditure must be stopped, the better it will be for Canada and her people. The time will come when further immigrants will be required, and when that time comes let us appropriate sufficient money for the purpose, but at the present moment, under the present condition of commercial depression of the country, I say it is an act of cruelty on the part of the Government to bring further immigrants into the country to compete with our people. They tax everything they eat, everything they wear, the very fuel that heats their bodies; they have done everything to make living as expensive as possible, and yet they are bringing more people into the country to reduce their already reduced wages. It is notorious that on the railways of this country

the workmen are working for 80 or 90 cents per day; their wages are barely sufficient to keep body and soul alive, and yet under this deplorable condition of affairs the Government is insisting on maintaining their policy of the past, and what a ghastly failure that policy has been. For years they have been telling us that they were building up the North-West country by thousands of people; they have been leading us to believe that there was a large population in that country, and to-day we are startled by the facts told us by the census returns that there are only 23,000 white people in the North-West, and that the population of Manitoba is a mere bagatelle. Either they have been misleading the country intentionally or unintentionally, or else the people they have been bringing here have immediately gone to the United States, one thing or the other is the true state of the case, and let hon. gentlemen perch upon which horn of the dilemma they please. I say again that this thing must stop. I appeal to every man in Canada who has the interests of his country at heart that this is a condition of affairs which should not continue; and this system of jobbery—shall I call it—must be put on end to; and if it is not done before the elections, I believe the verdict of the people will tell the Government that they have been acting improperly in the policy they have been pursuing.

Mr. FOSTER. I do not rise to reply to the hon. gentleman who has just sat down, because my hon. friend has been making simply a stump speech. That has been shown very clearly by the frequency with which he referred to the Knights of Labor and the workmen. There were, however, two or three propositions put forward by the hon. member for Bothwell (Mr. Mills) that I would like to glance at before this debate closes. He said—and it is a statement which will command the assent of all in this House—that we would gain nothing by misrepresenting the facts. Now, I believe in that most thoroughly. I believe it is not a wise course to take to only set forth the brightest and most favorable circumstances with reference to a country. I believe it is worse, however, to take all the exceptional disadvantages of a country, and simply make up a statement of those. Of the two I should rather choose the former by far. My hon. friend said we gained nothing by misrepresenting facts. Now, if I had been simply a spectator coming into this country and into this House for the first time, and listening to the speech of my hon. friend, I should be unable to give Canada credit for one single thing of good with reference to her soil, her climate, her population or her progress for the last five or six years; and my hon. friend goes entirely against his own proposition that we must not misrepresent facts, when just on the top of that he picks out the isolated facts which are to the disadvantage of this country and dwells on them solely, without reference to other facts which are more favorable in their character. I hold that the true way is to give our country its fair chance. If it has good qualities, say so. If there are parts of it which are specially fertile, let us say so. If there are disadvantages, we need not always conceal them, neither need we always be bringing them to the front. A fair and square statement of the country on an average is what will benefit the country and what will be in the long run the fairest policy for any party to carry out. But to be continually talking of the disadvantages of the country—all countries have their disadvantages—and harping upon them is not representing facts, but misrepresenting facts—something which my hon. friend from Bothwell did not wish to have done.

Mr. GILLMOR. What did he say against the country?

Mr. FOSTER. What did he say in favor of it? Why, he said against the country that it was losing its population; he said against the country that it was wasting its money for no purpose; he said against the country that its climate

and soil were not the best in the world, and that there was no use of shutting our eyes to it.

Mr. MILLS. I did not state that.

Mr. FOSTER. While he stated all these things, he did not state one single advantage that the country possessed over any other country with which he compared it. Now, if the hon. gentleman was honest in his statement, and honest in his wish to represent the facts, he would have given the country credit for something good, instead of giving it credit for nothing but disadvantages. My hon. friend read a resolution which was introduced into this House, in 1878, or 1879, and he chose to say that those who introduced and those who voted for that resolution—because it stated that the proposal to introduce the National Policy was intended to retain laborers in the country who were leaving it by thousands for want of employment—were just as unpatriotic as the members of the Opposition were charged with being for giving those disadvantages a prominent place in all the speeches they make. Now, the difference between the two is simply this. My hon. friend declares that people are leaving this country by hundreds of thousands without proposing anything which will remedy this state of things, while the resolution of 1878 or 1879 proposed a remedy, and then gave reasons why that remedy should be adopted.

Mr. MILLS. We are proposing a remedy now.

Mr. FOSTER. Do not be uneasy, my dear friend. What proposition did the hon. member for Bothwell make in his speech to-night which would remedy this state of things? What proposition has he ever made but this: Put the others out, and put me and my friends in. Now, having stated that difference, I want to draw the attention of the House for a moment to a very specious style of reasoning which my hon. friend adopted in reply to the Minister of Agriculture. It was this: The Minister of Agriculture suggests, says the hon. member for Bothwell, that prices are lower now than they were in 1879; then he goes on to argue that if prices are lower, they must be lower for one reason and one only, that is, that labor is cheaper now than it was in 1879; and if labor is cheaper than it was in 1879, it must be because of the hon. Minister's immigration policy, which has brought in immigrants so that competition has reduced the price of labor in the labor market.

Mr. MILLS. Hear, hear.

Mr. FOSTER. "Hear, hear," says my hon. friend—exactly what I wanted him to say. He admits that I have stated it fairly, and yet there is not a shred of fair or honest reasoning in the deduction he came to from the premises from which he started. Is it a fact that cheapness of products always depends upon cheapness of labor? I say it is not, but it is perfectly compatible with reason and common sense that you may pay your laborers better wages, and at the same time there may be conditions under which you may sell your products at lower prices. What is it besides cheapness of labor that contributes to the cheapness of products? One thing it may be, is cheaper raw material. Now, when it suits my hon. friend, he gets up and makes a point against the National Policy and against arguments on this side, by saying: "Oh! these things are cheaper, but raw material is a great deal cheaper than it was in 1878." But when it suits him to make a point against the Minister of Agriculture, he leaves out entirely the greater cheapness of raw material, and he says that if the products of the manufacturing are cheaper, it is because the price of labor has been depreciated.

Mr. MILLS. Will the hon. gentleman allow me to make one observation? I referred to the matter because the statement of the Minister of Agriculture was out of order. I assumed that he spoke to the question, and when he said

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that the cost of production was reduced 25 per cent., I did not suppose he meant that it was reduced in consequence of the National Policy, because that was not the subject before the House.

Mr. FOSTER. My hon. friend cannot make a scapegoat of that statement, because when I put the proposition before the House, he assented to it by saying in that honest tone "hear, hear" which means with him, "them's my sentiments." Now, besides cheap material, there is another thing that cheapens the product, and that is better methods of manufacture, and these will increase in the exact ratio as the manufacturing become older, become more steady, have a more assured market, and gain more skill and more capital in the carrying on of those manufacturing. And so, if you start manufacturing in a country, their first period will be the period of the poorest work and the highest prices; and then, in proportion as the experience in manufacturing increases, according as the manufacturers settle down to their work and the artisans become more skilful, they learn the cheapest methods of producing, the great effect of which is to cheapen the cost. Again, if you make a market larger and more secure for the manufacturers—

Some hon. MEMBERS. Order.

Mr. FOSTER. What else would bring in immigrants, but to show them that they may have goods cheaper, and that this cheapness comes, not from competition between themselves and the artisans in the country, but from securing to the manufacturers better and larger markets, so that the factories may turn out larger quantities, and the more they turn out of course, the cheaper the cost of production. My hon. friend spoke of the loss of population, and he read many figures to show that the people were going out of the country faster than they came in. But what figures did he rely upon? The figures he relied upon were those given by United States immigration agents, or census or Customs officers, whatever they may be—those officers who have been proved so unworthy of credence that their own Government had to take them away from the positions in which they abused their trusts, and to abolish the whole system. If that is all the authority my hon. friend can find to endorse his statements, we know what value to place upon them. But there is one very odd circumstance in this connection. If immigrants come here, and, finding things in a certain state, become disgusted with the country, as my hon. friend says they do, and leave it, where in the name of common sense do they go and why do they go there? They go to the United States my hon. friend says. Why? Is it because they have a freer trade system than we have?

Mr. MILLS. Yes.

Mr. FOSTER. Does that draw them?

Mr. MILLS. Yes.

Mr. FOSTER. That is they flee from the Customs and Excise taxation which we have and which is so grinding, to a country which has a Customs and Excise taxation three times greater.

Mr. MILLS. But there you have free trade among forty nations.

Mr. FOSTER. And here we have free trade among seven or eight nations, and in proportion to our size our trade is about equal to theirs. And if they have a trade among forty nations, does not the taxation from Customs and Excise weigh upon them, as it does upon us, only in a far greater ratio; and if the hon. gentleman's statements were right in other respects, when you take our population and divide it into the Customs and Excise so as to make a *per capita* rate, you must also take that of the United States. People, say hon. gentlemen opposite, will not remain here because

of the too grinding rate of taxation, but fly away to that sunny, beautiful clime where there is a taxation rate for Customs and Excise three or four times greater than ours. They also leave our North-West because of our terrible land laws, and go to the United States where the land laws are not nearly so liberal. So that when you come to look into the matter, there must be something wrong somewhere.

Some hon. MEMBERS. Yes; something wrong.

Mr. FOSTER. And I think the reasons I have given show that the wrong does not lie with the policy of this Government. My hon. friend afterwards apostrophised somebody or something, and cried out: "Why do we not maintain our own people in our own country?" I will give him a short answer. If he and those with him would stop for one short year their dismal wailings about taxation and the grinding monopoly, they would find people would stay by hundreds where they are now going out by hundreds. It is an easy matter to raise discontent; it is an easy matter to make people think they are not as well off as they might be somewhere else, and the constant round of speeches and newspaper editorials which flow through this country every day, crying down the country, is something which does not tend to make people more contented or more in love with their country. Again, it is said there is no work, and my hon. friend from Lambton (Mr. Lister), drew a most miserable picture of the thousands who were without employment in every town and city of Canada. Well, we must have a large population in some of our towns or else every person in them must be idle.

Mr. LISTER. I said nothing of the kind; do not go so fast. I said that there were throughout the country, and you could not go into a town or a city but where there were hundreds out of employment.

Mr. FOSTER. I take my hon. friend's denial as he gives it; but if I have two ears that hear, the statement he made was, as I heard it, that in every city and town thousands were out of employment. However, that does not amount to much. The point I wish to make is this: My hon. friend drew a dismal picture of the want of employment. I want him to contrast our own happy, peaceful, prosperous, beautiful Canada of the year gone by, with England, Belgium, France, with the United States, with any other great country of the world, and if he can find any one of them in which labor has been more contented, employment more steady, want or poverty less known, I am mistaken in my views. The best proofs are not statistics, not the declamations of any hon. gentleman. They are the quiet year in and year out experience which hon. gentlemen here, coming from every constituency, have had and can bear testimony to. And the experience of hon. gentlemen on this side, as of hon. gentlemen opposite, is that our own country has, as regards peace and prosperity and lack of disturbance between labor and capital, kept pre-eminence in comparison with all other great countries of the world. I have only now to reply to the assertion which is couched in the question, Where does all this money go? millions upon millions of it are wasted! I think there is another side to this. I do not deny for a moment that in every great expenditure—I do not care in what department or under what officer—there may be and must be some money expended which brings no direct return. But to state that millions upon millions spent on immigration have been wasted and there has been no return is simply to exaggerate. There is another side to the question. When Confederation brought together the four Provinces of this Dominion, Canada began first to be known as a large and prosperous and promising country in the areas whence immigration was hoped to have been drawn; and when, later, Province after Province was added, and the great North-West was joined on to these older

Provinces, and it began to be explored and its resources to be opened up, the countries from which immigration was to come had to be advertised of that fact. You might as well try to grow up a child to the stature of a man in six weeks as to try to grow up the knowledge of the resources and the extent and advantages of a new country in old and settled and far distant countries in a short space of time. I say there has been a rich return for the money which has been expended in the seed-sowing, in spreading information of the resources, the capabilities, the extent of fertile land, the mineral riches, and the riches of sea and land which exist in the Dominion of Canada. I say that this has been the seed-sowing of that knowledge. We have had to pay for it. We could not have had it sown in any other way, and the fruitage of that seed-sowing is beginning to come now; and, as the years pass by from this on, as from 1879 up to this time, you will find as the result of that seed-sowing and of the knowledge which has been scattered far and wide by the expenditure of this money, that Canada has been, is now, and will be taking hold in a greater degree of the peoples of all those countries, winning to itself a place in their affections, that they will be sending out to this country their immigrants who, settling in this country, shall become a nucleus to draw still further immigrants to it, and to draw their friends from every clime to settle with them. This could not have been done without the expenditure of money, and, although we have not yet reaped all that we may have expected, we shall in future reap the benefit of an accession of a noble class of citizens brought from other countries in consequence of the expenditure of money which was absolutely necessary to spread the knowledge of this country abroad.

Mr. CHARLTON. The hon. member for King's (Mr. Foster) has made a presentation of the case tolerably ingenious and with considerable ability. He has, however, I think, in some particulars, made statements that will militate against his own view of the case. I was particularly pleased to find that the hon. gentleman took up a point of the subject which I had intended to take up myself, and explained in a most satisfactory manner why goods were cheaper now—if they are cheaper—than they were in 1878. He explained that it was not because the taxation is less, not because the Customs duties are less, but, as he informs us, because improved methods of manufacture have an increased tendency to reduce the price of goods. This is true. It is a law which has been in operation for centuries; and, within the past forty years, the price of goods, from this cause, and from this cause alone, has steadily been reduced. I have no doubt that in many lines of goods prices are actually lower to-day than they were seven or eight years ago, notwithstanding the fact that the duties imposed are very much larger. But the hon. gentleman, if he took the pains to make comparative statements as to prices, to compare the prices in this country with those which exist in England and in other countries, would find relatively the prices here are higher now than they were in 1878 or at any time between 1874 and 1878. He would find that, notwithstanding the fact that there may be an actual lessening of the value of goods, there is a comparative increase, and that the inducements for smuggling to-day are greater than they were between 1874 and 1878; that the advantages of buying in foreign markets and importing into Canada are much greater than they were between 1874 and 1878 under a revenue tariff. He certainly explained very satisfactorily why goods might be cheaper to-day than they were then, but he took care to make no comparison of prices as between this country and other countries. He tells us, with regard to the expenditure for immigration, that rich returns have been received for that expenditure. I agreed with him. Rich returns have been received. Of an expenditure of \$500,000, two-fifths

were applied to the legitimate objects of the expenditure, and three-fifths went into the pockets of favorites—a rich return surely to the favorites of the Government, to the officials, to those who printed pamphlets, to those who advertised, to those who did not receive assistance in passages. To those men rich returns went. They have reason, through their mouthpiece the hon. member for King's (Mr. Foster), to say that the expenditure of this money has brought rich returns. It would have been better for the hon. gentleman to define more particularly in what respect he wishes us to understand the rich returns have been received. He finds great fault with my hon. friend from Bothwell (Mr. Mills). He says that a misrepresentation of facts is to be deplored. I agree with him. He says that, if a statement is to be made with regard to the affairs of a country, it is better to present the bright side than the reverse. I will agree with him to some extent in that. He tells us that a fair, square statement is what he wants. I agree with him there, and the facts will prove that my hon. friend from Bothwell did nothing more than make a fair, square statement. When he was challenged to say what the hon. member for Bothwell had said against the country, the hon. member for King's (Mr. Foster) said he had spoken about its losing population. That is merely a reference to a melancholy fact, which we deplore, and the causes for which we desire to remove. He said he has also spoken about the country launching into debt recklessly. That is another melancholy fact which we deplore, a condition of things which we wish to remedy. We have been frequently taunted—we were taunted by the Minister of Agriculture this afternoon—with being the enemies of this country. The Minister of Agriculture made use of the expression that we upon this side were the best immigration agents the United States have. There is great injustice in these charges. It is perfectly proper for the representatives of the people in this Parliament to realise and recognise great existing facts. It is perfectly proper, in order to realise the facts that exist and militate against the prosperity of this country, to recognise them as existing facts, and it is patriotic to try to remove the causes which lead to this melancholy state of affairs; and the sense in which the members of the Opposition have grappled with this question and criticised the policy of the Government is a patriotic sense, with a sincere desire to remove the abuses, to remove the causes which impede the progress of Canada, which prevented the settlement of Canada, which drive from Canada its own sons to another country. The facts that the debt of this country is increasing with great rapidity; that the land laws of this country are less liberal than those of the United States, that various circumstances have militated against the prosperity of this people and have handicapped Canada in its race with the United States—these are the things which we deplore and which we desire to be removed. We point out the result and the consequences of these acts, and we ask the Government to rectify its policy, to change its course, and to remove these things which militate against this country; and we are met with the taunt that, in displaying this to the world, in giving to the public the reasons why we do not make greater progress, we are guilty of preventing the country making progress. Nothing could be more unfair. Now, the hon. gentleman tells us that the immigration statistics of the United States are totally unreliable. Well, what immigration statistics shall we appeal to? The other day the Minister of Agriculture informed us that we kept no statistics at all. I put a question on the paper asking the Government what was the supposed emigration from this country to the United States during the last year, and I was told that the Government had no information to give, that they had no statistics in regard to the matter. And if we are to make an estimate at all, we must resort to American statistics. Now, Sir, a careful scrutiny of

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those statistics will satisfy any fair and candid man that they are substantially correct. If you take the statistics compiled at the district of Detroit, including Port Huron, and with those statistics as a basis, compare the census returns of the United States, which are admittedly correct, you will find that they correspond very closely with the census statistics. For instance, take the decade between 1870 and 1880. The United States census tells us that in 1870 there were 496,000, in round numbers, of Canadian born people in United States, and that in 1880 there were 712,000. Now you take the immigration statistics on the frontier and compare them during the period from 1870, upon the basis of the census returns, allowing a death rate of 1 per cent. per annum on the population going in, and 2 per cent. per annum on the initial population there, and you will find the result will be that the census statistics of 1880, compared with the immigration returns, come within between 7,000 and 8,000, that they are, in fact, remarkably correct. We are warranted in assuming that they are substantially correct, and basing our calculations on those statistics, which agree with the census returns up to 1880, we are warranted in believing that to-day there are 1,000,000 Canadian born persons in the United States.

Mr. CARLING. Has the hon. gentleman read the circular of Secretary Manning?

Mr. CHARLTON. I have. But it does not follow from the fact that Secretary Manning has sent a circular abolishing the collection of those statistics at Port Huron, that they are unreliable. When this thing has been carefully examined, when it has been tested by the census returns of the United States, and you find, with a death rate of 2 per cent. allowed on the initial population, and 1 per cent. upon the population going in, that the results of the two are the same, we are warranted in saying that these statistics are substantially correct, Secretary Manning to the contrary notwithstanding—although the hon. member assumes, what is not proven, that Secretary Manning abolished the collection of the statistics because they were not correct. That may or may not have been the reason, I believe it was not the reason. The American officials have claimed, at all events, that those statistics were correct, and when we apply the test to those statistics, we find that their position was a sound one.

Mr. CARLING. Will the hon. gentleman allow me to read Mr. Manning's circular?

Mr. CHARLTON. I have admitted it. I say it does not invalidate the position I have taken that those statistics are correct, and they are proved by evidence entirely foreign to Mr. Manning's opinion. They are proved by the fact that these emigration returns given at Port Huron and Detroit, when compared with the census returns of 1870 or 1880, prove that the emigration returns were substantially correct. The census returns for the United States for 1880, show that there were at that time in that country 936,000 children born of Canadian parents; there were 1,600,000 people in the United States either born in Canada or children of Canadian parents, and I venture to say that there are to-day in that country from two million and a quarter to two million and a half inhabitants, either Canadian born or children of the first generation of Canadian parents. Well, Sir, that is a matter of serious consequence to us. We, a nation of less than 5,000,000 inhabitants—at the utmost not more than 4,700,000—have lost two million and a half of our population, who have gone to a foreign country. Are not the Opposition warranted in criticising a policy which has produced these results? Are we not warranted in asking the Government to adopt a policy that will, to some extent, cause to cease this drain upon the life blood of this country. Here we are, a vast region, with undeveloped resources, one of the finest coun-

tries in the world. I believe, Sir, that the Province of Ontario is the finest country upon the continent of America. I believe the North-West is as fertile as Dakota and Minnesota, and is well calculated to be the home of prosperous and intelligent millions. We do not decry our country, Sir; we decry and condemn the policy that prevents that country from being settled; we condemn the policy that drives from our shores men that wish to remain in this country; and we hold that we are not unpatriotic in denouncing the Government, in asking them to change a policy which has produced these sad results. Sir, it always makes me warm up a little to be accused of being unpatriotic when I lament what I see, when I lament the short-sighted policy of the Government, when I ask that something should be done to correct this evil—I say it makes my blood boil to be accused of decrying my country and of being unpatriotic. It is these men who are unpatriotic. These are the men who are the enemies of our country, who are piling up the expenditure of our country, who have increased the debt 250 per cent., while the population was increasing 36 per cent. What can you expect but that those who look ahead and see the evil day coming, will abandon this country? Our debt now is \$55 per head, and the interest charge is \$2.40 per head, against 83 cents in the United States this year. Our public debt is twice as great *per capita* as that of the United States. Theirs is rapidly decreasing while ours is rapidly increasing. Why, Sir, our young men, our intelligent men, foresee the evils that are coming, and leave us—not because the United States is a protective country, not because it has better soil, not because it has superior advantages, but because it is more wisely governed, financially, than this country, because the taxes are less there, and are likely to be much less in the future than here. For these various reasons they refuse to go to the North-West, and go to the United States. And there is another reason. The hon. member for Lisgar (Mr. Ross) stated this afternoon that our land laws are more liberal than those of the United States. Sir, I deny it *in toto*. One of the great reasons why we do not secure a population in the North-West is that our land laws are illiberal compared with those of the United States. Take any land south of the Canadian Pacific Railway, land that is worth \$2.50 an acre—

Mr. WHITE (Cardwell). I rise to a point of order. When I left here before dinner the hon. member for Lisgar (Mr. Ross) had just commenced to answer some of the arguments used on the other side, but outside of the question of assisted immigration. He was stopped by the Speaker of this House then in the Chair. I find now a discussion going on with relation to the land laws. Has that anything to do with assisted immigration?

Mr. CASEY. I rise to a question of order also. No doubt, strictly speaking, my hon. friend is out of order, but a similar latitude was granted to the Minister of Marine and Fisheries, and I think my hon. friend ought to have the same allowance in his reply.

Mr. DEPUTY SPEAKER. I think the hon. member is going very far. At the same time the question of the land laws has been referred to, and I think he should be entitled to reply; but I must ask him to come back to the subject.

Mr. WHITE (Cardwell). Then, I understand that an attack may be made, but no defence may be permitted—precisely what occurred before.

Mr. DEPUTY SPEAKER. I have stated to the House, that it is because an attack has been made that the hon. member is justified in replying.

Mr. WHITE (Cardwell). This is in reply to something stated on the other side.

Mr. DEPUTY SPEAKER. If an allusion is made, if an attack is made, I think it is only fair to allow a reply. But the hon. gentleman ought to come back to the main subject of the debate, and this subject must not be continued.

Some hon. MEMBERS. Chair! chair!

Mr. WHITE (Cardwell). I desire to point out that—

Some hon. MEMBERS. Order! chair! chair!

Mr. WHITE (Cardwell). If it has come to this, the sooner we know it the better.

Mr. CASEY. I rise to a point of order.

Mr. DEPUTY SPEAKER. The hon. member for North Norfolk has the floor.

Mr. CASEY. I desire to ask whether it is in order for a member of the House to cast reflections upon the ruling of the Speaker, or to question a ruling after it has been made.

Mr. CHARLTON. I freely acknowledge that I was perhaps a little out of the latitude, if I were to be governed strictly by the character of the motion. But as you, Sir, said I could reply to the charges made I have strictly confined myself to the positions taken by the Minister of Agriculture, the Minister of Marine and the member for Ottawa (Mr. Mackintosh), and I will confine myself strictly to positions that have been advanced by those hon. gentlemen; I thank you for your exceeding fairness and impartiality in ruling that it was allowable to meet those points, and I certainly will go no further. I shall say very little more. I do not wish to be held by any considerable portion of the House to be outside of the rules of debate. It is evident the Minister of the Interior has not been listening to the whole of the discussion and is under a misapprehension as to the position taken. The Minister of Marine broadly made the assertion that the Excise and Customs duties of the United States were two or three times higher than those in Canada the hon. gentleman could not well have been wider of the mark. With respect to Excise duties, they are considerably higher in the United States than in Canada; but it is always to be borne in mind that an Excise duty is a voluntary tax. No man in this country or in the United States is obliged to pay one cent of the Excise tax; it is purely voluntary whether he contributes to it or not. But Customs duties form a compulsory tax to which all must contribute. The amount of Customs duty in the United States last year was equal to \$3.18 per head, the amount collected \$181,000,000 odd. In Canada it was \$4.25 per head, or 33 per cent. higher in Canada than the United States. So the hon. gentlemen's statement, that these taxes were two or three times higher in the United States than here, was entirely wrong. I suppose the hon. gentlemen does not pay any Excise duties, as I do not. I will now offer a few words strictly pertinent to the question before the Chair. This discussion arose upon the policy of spending money for assisted immigration. There is a very general doubt as to whether the policy we have pursued,—and I know all parties have pursued that policy—is the best policy with respect to immigration. I doubt whether we secure by the expenditure of money for immigration a desirable class of immigrants. We may secure the immigration of a pauper class, of a class that are too ignorant to make their choice, of a class too indigent to pay their passage; but that self-reliant class with money we probably do very little towards reaching. The United States for many years, I do not know how many, but for very many years, have not spent one dollar in promoting immigration. On the contrary the United States tax immigrants half a dollar per head on landing at Castle Garden, for the purpose of paying expenditures for quaran-

tine regulations and other matters. The country derives from immigrants sufficient to pay all the expenditure in connection with the management of the immigration department at the various ports. Yet we see the United States have been immensely successful in securing immigrants not only from Europe but from our own country. Their foreign population numbers eight or nine millions to-day, and the immigration of that country has always been on a vast scale and always secured without the expenditure of money on the part of the Government. I do not believe the expenditure of money in this country has produced results at all adequate to the outlay, and I seriously doubt whether it has been any advantage to the country at all. Under the circumstances in which we are placed, the very large public charges we have to bear, our enormous debt, our heavy interest charges and the scale of expenditures which taxes heavily the resources of the country, I think it is well worthy of consideration as to whether this is not an expenditure we can dispense with. I doubt very much whether any serious injury would accrue from striking this item from our estimates altogether. I believe most conscientiously and sincerely, and my belief is the result of investigation in this matter, that the whole policy is wrong. We might as well leave people to select their own homes, and if we will take pains to make our laws such as will reduce our expenditure, reduce our taxation, cease increasing our debt, place ourselves in a favorable position in these respects, the day is near at hand when we must attract population and have a great immigration. The United States have had a great and attractive public domain; but that public domain is rapidly becoming exhausted, and it is a question of a few years only when the attractive fields for immigration in the United States will all be occupied. Our own North-West is the next great point to which immigration will tend, and if our policy is made what it should be, if our laws are as liberal as those of the United States, if our expenditures are as light and our taxation is as light, if we have inducements to offer to immigrants we shall get them without the necessity of keeping up a large immigration staff and spending \$500,000 a year to assist immigrants to come here, a majority of whom are of an undesirable class.

Mr. WHITE (Cardwell). The subject with which the hon. gentleman has concluded his remarks, is entirely relevant to the motion before the Chair, and it is one which is undoubtedly worthy of very considerable attention and consideration, and that is whether the policy pursued with respect to immigration in the past, is really the best policy, or whether it would not be better to stop all expenditure in connection with immigration matters, and adopt the principle of allowing immigrants to come here if they choose, and if they do not choose, to remain away. I think the hon. gentleman was not quite ingenuous in his reference to the Manning circular. His statement in regard to that, was that the figures at Port Huron, to which reference has so frequently been made in the past, in regard to immigration matters, were absolutely correct, and were proved to be correct.

Mr. CHARLTON. I said substantially correct.

Mr. WHITE (Cardwell). I beg the hon. gentleman's pardon. The hon. gentleman used the words "substantially correct," and he said this was proved by the census statistics of the United States. We have had some statistics on this subject from the officers of Canada. We have had figures that have been obtained from sources which made them at least of some value. We have had for instance a statement as to the number of tickets sold on railways carrying passengers to and fro to that point, the number of persons going and the number brought back, and we find, measured by that test, which must be regarded as on the whole a very fair test, that instead of the number being 80,000 as the balance of immigrants going from this country

Mr. CHARLTON.

into the United States by way of Port Huron, the number of persons going and coming was about equal, 2,000 or 3,000 being the difference. That fact has been established beyond controversy from the books of the railway companies, and it must be regarded as having as much force and weight as the statement of an immigration agent or Customs agent on the other side who went through the cars and pretended to take the number of immigrants and reported to Washington; it should at least have some weight with Canadian public men. That seems to me to be wherein we have a right to charge hon. gentlemen opposite with not dealing quite fairly by their own country—when they accept these statements as true and give to them the weight of their authority as members of this House, as Canadian public men, when those statements have been absolutely contradicted by the most successful method by which it was possible to obtain accurate information with regard to the matter. Now, Sir, Mr. Manning withdrew this particular officer, or rather he prevented his going on with his work, as enumerator of immigrants into the United States, expressly because his statements were not accurate. I will read the circular:

"Since it appears to be impracticable to procure, under the existing laws, accurate statistics of the immigration arriving in the United States from the British North American Provinces and Mexico, you are hereby directed to discontinue collecting the statistics of such immigration until otherwise directed.

(Signed) "DANIEL MANNING,
"Secretary of the Treasury"

So you will see that the express ground upon which that officer was withdrawn from that work was the impossibility—judged by the records of the past—of getting anything like accurate statistics under the system which had been adopted. Now, in face of that circular, and in face of the facts as shown by the reports of Mr. Lowe, who went very carefully into this matter, based on the reports of the chief railway companies carrying passengers from Canada into the United States, and from the United States into Canada, it does seem to me we might at least, in fairness to Canada, assume that the statements made here were accurate, when the highest authority in the United States declares that the statements on the other side were not accurate. Then the hon. gentleman says the United States have succeeded in attracting a large immigration into that country without expending any money, and the hon. gentleman is substantially right. There is no doubt that the United States instead of spending money on immigrants, have actually imposed a poll tax on immigrants coming into the country, and by means of that tax they have succeeded in paying a large proportion of their immigration expenses, in connection with Castle Garden and other machinery of that kind connected with the reception and distribution of immigrants. But hon. gentlemen must remember that for many years when we had no great west at all, the United States had practically on the other side of the water immigration agents of the most practical and energetic kind, for the very reason that upon the successes of their efforts in attracting immigration to the American North-West depended the extent of their earnings. For years before we had our own North-West opened—and that same principle obtains to-day—as immigrants came into that country they became the immigration agents for others to follow them and as the people from different districts managed at that time to get into the great west of the United States, by sending home their letters they naturally attracted others to follow in their footsteps and settle near them so that they would be on this side the water near the friends they knew on the other side. It takes a long time before you can change the current of immigration and bring it into a new direction. What was the inducement that set the current in the direction of the Western States of America? Among others, and perhaps the most influential, was the

system of commission paid by steamship and railway companies to passenger brokers in Great Britain and Europe—the commission being not only on the ocean passage, but on the railway passage as well, so that the interest of every steamboat agent in the United Kingdom—his own personal interest—was to send immigrants to the furthest point west, that furthest point being until recently, in the Western States. Take the Allan Line for instance. They have some 1,200 agents in Great Britain and Ireland alone. These men called immigration agents, are in reality passenger brokers. They obtain their certificates from the Imperial Emigration Commissioners, and they are responsible in that way for their relations to the persons who buy the tickets from them, to the Imperial Emigration Commissioners. The further these agents can send immigrants inland in America the higher is the commission they receive, and in that way there have been connected with that company alone upwards of 1,200 immigrant agents with a direct pecuniary interest in sending immigrants into the furthest point they can send them in the United States. That is a process which has been going on for years, and has been building up the population of the United States. On this side, on the other hand, the commission given to the immigration agents until quite recently, was given simply to the port of Quebec, that being practically the port to which they came, and the commission the agent got in that way was therefore a small one. In fact the sum was so insignificant compared with the amount which he could get if he sent his immigrants in the United States, and sent them on to the Western States, that it was a matter of the greatest possible interest to Canada that there should be some means of supplementing to the agent the amount of his commission. If I may be permitted to refer to my own connection with matters of this kind, I may say that when I was sent over by the Ontario Government in 1869 and 1870, that in the report which I presented of my mission at that time—and at that time I may say there was not so great a feeling against immigration as there appears to be in some quarters to-day—I suggested that some means should be adopted by which these agents could get some kind of commission to supplement that of the ordinary steamship company to Quebec, in order to compensate them for the greater commission they would receive in the United States, and thus induce them to assist in promoting immigration to the Canadian side. Now, that process has been going on, and in that way the Government of the United States have, because of this very practical kind of assisting, been spared the necessity of spending money. They have had their land companies, their railway systems, their steamboat companies, and by the system they have adopted in connection with these various companies, they have succeeded in securing the most practical and systematic method of assisted passages—assisted in the sense of paying every one of those agents for becoming immigration agents, and they succeeded in doing it in a way which Canada could not possibly meet. Take for instance the Australian colonies, which stood in the same position as regards the desire to obtain immigrants. The large part of their debt, a very considerable part of their debt—a part so large as to lead one to be surprised at it when you compare it with what they have incurred for other purposes—was incurred on account of immigration, which shows how deeply they felt its importance. In order to counteract the system which was going on and which was attracting practically all the immigration to the North American continent, to the United States on this continent, they adopted a system of free passages altogether, for certain classes of immigrants, and, as I have said, they incurred a large debt in order to enable them to pay these free passages. We in Canada, on the other hand, had to do the best we could, and I think the policy which has been pursued,

a policy which was necessary in the conditions in which we stood, having regard to the fact that we are commencing to compete with the United States for the immigration of the old world into our own North-West, and in doing that we had to compete with the great motive power of immigration, that is, the actual settlement of people who are trying to get their friends to come near them instead of going to other places. I say, in view of that, it is absolutely necessary that some expenditure should be made in connection with immigration into this country. The argument which has been used on the other side, and the motive which I venture to say has prompted this discussion on the other side, has been in relation to the immigration of certain classes of mechanics and laboring men, who are said to come into our towns and cities and compete with the laboring men and mechanics in those towns and cities, and so competing to injure those who are already here. Well, Sir, the statement by the Minister of Agriculture to-night, made on his responsibility as a Minister charged with this particular branch, must be accepted as accurate until hon. gentlemen opposite can show the contrary. That statement is to the effect that the only persons assisted to-day are domestic servants and agricultural laborers, and that every person who is assisted has to make a declaration, the form of which was presented to the House to-day by the hon. Minister of Agriculture, that he or she is an agricultural laborer or domestic servant; and the authenticity of that declaration has to be certified to by a clergyman or a magistrate. Now, it is impossible to imagine any manner by which that class of immigrants whose presence here is favored by all parties, whose presence is declared to be necessary by the report of the officer of the Ontario Government in charge of this matter, may be brought here, and by which the bringing of the other class may be avoided, than the method adopted by the Department of Agriculture. My own opinion always has been, and I have not hesitated in expressing it, that if we had expended more on this side of the water, in receiving and distributing immigrants, on the whole it would be better; but to say that a new country like this, with the enormous areas which we have to fill up, and with the competition of the United States in relation to the immigration, should cease all expenditure for immigration, is to say what I venture to think no reasonable man really believes, or what hon. gentlemen opposite, if on this side, would not think for a moment of adopting. The success of Canada in the future depends very largely on the success with which we shall attract immigrants from the Old World; and the policy the hon. Minister of Agriculture is adopting of not granting assisted passages to mechanics and ordinary laborers, who settle in our towns and cities, and who may become disturbers of the labor interests of those places, but assisting domestic servants and agricultural laborers, is a policy of great advantage to Canada, and can be sustained without the slightest trouble, even in the presence of those who for the moment assert that immigration is an injury to their special interests in the country. I think that in the early future, by the construction of the Canadian Pacific Railway, by the success of the branch railways in course of construction in the North-West, and the greater interest that will thus be excited on the part of those companies—an interest which has done so much in the way of promoting immigration in the United States—which shall be able to attract to our own North-West a far larger degree of immigration than we have been able to do in the past, or than the most sanguine amongst us at this moment hope for. I have no doubt whatever on that point. In fact, at this moment, I know that the greatest efforts are being made by the Land Commissioner of the Manitoba and North-Western Railway to settle immigrants in the country to the north of that railway, and that these settlements are soon to become the nuclei of increasing settlements

in the future; and the success which has attended them up to this time has induced many of these people to write to bring their friends out. I believe that we shall soon be able to compete fairly with the United States for the immigration from the Old World; but we are only now beginning to overcome the difficulties to which I have just referred, and the absence of which has enabled our friends on the other side of the line to enlarge their immigration to such an extent; but those difficulties having been overcome, we shall before long be able to show that the North-West is quite as attractive as the great American west, and the development of that North-West will form a reasonable parallel with the marvellous development of the North-Western States of America.

Mr. CASEY. The hon. Minister who has just sat down concluded his speech by pointing out the necessity of obtaining immigration of a certain kind—the immigration which would settle in our North-West Territories and fill them up. No one has ever questioned the propriety of obtaining that class of immigration. No one has attacked the Government for having got in too many of that class; our only charge against the Government is that they have brought in too few of them, and not too many. The hon. Minister hopes that our railways now opening up that territory will act as the railways of the United States have done in the way of encouraging immigration. That hope was held out to us very strongly when we were asked to enter into the very expensive arrangements which we did for the construction of the Canadian Pacific Railway. That railway has been in operation through the most fertile parts of the North-West for over four years, and yet we have not seen that the efforts of the company, apart from the efforts of the Government, have been successful in bringing a large number of immigrants into the country, and have enabled the Government to largely reduce its immigration vote. Although we have a slight reduction in the vote this year, it is not pretended that it is because the railway company has been fulfilling the expectations which were formed of it as a promoter of immigration. The hon. Minister treated us to some remarks on Secretary Manning's circular in regard to the passage of population back and forth at Detroit, and he urged not only that Mr. Manning's opinion of the statistics collected at that point showed them to be false, but that the statistics obtained by our own officer, Mr. Lowe, in regard to the same movements of population, showed the American statistics to be incorrect. Now, in the first place, Secretary Manning's opinion was only an opinion; but as for the figures which have been put forth by the Department of Agriculture or by the Department of the Interior for that matter, in regard to the movements of population into and out of Canada, I think it is a little too absurd that they should be quoted as showing the falsity of any other statistics whatever. Why, Sir, we have had calculations year after year, of the number of immigrants who went into, and the number of people who went out, of the North-West, taken in the same way from the sale of railway tickets; and the result is that there should be at the present time, if those statistics are correct, about 215,000 more people in Manitoba and the North-West Territories than the late census shows there are. If such figures as these are to be used as showing the incorrectness of American statistics, they should be presented for that purpose before a less intelligent body than this. I say further, that a department whose officers have shown such utter inaccuracy in their figures, as to show a population more than twice as great in a certain district of our country as is really proven to be there by the census, should say nothing of the inaccuracy of anybody else's statistics, and should not ask anybody to take their calculations or opinions as worth anything whatever in regard to such matters. He repeats the statement of the hon. the Minister of Agriculture.

Mr. WHITE (Cardwell).

ture that stringent precautions are now being taken to prevent the assistance of any but agricultural laborers and domestic servants, and he tells us everybody admits the necessity of assisting both these classes by paying part of their passage money. In support of that assertion, he read statements of the hon. the Minister of Agriculture of the Province of Ontario. I do not remember the statement to which the hon. gentleman refers, but I know that the report of the Bureau of Agriculture and Industries of Ontario states that last year there was an ample supply of agricultural laborers and that the average of wages had gone down. It does not seem, therefore, there is any great necessity for assisting agricultural laborers to come out.

Mr. SPROULE. I have a report which says that agricultural laborers are in good demand throughout Ontario.

Mr. CARLING. Do I understand the hon. gentleman to say that the Bureau of Agriculture reports there was a surplus population?

Mr. CASEY. I stated there was a full supply.

Mr. CARLING. Will you allow me to read the report:

"The servant girl question is becoming a much more serious problem to our Ontario farmers."

Mr. CASEY. I did not speak of servant girls.

Mr. CARLING:

"It is a subject of universal complaint that the ordinary navvies who know little or nothing of farm work, as well as many lazy and worthless characters impose themselves on the farmers and rather hinder than help them, while at the same time, their presence tends to swell the labor supply and thus to keep down the rate of pay for good hands. Nevertheless, correspondents say that really desirable agricultural laborers, who know their business and are willing to work, are always in request at fair rates of pay."

Mr. CASEY. The hon. the Minister of Agriculture quoted remarks about servant girls. I hope he does not insinuate that servant girls are employed as agricultural laborers in Ontario.

Mr. CARLING. They are employed by farmers.

Mr. CASEY. They are not described as agricultural laborers, and the hon. gentleman, as Minister of Agriculture, ought to be aware of that. The hon. gentleman quotes exactly what we have been urging, that a lot of undesirable navvies and people of that sort, who know nothing about farming, have been imported into Ontario, and by their presence have reduced the wages of agricultural laborers, although a good agricultural laborer can always get employment at a fair rate. But the report states distinctly that the average rate of wages is lower than that of last year. All this leads to the conclusion that the class of immigrants we ought to particularly try to obtain is those whose passage will not need to be paid for them. Immigrants coming out with some small capital sufficient to pay their way, who will settle in the North-West and become the nuclei of thriving colonies there, are the people we want. Special efforts should be made to obtain the immigration of tenant farmers and other small land owners in other parts of Great Britain, who are notoriously in very deep water and suffering severely from agricultural depression, and if there ever was a favorable time for bringing them out that time is now. If the Minister of Agriculture wishes to signalise his tenure of office by doing something really useful with the expenditure of that Department, he could turn it to the best account in setting before these people the advantage of immigration to Canada. In connection with this part of the subject, I must refer to the statement made by the hon. member for Ottawa (Mr. Mackintosh). I understood him to say that in 1878, the last year of the Reform Government, special efforts were made to obtain the immigration of mechanics and other laborers from England, and I understood him to say their passages were assisted. In regard to that assertion I wish to quote from the report of the London Immigration Agent of 1878. The Hon. William Annand, referring to

his instructions, which, he says, remained unchanged in these respects since he went to England, about a year and a half or two years before that time, says they were :

"First, to actively promote, with the assistance of the special agents of the Department, home and foreign, the emigration from Great Britain and the continent of Europe to Canada, of desirable persons of the following classes :

"Tenant farmers, with or without families; agricultural laborers; female domestic servants; children of a certain age under proper supervision, and persons possessed of capital desirous of finding homes in the Dominion; and instead of encouraging, to dissuade as far as practicable, the emigration to Canada, under existing circumstances, of mechanics, artisans, tradesmen, navvies, ordinary laborers, and persons without means belonging to the non-productive classes."

That was the policy of the Reform Government which was changed for the worse by the incoming Administration, and we see the result in the cases quoted by the Minister of Agriculture, where the introduction of navvies and other ignorant laborers had reduced the wages of home born agricultural laborers. The Minister of Marine and Fisheries went into an argument with regard to the cost of manufactured products, saying that the cheapness of cost was not entirely due to cheapened labor. I do not suppose anybody said it was. The argument on our side is that a state of things which assists the manufacturer to import cheap labor, while he is protected in regard to the price of his goods, gives to him an advantage which it denies to the laborer. That is the argument and it has been entirely untouched by anything said on the other side. The Minister of Agriculture contended that the prices of these manufactured products had gone down at least 25 per cent., in consequence, we must infer, of the Government policy. But the Minister must be aware that the prices of other things have not gone down; he must be aware that the price of agricultural land, for example, in the immediate suburbs of London and almost within the immediate corporation of that city, has not gone down 25 per cent. within the last year. Whether the sustained prices of certain individual parcels of land there be due to the National Policy or the importation of cheap labor, or some other cause, I leave to the hon. gentleman to point out. One word only before closing in regard to this much abused question of want of patriotism in running down the country. The hon. the Minister of Marine and Fisheries told my hon. friend from Bothwell (Mr. Mills), that he had been making a stump speech—

Mr. FOSTER. I made no such statement.

Mr. CASEY. Well, I took down the hon. gentleman's statement at the time. I mean the member for Lambton (Mr. Lister), so the words were taken down correctly. He accused the hon. member for Lambton of having made a stump speech. If anyone will take the two speeches in *Hansard* to-morrow, and compare them, if he has two eyes to see—to use the hon. gentleman's phrase—who said if he has two ears to hear, and if he has one brain to compare and understand, I think he may come to an easy conclusion as to which of them was more suited to the stump; but I think that a speech containing as little argument, and with as little adherence to the question, as the speech of the hon. Minister of Marine and Fisheries would hardly be offered by my hon. friend from Lambton to his constituents, even on the stump. The Minister says we were talking about the disadvantages of Canada, and, when he was catechised upon the point, it came out that the disadvantages he accused us of imputing to Canada, were the disadvantages of possessing the Government which we possess, it was that the money was being wasted and the population was being driven out of the country—and he said these were what we were imputing to Canada. We do not impute these things to Canada. We admit that Canada has the greatest natural advantages and opportunities of development, probably of any portion of the American continent. We maintain that in every

discussion and before every audience. But we complain that Canada, with its great natural advantages, is in the comparatively unprosperous condition in which we find it, not because of any natural disadvantage, but because of the artificial and political disadvantages which weigh upon the energies of its citizens and prevent its attaining to that degree of prosperity that other portions of the continent possess.

Mr. SPROULE. The member for West Elgin (Mr. Casey) represents that it is because of the policy of this Government that wages of farm hands have fallen, and the demand for farm laborers decreased. I hold in my hand the report of the Department of Immigration for the Province of Ontario for the year 1885, and I find in it this passage in regard to this matter :

"From the beginning of August till the end of October there was a steady demand for farm laborers, especially for single men. More than double the number who arrived could easily have obtained employment by the year, at fair wages. Of one large lot of practical and experienced farm hands thirty reached Toronto at 5 a.m., their expected arrival having been published in the morning papers, and before noon all had been engaged at wages ranging from \$144 to \$150 per annum with maintenance. A single man who can plough well, and who has had some experience in taking care of stock, can readily obtain employment at about \$150 per annum with maintenance, with a prospect of considerable increase if he should be found to be a good trustworthy man. Should 30 or 40 come together and advise the Department on their arrival at Quebec, farmers would certainly be in waiting at Toronto to employ them. Farmers have been so often disappointed in coming for men that they do not now feel disposed to come to meet immigrants, unless they have some assurance of success."

He goes on to say, in reference to female domestic servants :

"During the last immigration season only a few female domestic servants came to Ontario; not more than eighty-eight reported themselves at Toronto. These were employed in this city and in various parts of the country. The demand for this class is everywhere so great that the few arriving at Quebec are employed in various parts of the Lower Provinces. Wages of experienced servants were higher in 1885 than in the preceding year. Good general servants can readily find employment at from \$8 to \$10 per month."

Speaking of the experience in my own county, I know it has been the case for several years back that, although farmers have need to employ many hands during the summer months, and these they were ready to employ the year round, they were able to get only a small fraction of those they applied for, and the wages paid were very high. The hon. gentleman says the wages have been reduced in consequence of the policy of the Government. The Commissioner of Immigration says that it was—

"Owing to the low price of wheat and the more general use of machinery, the wages of farm laborers have ranged some what lower than in 1884. This reduction was particularly noticeable in the case of harvest hands. It will be remembered that not many years ago in some parts of the Province farmers had to pay harvest hands \$2.50 per day with board, and in some places even at these high wages laborers could not be had. This difficulty is not a recent one, as farmers were under the necessity, at least for one season, of paying in some localities as high as \$5 per day to harvest hands. This state of things led to the general use of reapers, mowers, self-binders and other machinery, and the farmer who is well supplied with machinery can now take off his harvest with his ordinary help."

That is the reason which he assigns for the somewhat reduced price of farm laborers compared with the last and the previous years, but I can assure those gentlemen who say there is not a demand for farm laborers that it is not the experience in my part of the country. The only difficulty there is that the farmers cannot get these laborers, when they apply for them, and therefore they have ceased to ask for them of late.

Mr. McLELAN. This debate started upon assisted passages, and it has taken a very wide range since. I desire to say a word on assisted passages. The whole trouble has arisen largely from the action of the friends of hon. gentlemen opposite, the Government of Ontario. The position which the question assumes now in the public mind is largely due to the action of that Government. Agents came out from Ireland some few years ago, and asked this Government to take charge of the pauper emigrants they proposed to

send out. This Government refused, and they went to the Local Government of Ontario and made arrangements with them to receive these pauper emigrants. They then came to the Minister of Agriculture and said: "The Government of Ontario has agreed to receive all the emigrants of that kind whom we send out, and to provide for and locate them and put them in the way of earning their living, if you will do something to assist them in their passages." The Minister of Agriculture said he would assist in their passages on condition that the Government of Ontario would provide for them on their arrival and see to their maintenance. They came out, and in the next winter many of them gathered in the city of Toronto destitute. It fixed itself upon the public mind that immigrants were brought to the country who were unable to get work and some of whom were unwilling to work if work was provided for them. The difficulty arose from the fact that the Ontario Government said: "We will provide for them if you will bring them out." When the Ontario Government discovered the mistake they had committed, they refused to continue it in subsequent years. They came to us and said: "The Local Government refuses to continue that operation, will you do so?" We said: "No, we will not." The hon. gentlemen have spoken as if they had never spent anything for immigration; but, from 1874 during the time they held office, they spent over a million of dollars on immigration, a great deal of which was spent in assisted passages and a great deal in assisting the immigrants after they arrived here. In looking at the returns for 1877 I see a statement showing the number of indigent immigrants assisted, the number of meals and lodgings supplied at the Hamilton agency, and I find that in that year 939 indigent assisted immigrants were brought there; so that their being willing to receive pauper immigrants from Ireland, and to provide for them, was no new experience to these hon. gentlemen. Looking at the returns I find that a large number of mechanics were brought in that year. The hon. gentleman who spoke last read from the report of the London agent, Mr. Annand, that he was instructed to send out farm laborers, servant girls and tenant farmers; but it seems they sent out a large number of mechanics who were assisted in that year. To the Ottawa agency there were brought 72 mechanics; to the city of Montreal, 103; to the city of Halifax, 89; to the city of St. John, 80; to Dufferin, 23; to London, 145; to Kingston, 80; making a total of 592 at those ports. I have not yet gone through the other agencies, but I find to those mentioned that nearly 600 mechanics were brought and assisted out by the Government of hon. gentleman opposite. The hon. member for Elgin (Mr. Casey) complains that we are not filling the North-West as rapidly as we should wish. Well, perhaps we are not; it is desirable that there should be more people in the North-West than at present. But he should not complain of us when he looks back at the five years they were in office. When they went out of office the population of Manitoba and the whole North West Territory was some thing like 30,000. At present they speak as if the 23,000 whites were all the population we have in the North-West. They leave out Manitoba, which has been growing very rapidly. The city of Winnipeg, in 1880, was assessed for about \$4,000,000; in 1885, it was assessed for \$20,000,000, in round numbers. The hon. member for Selkirk, one of the representatives of Manitoba, in this House, has now a list of 15,000 electors in his constituency. In the town of Winnipeg there is at the present time nearly as great a population as there were in all Manitoba and the North-West, in 1879, when the hon. gentlemen opposite left office. There are not many gentlemen in this House who have 15,000 electors in their constituency. These facts show how rapidly the population is growing in Manitoba and the North-West.

Mr. McLELAN.

Sir RICHARD CARTWRIGHT. I did not intend to prolong this discussion, especially as I had not an opportunity of listening to the early part of it. But I must ask the hon. Minister of Finance where he got his figures of 30,000 as being the number of the population in Manitoba and the North-West in 1878. I am not aware that any census was taken, and I am aware that the population in Manitoba and the North-West at that time, all told, was estimated by the officers of the then Government at a much larger figure.

Mr. McLELAN. I got it from an estimation of the Trade and Navigation Returns for that year.

Sir RICHARD CARTWRIGHT. I think it is rather unreliable, and I think the hon. gentleman will find if he were to examine the matter carefully that the numbers were very largely in excess. But the point to which I rose to call attention was this: It appears to me the real question, if we could ascertain it—I know there are difficulties in the way of getting accurate statistics—is, what is, as near as we can make out, the present white population of the Dominion of Canada? Now, on that point, there was a difference between the Minister and myself. If I understood him correctly the other night, he estimated the total population at 4,700,000. I estimated it at 4,600,000, or 4,500,000 whites and 100,000 Indians. Now I just call the attention of the House to the evidence we have got, because this is a vital question. I think everybody who has examined the movements of population in the Dominion of Canada is tolerably aware of this fact, that, as a rule, for very many years back, and I think at this present moment, about one-half of the whole increase, usually speaking, is found in the Province of Ontario. Ontario contains, in any case, very nearly one-half of the whole population, and from various circumstances we know that the increase has unfortunately not been great in the Maritime Provinces. Now we have evidence, wholly and entirely apart from the evidence derived from American sources, as to what the increase of the population in the Province of Ontario has been. We have tolerably accurate municipal statistics; we have tolerably accurate registers of the pupils attending our schools. Now, I put, myself, and always have put, the American statistics entirely on one side, though those American statistics have been strongly corroborated by a great number of incidental pieces of evidence, known to me, and to all parties who have paid any attention to this subject. Well, Sir, what are the facts as to Ontario. We know that from 1871 to 1881 the municipal returns show almost exactly the total increase of population as verified by the census, and if there be any discrepancy it is probably due to the fact that our census was, in my judgment, erroneously taken on the *de jure* and not on the *de facto* system; and it is known that a great many persons were counted as inhabitants of Quebec, and probably of Ontario also, who were not residents of either of these Provinces. Now, we have only one substantial piece of evidence to guide us, and that is the municipal returns from 1881 up to the present time. These show that for the Province of Ontario, containing very nearly one-half the population of this Dominion, and certainly not the least progressive Province, the total increase has been less than 90,000, and it is probable that a portion of that is due to the fact that a very large number of its assessors, since their attention has been called to the subject by the repeated discussions that have taken place here and elsewhere, have been more careful and accurate in their enumeration than they were before, so that the apparent increase by their returns is greater than the real increase. If you can place any reliance on those returns, checked as they are by the registers of the school population, it would appear there is scarcely any reasonable probability that the whole population of the Dominion could have increased

more than 300,000 in those five years; and that, I may add, is extremely, strongly corroborated by the fact that we know now that those three great Provinces of ours in the North-West only contain 23,000 souls all told, being an increase of 15,000 over the population in 1881. We know also in Manitoba, according to the estimates made by Mr. Brydges and others who have very good means of information in that country, the total increase is probably under 40,000 in the last five years. That is very unfortunate if it be so; we probably will have that estimate checked to some extent by the census the hon. gentleman proposes to take. But I say these facts, coupled with the information we have of the municipal returns in Quebec, which although not continued down to the present date, go strongly in the same direction—all tend very strongly to show that the estimate I made that the total increase in the whole population was barely 300,000 in those five years, is probably accurate. And if that be so, and I know no other evidence that hon. gentlemen have—although I have pointed out to them other means of obtaining evidence which they have not availed themselves of—there can be no doubt that one of two things has occurred with respect to emigrants who have been brought in from other countries. Either those emigrants who have come here have not stayed here; or they have, as a matter of fact, displaced our own population, a thing which I consider very seriously to be deplored. Now, I believe myself that it will be found always and everywhere that almost the only really valuable immigration agent is the prosperous settler. If you can bring into this country a number of people who prosper here, you will have no trouble, any more than the United States have had, in obtaining quite as large an immigration as we can absorb. But if the case is the reverse, if we find the men we bring to this country are not satisfied, and do not report well of the country, then you will find that all the immigrants you bring here rather injure our cause than help it. I know, and I regret it exceedingly, that there has been such a stream of emigration from Canada to the United States for that very reason, because I am aware that all the Canadians who have left Canada and gone to the United States, and have done well there, constitute a very powerful anti-Canadian immigration society from the nature of the case, and they have continued and will continue to attract a large emigration from our country to the United States. But I must say that I conceive it is a very grievous act of folly on our part to be bringing immigrants here, when we cannot keep them in the country; or when, if we do keep them in the country we only keep them here at the expense of expelling our own people, who are infinitely more valuable to us in every point of view than any immigrants who can be brought here. And I am bound to say that the officers and members of the various trades and labor unions throughout the country are perfectly within their rights in saying that it is a most grievous act of abuse on the part of the Government for them to take the taxes of the people and expend them in bringing in here persons who compete with them and their comrades in the labor market. You protect the capitalist, but you do not protect the laborer or the artisan whom he employs, and I say in that respect, if in no other, the policy of the Government is very seriously to be condemned. As to the other question which has been raised to-night, I certainly do not propose to go into it at this hour of the evening, namely, whether we are indebted to a policy which has largely added to the cost of living in Canada, whether we are indebted to a policy of railway monopoly which has tended in a very large degree to drive our own people out of the North-West and Manitoba—that we are indebted to either of those two causes for the prosperity of this country or for bringing immigrants into Canada I entirely deny. One thing is very clear, we

have hardly added one million to our inhabitants within the last seventeen or eighteen years, and yet those immigration returns, which the hon. gentlemen opposite rely on, appear to show that we have brought 875,000 into the country in that time. Why, if even a moiety of those people had settled in this country the total population of Canada, allowing for the natural increase during those seventeen or eighteen years, ought to have been considerably in excess of the total population of Canada to-day, even taking the estimate made by the Minister of Finance. The truth is, there is no use in denying it, that from first to last during the whole of that period our immigration policy has been a total and absolute failure. We have not succeeded in bringing any valuable class of immigrants here; we do not appear to be in the least degree likely to bring them here, and I say again the way to bring them here is to lessen our taxes, abolish the monopolies which have driven our own people out of the country, and endeavor to make Canada a cheap country to live in. That is the best way you can bring immigrants here, and I condemn the policy of the Government in the main because it is directly opposed to bringing about such a state of things.

Mr. DAWSON. I shall not detain the House at this late hour in the evening at any length; but I may remark that it is some comfort, when this cry of exodus is heard all over the country, to know that there is at least one part of the Dominion where the population is increasing, and where there has been no exodus. In our part of the country the population has increased very rapidly of late years, and I believe it has more than doubled since the last census was taken. We want in that country all the immigrants we can get. There is no feeling or desire to keep them out; we want all classes, mechanics and others, and there is plenty of employment for them, and general prosperity among immigrants in that country. The hon. gentleman who preceded me very justly remarked that the true immigration agent is the prosperous settler. We have in the district I represent prosperous settlers, and they are increasing very rapidly. The exodus which has taken place from some districts may possibly be made up by the increase of population in Algoma, for the settlers there are chiefly from the older districts of Canada. Port Arthur has increased its population from about 1,500 three years ago to over 6,000 now. At Sault Ste. Marie the population has very largely increased, and for 150 miles eastward from that place, where a few years ago the wilderness was unbroken, except for the settlement at the Bruce mines, along that distance of 150 miles there is continuous settlement, extending back from Lake Huron in some places twelve miles and in others over forty miles. With all this cry as to the exodus, it is pleasing to know there is one part of the country where no exodus has occurred, and where the people are living in very comfortable circumstances. From that part of the country we have had considerable quantities of wheat exported, where a few years ago it was considered that wheat would not even grow. The truth is that the climate is admirably adapted for the growth of wheat, and the settlers there grow considerable quantities of it, and possess a considerable number of cattle. At the last census taken the whole of Algoma, not Algoma proper, but including that portion which lies northward and westward of the height of land, did not contain a population exceeding 30,000. Now, from the voters' lists made out under the Franchise Act, and estimates I have from different parts of the district, the population is not less than 60,000. Here is a very important increase—an increase of over 30,000 in four years. But, Sir, the true way to attract immigration is to open up the country. We have vast mineral regions in Algoma, and if they could be rendered accessible there is no doubt a still larger population would flow into that country. Just across the boundary,

In the State of Minnesota, they have now built a railway to what is called the Iron Range, and they exported last year from that region near our boundary line 225,000 tons of magnificent iron ore, and expect this year to export 325,000 tons more. That ore is considered to be of the very best quality for the manufacture of Bessemer steel. It goes across to Cleveland and from there, I presume, to Pittsburg and other places. This immense iron range extends across the boundary to our own country, and it comes within a short distance of Port Arthur to the southwest, and anything which could develop that region and bring miners into it would be of vast importance to the whole country. It is said that a great many Canadians are in the United States. It has been asserted here to-night that not less than a million people of Canadian descent are now living in that country. It is very likely that such may be the case without accounting for a very large exodus. It is well known that the most fertile part of the United States was not so long ago part of Canada—the whole Ohio Valley—and no doubt there are many people there who claim a descent from Canadians and that should be taken into account in reckoning the number of Canadians in the United States. I merely rose to say that there was no exodus from the district I represent, that the population there is increasing rapidly, and that they have all the advantages of soil and climate that are to be found in any part of Canada. No doubt the country is much broken with lakes and mountains, but there are very fertile valleys in the district, and one thing we can boast of is the clear, running streams that are to be found everywhere in that country. It is a well watered country; it is intersected by beautiful lakes with mountains and valleys and rivers, and that is more than can be said of the North-West which is so much praised, and which is no doubt an excellent agricultural country. But Algoma, which comprises a district occupying nearly one-third the width of the continent, presents advantages very little dreamed of.

Mr. ALLEN. I must congratulate the House and the country upon the growth and prosperity just mentioned by the hon. member for Algoma (Mr. Dawson.) The district of country represented by him is some 850 miles in length and 200 miles in width, and it has a population of some fifty or sixty thousand. I am glad to hear it, and I do not know any part of this world in which there is a larger scope for immigration than in that district. I believe that its prospects will be bright as soon as its resources are developed. The mineral wealth of that country has not yet been ascertained. I am happy to learn that a line of railway is to be built from Port Arthur further south. I am glad that the Provincial Government of Ontario are setting apart a large tract of that country for free grants for actual settlement, and when prospectors go into that region and open up its mines, the result will be to attract a much larger immigration than we have yet seen in that part of the country. I believe too, that the prospects of the North-West are bright. I am happy to be able to agree with the Government in saying that we have the grandest, the largest, and the richest opening on the face of this earth for immigration. Our country to-day is superior to any other in the world for industrious, sober emigrants who want to make homes for themselves. The hon. Minister of Interior has referred to Australia, and other hon. gentlemen have alluded to Tasmania and the Cape of Good Hope and other colonies. These places should not be mentioned in the same day with Canada as fields for immigration, in comparison of climate, of soil, of the hardships that people have to undergo, we, in this country, have a great advantage over them. Take the climate of Australia or New Zealand where the thermometer stands at from 90° to 115° in the shade almost every day for six months, where there is not a shower of rain in the country for at least

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eight months in the year, where the thermometer stands at midnight at 95°, 100°, or 105°, and where the heat is so intense that the people pant for a breath of fresh air and are glad to move out of doors at midnight to get a mouthful of it. For my own part, having been in these countries I would rather spend three of the most severe, the wildest, and most wicked winters I ever saw in Canada than undergo one summer there; if hon. gentlemen present to-night had spent half a dozen years in those southern climates, they would pray more sincerely than they often do that they might come back to our Canadian winters, where although the weather is cold we raise the best class of humanity in this world. I believe the prospects of Canada are brighter than those of any country in the world and while I say this, I say we have advantages for immigration better than any other county, and yet I say that there is something radically wrong that our population has not increased more rapidly. I would like to bring this fact to the attention of the Government that for the last seven years our population has not increased as it should have done. According to the statement of the Finance Minister we find that the North-West in seven years has increased only 123,000. Sir, that is not what we expected. The country expected that more than that number of immigrants would go into the North-West in one year. Five years ago we were promised that more than that number would go in annually, and the Minister of the Interior should under these circumstances endeavor to ascertain what it is that is preventing the settlement of the country, the bringing in of men who will be actual settlers and citizens of that country, to advance its interests and promote its prosperity. He should see that every facility is given to settlers to obtain lands as cheaply as possible, and to become first owners and purchasers from the Crown. I believe if these things were carried into effect, and we gave the actual settlers the advantages they deserve in that country, our population would increase more rapidly. With these facts before the country, with the prospects we have, and the facilities we possess for building one of the grandest and most prosperous nations in the world; if that country is honestly and fairly governed; if colonisation companies and all other companies that take advantage of actual settlers are wiped out of existence altogether, and every possible encouragement is given to actual settlers, I believe our population will increase more in the next two years than it has done in the past five or seven years. But, Sir, under the present financial depression, when farmers find it so hard to pay expenses and produce so cheap, it would not be wise to spend money in further immigration for the present.

Mr. WATSON. I do not, like the hon. member for Algoma (Mr. Dawson), represent a constituency adapted to mining, with bright lakes and sparkling streams; but I believe I represent a county which offers inducements to immigrants that are not surpassed by those offered by any other county represented in this House. I am sorry, however, that the best hopes of hon. gentlemen opposite, and on this side have not been realised from the large expenditure of money which has been made for immigration purposes. We have homes for millions in the North-West, and I only regret that those millions are not there; but I claim that if the amount of money we have spent had been properly spent, and a good policy had been pursued in regard to that country, instead of having only about 100,000 people, Manitoba would to-day have had a population of 500,000. Hon. gentlemen opposite have only one argument which they offer in reply to the statement that the Government of the day has not been successful in placing immigrants into that country, that is, that hon. gentlemen on this side were not able to do so when they held office. I maintain that that is no argument at all. The present Government have

had far better opportunities to induce immigrants to go to the North-West than the previous Government had, and I do not think it is any justification to say that two blacks make a white—that if one party does wrong, the other party ought to do the same. I hope that in the near future the Government will attempt to inaugurate some policy which will more successfully promote the settlement of the North-West. One great reason why that country has not been settled as it should be, and why people have been so much discontented, and have so frequently left the country, is that hon. gentlemen opposite have made pledges with regard to the country, and have broken those pledges. The railway monopoly has been a great obstacle; and statements have been sent abroad made by the First Minister, that it was not the policy of the Government to allow American railways to be constructed into the North-West. According to the reports of the Minister of Agriculture, which have been placed before this House, we should have to-day in the neighborhood of 400,000 people in Manitoba and the North-West, whereas we have only 123,000 or 124,000 there. Secretary Manning's circular has been referred to, and he has stated that the system of keeping agents to make these returns has been given up. I believe if this Government had done that some time ago they would have saved money; and I believe we have evidence that the statistics collected by the Department of Agriculture have been nothing but a fraud. We find the *Mail* newspaper, in an article published about a week ago, stating that it does not expect that Manitoba and the North-West can be settled for at least seven years. If that paper represents the opinions of hon. gentlemen opposite, I do not see much use in spending money for immigration purposes. I was surprised to see that paper making such a statement in regard to the North-West, and intimating that the United States had greater advantages to offer immigrants than we had. I believe we can offer greater inducements to immigrants in the North-West than the United States can. We have larger yields of grain; we have a better climate, and are less liable to damage by wind storms. I hope the Government will see fit to remedy some of their legislation, and to make their land laws more favorable to keeping the poor settler in the country. I do not see why a good mechanic, coming from the Old Country, will not make as good a farmer as a navvy. The mechanics, who have come to the North-West, have made good farmers, and if they have a surplus of mechanics in Ontario, I would suggest to the Minister of Agriculture that he should advise them to go to the North-West and take up farms. I think if the Government would not only help the poor settler to go into the country, but help him to take up his farm, it would promote the settlement of the North-West. We have Scandinavians there, and they make good settlers, because they conduct themselves well, and are accustomed to the climate, and I believe the Government would do well to encourage almost entirely that class of settlers.

Mr. WILSON. I will not at this late hour attempt at any length to reply to some of the statements made by hon. gentlemen opposite in reference to the remarks I thought proper to make at the beginning of this debate. I do not know that I should have referred at all to any of those statements had not the various reports been brought forward to substantiate the assertion that the immigration policy of the Government was really in the interest of the labor community. We have heard a great deal of the reports of the Province of Ontario. We have been told that the Ontario immigration report strongly favors the bringing out to this country of a supply of farm laborers, as the supply was not equal to the demand. I have taken the trouble to look over the various reports. I have not only examined the reports of the Provincial Commissioner of Agriculture, but I have looked carefully into the statistical returns of the Bureau of Indus-

tries to which a very large number of farmers make reports. It is only natural, if we look to the various agents in the different Provinces for information, that they should make favorable reports, because they know full well that if they made unfavorable reports in reference to the needs and requirements of the country, their usefulness would be gone and they would no longer keep their positions or draw their large salaries. The argument, therefore, of the Minister of Agriculture is not one that should weigh heavily with us in considering this matter. The hon. Minister defied me or any one to show wherein one single line of the letter was not correct in any particular. I accept that challenge, and I think I will prove from reports from various parts of the country, that the importation of agricultural labor into this country is not countenanced by the majority of farmers, and that instead of the report of the Bureau of Industry sustaining that opinion, it condemns the Minister *in toto*, as regards the remarks he made to Mr. Ingram. To show I am not misrepresenting the case, take the May number of the Bureau of Industry. On page 54 we find:

"The supply of farm labor of this year seems to be fully equal to the demand, and the rate of wages for the working season is less than it was for the last year."

If you would examine the various reports coming from the different farmers throughout Ontario you will find that nine out of ten of them state the same thing, and it is upon those reports the secretary has compiled his. This is one instance in which the facts do not agree with this letter, and I suppose it is very unfortunate for the facts.

Mr. CARLING. Read that portion of the letter which you say is incorrect.

Mr. WILSON. I am glad to satisfy my hon. friend:

"As respects agricultural laborers and domestic servants, I find from the reports of all the Dominion agencies that there has been a steady demand for this kind of labor, and I find the same fact very strongly reported by the Bureau of Industries of the Ontario Government in their report for last year."

Mr. CARLING. I have last year's; at least I had it just a short time ago.

Mr. WILSON. I will pass my hon. friend the volume, and allow him to read it.

Mr. CARLING. How often published?

Mr. WILSON. The first number 15th May, 1885, and I have the August number of 1885.

Mr. CARLING. Take the later one.

Mr. WILSON. I will give the hon. gentleman the whole of them, and I think I will be able to show he was a little premature in writing the letter he did, without carefully examining into the facts of the case. On page 31 of the August number, it is said:

"The labor supply for hay and harvesting is reported to be this year quite adequate for the needs of the farmers in every section of the Province."

Does that bear out my hon. friend's letter to Mr. Ingram?

Mr. CARLING. The Commissioner of Agriculture in Ontario sums up all these monthly reports in his own report to Parliament, and it was the annual report I read in which he stated there was not a supply of agricultural laborers and domestic servants equal to the demand.

Mr. WILSON. Admitting that, it does not substantiate the letter. Will the hon. gentleman now deny that portion of the letter in which he said that the Bureau of Industries for Ontario reported as he says they did. If he denies the correctness of that letter, which he has not denied so far, which he has sent to the Knights of Labor and artisans in St. Thomas in order to mislead them, in order to convey to them a false impression; if he will now deny the correctness of that letter and promise me he will write a letter admitting the error, I will not go further. But that is not

all. He asked me for another number. Take the November number, 1885, it says :

"There has been an abundant supply of farm laborers throughout the country during the season, and the general tendency of wages is generally reported as downward."

Mr. CARLING. That is late in the fall.

Mr. WILSON. Why did the hon. gentleman not refer to the August number when the employment of labor was in full blast. Why did he not say : "Oh, that was the summer," when the report said there was an ample supply of labor. Not only that, I will read a reply given to a question asked by the secretary of the Bureau of Industries, by one of the hon. gentleman's Conservative friends, a man who, no doubt, cheered him lustily as a faithful Conservative, Mr. Hagens :

"Wages are not likely to advance, as farmers will work within their own limit until there is more remuneration for their products."

Here is a Conservative who says distinctly that wages are going down, who says plainly enough that there is not that demand which was represented by my hon. friend the Minister of Agriculture. This debate has taken a wide range. I calculated only that it should take the range intended by the original motion, but no member on the other side of the House has attempted in any way to justify the position which the Government are taking. Those hon. gentlemen have not told us plainly and truly that the amount of money which they are taking and which they apparently require for immigration purposes this year will be required, nor have they attempted to show that it is in the interests of the country that that amount should be taken. We are told that, during the year of 1885, 7,000 of these agricultural laborers and domestic servants were brought out, and that the Department paid some \$40,000. I have no means of ascertaining definitely what were the numbers during 1885, but I will take the numbers for 1884-85, as shown by the Auditor's report. We find, under the head of assisted passages, 10,897 adults at \$4.86½ a head and 2,491 adults at \$4 a head. What is the cause of this difference? Why is it \$4.86 in one case and \$4 in another? We find, further, 2,028 children under 12 years, at \$2.75 per head. Those are domestic servants and farm laborers, no doubt. These little creatures would do a very large amount of work indeed. Then there are 223 children under one year, at 24½ cents per head. These are domestic servants, no doubt. They would probably require a servant or two to take care of them. Further on we find a very strange item ; and, if you look at the Auditor's report, you will find some very strange developments. There is an amount for commissions to steamship companies' agents on adults' passages at \$5 a head. The Minister of Agriculture says they take all the precaution and every means to prevent any people coming from that distance, except the class which they are desirous of bringing to this country, domestic servants and farm laborers. Does not my hon. friend know full well that the breach of the rules, if they have any, is winked at, and that many of those who come out here under the pretence of being farm laborers are not farm laborers. If the hon. gentleman only brought out, under the enormous expenditure which took place during 1885, 7,000 laborers and domestic servants, I say that the system of assisted passages and the system of advertising, the whole system of the Government in reference to immigration, is a mistaken policy. I am perfectly satisfied that any number of immigrants should go to the North-West or to my hon. friend's territory in Algoma, but I complain that, after this enormous amount of money has been expended, my friend from Algoma finds that, though we have a magnificent heritage there, there is no one to take possession of it, and that in the North-West only some 7,000 actual immigrants have gone there, while we have

Mr. WILSON

spent a hundred million of dollars of the public money in addition to probably fifty millions of private funds, have constructed railways and have gone on rapidly in public works, and the Government has been lavish in spending the public money in every Department without the result which should take place. How can we sustain a policy which has been without any favorable result to Canada? I therefore feel that he should not continue this policy any longer. I could understand the ease with which the Minister of Agriculture satisfied my hon. friend from West Toronto (Mr. Beaty). He said he was so delighted to know that the Government only assist farm laborers and domestic servants and do not render any assistance to the artisan or the mechanic. He may be satisfied, but I advise him, before he presents himself again in West Toronto, to satisfy himself thoroughly that that class alone is the one aided. This system, I have no hesitation in saying, is not carried on entirely in the interests of immigration. I believe there is not a more fruitful source of extravagance and the useless expenditure of the public funds than the immigration fund. I suppose it would not be in order for me to charge that it is used to a great extent as a corruption fund. I think so, but I suppose I dare not say so. I believe that there are influences brought to bear and advantages obtained by the use of this large amount of money, that the Government are not fully justified in carrying out. I believe their course in this matter would not bear the light of day, and that investigation which ought to take place into all their transactions. I hope that we will continue to agitate this question, that the Government may feel that this course is unnecessary at present, and that they may adopt a wiser course or else give way and allow others to take their places, who will adopt a more prudent course and one better calculated to promote the welfare of Canada.

Motion agreed to.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to ; and the House adjourned at 11:40 p.m.

HOUSE OF COMMONS.

TUESDAY, 13th April, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

CANADIAN PACIFIC RAILWAY.

Mr. McLELAN moved that this House do, on Thursday next, resolve itself into Committee of the Whole to consider the following Resolution :—

That it is expedient to confirm the agreement, made subject to the approval of Parliament, between Her Majesty the Queen, acting for the Dominion of Canada, therein represented by the Honorable A. W. McLelan, Minister of Finance, therein called the Government, and the Canadian Pacific Railway Company, therein called the company, represented by the chief executive officer thereof, in the following form and words :

"(1.) That inasmuch as the amount actually advanced to the company by the Government on account of the sum of \$20,000,000, secured by the first mortgage bonds of the company, to the amount of £4,103,500 sterling, is \$19,150,700, it is agreed that the company shall repay to the Government with interest at the rate of 4 per centum per annum, as provided by the Act 48-49 Victoria, chapter 57, the said sum of \$19,150,700, such payment to be made in two equal instalments, the first of which shall be paid on the first day of May next, and the second thereof on or before the first day of July next, both with interest as aforesaid.

"(2.) That upon full payment of the said two cash instalments and interest as hereinbefore provided, the land grant of the company shall be reduced by such number of acres as shall be sufficient, computing the value thereof at \$1.50 per acre, to extinguish the balance of the loan of

\$29,880,912, mentioned in the Act 48-49 Victoria, chapter 57, that is to say, the sum of \$9,880,912, with interest at the rate aforesaid to the first day of May next; and such reduction shall be effected by the retention by the Government of lands of equal average quality and value with the lands constituting the portion of the company's land grant not heretofore disposed of by the company.

"(3.) That upon the settlement of all accounts respecting the said authorised loan of \$29,880,912, and payment and settlement as aforesaid of all sums of money due thereon, all the bonds of the company secured exclusively upon the land grant of the company, commonly called land grant bonds, now held by the Government in excess of the sum of \$5,000,000 of such bonds held by the Government under the construction contract of the 21st October, 1880, shall be cancelled, and the debenture stock of the Ontario and Quebec Railway Company held by the Government under the Act 47 Victoria, chapter 61, section 1, shall be returned to the company; and the Government shall authorise the company under section 10 of 48-49 Victoria, chapter 57, to mortgage the Algoma Branch to such amount per mile as is authorised by the charter of the company with respect to the main line.

"(4.) That upon the settlement in manner aforesaid of the indebtedness of the company to the Government, the company may issue first mortgage bonds upon the remaining lands granted to them under their said contract, in such manner as is provided by their charter in respect of the issue of land grant bonds, and to such amount per acre as they shall deem fit, not to exceed \$2 per acre, subject to the approval of the Governor in Council, all of the outstanding land grant bonds obtainable being first duly cancelled, and a reserve being made from the new issue to cover such outstanding land grant bonds as cannot be obtained for cancellation. And in the event of the company making such issue, the Government will accept in exchange for the said \$5,000,000 of the said land grant bonds, a like amount of the new issue or bonds, such bonds to be held and dealt with in the same manner as the Government were by 44 Victoria, chapter 1, intituled: 'An Act respecting the Canadian Pacific Railway,' authorised to hold and deal with the said \$5,000,000 so exchanged.

"(5.) That all necessary legislation required to carry the provisions hereof into force shall be asked for from Parliament at its present Session."

2. That it expedient to provide—

(a.) That the Government and the company be authorised respectively to carry out and perform the conditions of the said agreement, according to their intent and purport; provided that the Governor in Council may extend the time for the payment of the first instalment and interest mentioned in the said agreement, to a date not later than the first day of July now next.

(b.) That so soon as the payment and settlement of the sum advanced on the said sum of twenty-nine millions eight hundred and eighty thousand nine hundred and twelve dollars, and interest, shall have been effected, as provided by the said agreement, the company, under the authority of a special general meeting of their shareholders, called for the purpose, may issue mortgage bonds, secured upon the branch of the said railway, known as the Algoma Branch, constructed and to be hereafter constructed, completing the connection between the main line of the Canadian Pacific Railway and the River Ste. Marie, which issue shall constitute a first mortgage and privilege upon the said branch railway, constructed and to be thereafter constructed, including the rolling stock and plant applicable thereto, and upon the tolls and revenues thereof, after deduction from such tolls and revenues of working expenses and of such rolling stock and plant appertaining thereto, as shall be declared and described in any deed of mortgage securing such bonds, which shall be executed by the company, in conformity with its charter. And before the issue of such bonds, the company shall make by-laws, prescribing the mode in which, in case of default in the payment of the interest on such bonds, or of the capital thereof, the rolling stock and plant (if any) included in such mortgage as appertaining to the said branch, shall be identified, and the tolls and revenues derivable from such branch, ascertained and distinguished from the tolls and revenues of the main line, and making such further provisions as may be just and expedient for the protection of the holders of the bonds secured upon the said branch line, without interfering with the rights of the holders of other securities of company. Such by-laws to be submitted for approval to the Governor in Council, and upon such approval, a certified copy thereof to be deposited in the office of the Secretary of State, and that thereafter such by-laws shall continue to be valid and binding upon the company, and shall not be altered or repealed by the company, so long as the bonds referred to therein shall remain in force.

(c.) That the mode of securing the said mortgage bonds, and the rights, privileges and remedies applicable thereto and available to the holders thereof, shall be such as are described in sections twenty-eight, thirty-two, thirty-three, thirty-four, thirty-five and thirty-six of the charter of the company.

(d.) That the company may also issue mortgage bonds to such amount as they shall deem fit, and as shall be approved by the Governor in Council, and according to the terms of the said agreement, secured in upon the lands of the company to which they shall then be entitled under the provisions of the construction contract executed on the 21st October, 1880, and the provisions of sections thirty, thirty-two, thirty-four, thirty-five and thirty-six of the charter of the company shall apply to such last-mentioned bonds: But that in making such last-mentioned issue of bonds, the company shall reserve and place in the hands of the trustees of the mortgage securing such bonds, if trustees are created by such mortgage deed, and if not, then in the hands of some person or company appointed for the purpose by the Governor in Council, an amount of the said bonds equal in value to the land grant

bonds then outstanding and unsatisfied above and beyond the sum of five million dollars of such bonds in the hands of the Government, the exchange of which is provided for by the said agreement; and the bonds so reserved shall not be used or disposed of for any other purpose whatsoever, except for providing, by payment or exchange, for the land grant bonds so outstanding and unsatisfied.

(e.) That upon the completion of the said Canadian Pacific Railway according to the said contract, and upon its being duly opened for traffic, the disqualification of the shareholders thereof from becoming or being members of the Senate or House of Commons by reason of their being such shareholders shall be removed, and shall cease and determine."

Motion agreed to.

INTERCOLONIAL RAILWAY—EXTENSION FROM STELLARTON TO PICTOU.

Mr. POPE moved the third reading of Bill (No. 57) respecting the extension of the Intercolonial Railway from a point at or near Stellarton to the town of Pictou.

Mr. VAIL. Mr. Speaker: Before that motion is put, I desire to make a few observations on the position of our railways in the Province of Nova Scotia at the present time. There are two very important railways in the Province that are in an unfinished state. One runs from Halifax to Yarmouth, a distance of 213 miles. In the centre of this road, from Annapolis to Digby, there are some eighteen miles of unfinished road. The whole line from Windsor to Yarmouth was subsidised by the Provincial Government, and sixty-eight miles out of eighty-two or eighty-three between Yarmouth and Annapolis were completed five or six years ago. The remaining distance, eighteen miles, is in an uncompleted state, and it is very important to the whole railway system of Nova Scotia that this road or this link should be completed. It has now been lying in this unfinished state since, I think, 1877 or 1878. The road between Digby and Yarmouth was finished about that time, and this connecting link has been lying partially finished up to the present time for want of funds. This road requires more attention than the road to which this Bill refers. Again, there is a road in course of building between the Windsor and Annapolis road, near Middleton, running to the South Shore, which is being built by a company known as the Nictaux and Atlantic Company. That road is likewise in an unfinished state, and work is almost stopped now in consequence of the company not being able to provide funds to complete it. Again, there has been a great deal said in this House in regard to a line of railway through Cape Breton. Not a mile of railway has been built through that island up to the present time, and it is of the utmost importance, in view of the legislation passed here a year or two ago, that some consideration should be given to the people of Cape Breton in any expenditure there is to be made at the present time in extension of our railway system. Coming back to the Bill before the House, I observe that in 1882 a company was incorporated by this House called the Atlantic and European Shore Line Company. That company was chartered to build a road from New Glasgow, in the county of Pictou via Oxford, to a point on the Intercolonial Railway near Amherst. That work was commenced and vigorously carried on for some considerable time, but the company were eventually obliged to stop work on account of lack of funds. The completion of that road, upon which a large sum of money has been expended already, would to a certain extent give the town of Pictou the very accommodation that this Bill is intended to afford. After that company was chartered they made an arrangement with the people of Pictou that the road was to be carried to the town of Pictou, or, at all events, connected with it, and one scheme was to build a bridge across the harbor, connecting the road and the town of Pictou with the present Intercolonial Railway at Pictou Landing. For the reasons I have stated, this company have been in difficulties, and have not been able to go on with the work. Now, it seems to me, inasmuch

as it is quite probable that that work may be resuscitated, and that the necessary funds may be secured for the completion of that part of what is called the Short Line, it is not necessary that this large amount should be expended for the purpose, as I stated the other day, of building a second line of railway to the town of Pictou. If the Short Line is completed, the wants of Pictou town will be fully supplied. It was said by some person in the House that it would be an advantage to the county to have this large amount of money expended there. It is true it may be some advantage to the county, but inasmuch as I understand, and as the Minister of Railways explained, that it was the intention to purchase the two lines of railway already built, which would cover the distance from New Glasgow to the town of Pictou, with the exception of about seven miles, that the advantages to accrue to the county from the expenditure of this money would not amount to a great deal after all, inasmuch as a great portion of that money is to be expended in the completion of two very large bridges, which the Americans or the people of Ontario get the advantage of supplying, as they are now doing, the Province of Nova Scotia, I do not imagine that the advantages which Pictou would derive from that expenditure would be very large. I think the House fully understands the question after what was said the other day, but inasmuch as this line may be called the second line to Pictou; inasmuch as the road already built will have to be kept up by the Government; inasmuch as the Government will probably be called upon in time to keep up the ferry as well as the railway; inasmuch as this line will be an opposition line to the Government road already built—in view of all these considerations, my opinion is that the money proposed to be expended in the completion of this line would be much better expended and be of more advantage to the public generally throughout Nova Scotia, if it were expended on the unfinished lines already projected and chartered, and on which a large sum of money has been expended. I, therefore, move the following amendment:—

Resolved,—That the Bill be not now read the third time, but that it be resolved that the expenditure of so large a sum of money as is contemplated by this Bill, in order to provide a second line of railway from Stellarton to the town of Pictou, is inexpedient, until other railway accommodation more pressing is extended to other places upon the main land of Nova Scotia and the island of Cape Breton.

Mr. TUPPER. I am afraid the hon. member for Digby (Mr. Vail) does not pretend to be a practical politician, and that he does not ever hope to occupy an important and responsible position in the councils of the country. He surely has forgotten, when he now proposes to stop this great public work from being carried on in his native Province, that Parliament is already pledged to its construction. He surely has forgotten that under sanction of the vote which was passed last Session, and assented by him as member for the county of Digby, the Government has advertised for tenders for the construction of this railway, and offers have been received—if the contract itself has not already been made—for the prosecution of the work; and it is a curious time for him to choose to reverse the settled policy of this Parliament; it is a curious time for him to attack the policy under which it is proposed to spend a large sum of money in his native Province. I was not surprised at a member from the Province of Ontario acting in the spirit of the hon. member for South Huron in attempting to throttle this Bill; but I am amazed that the hon. gentleman from Digby (Mr. Vail) should give vent to an expression of opinion which shows that he is in favor of a dog-in-the-manger policy, and that because some roads have not been built elsewhere in the Province a little nearer Digby, therefore we should stop the building of all public works in the rest of the Province. He might as well, had he attended to the explanations which were given the other

Mr. VAIL.

night when the House was in committee on this Bill, have protested against the erection of public buildings in any other portion of the Province of Nova Scotia until a railway was built in the county of Digby. He might as well have protested against the expenditure of public money generally in the Province of Nova Scotia until his whims and fancies were satisfied; because, had he listened to the explanations given and the reasons advanced for this work, he would have found that the proposition is not a proposition to build a local railway as such, or to extend railway systems such as those are to which he alludes, but to perfect and complete a national railway—the Intercolonial Railway, a Government work, a Government property, and that property a productive and remunerative one, at least that portion of it which this Bill proposes to extend and complete. After the lengthy debate on Friday night, I think the hon. member for Digby (Mr. Vail) did well to make his remarks as brief as possible, and I will endeavor to follow his example. But the hon. gentleman is not only astray as regards the nature of this work, which is not local or sectional in that sense, but he is astray with regard to some other matters. He is astray in regard to some other matters. Although the hon. gentleman has attempted to look this subject up, I think he is not quite familiar enough with it to enlighten this Parliament much on its details. For instance, he says that in 1882 a company under the name of the Atlantic, European and Short Line Railway Company, was incorporated and obtained the contract for the building of a work which included this. I beg to give that statement a denial; there was no such company incorporated. A company under another name, now the Montreal and European Short Line Company, then the North American and European Short Line Company, did obtain a charter in 1882; but the contract that company entered into did not provide for this scheme, nor was the company compelled to build it. The company then incorporated did receive a contract in reference to the mileage subsidy of \$3,200 a mile, and under that contract, in order to obtain that subsidy, was to construct a branch from the Short Line system in Nova Scotia, so called, to the town of Pictou; but how the communication was to be made was never arranged, and nothing definite was ever done in regard to it. The hon. member has also been misinformed in regard to the negotiations with reference to bridging the harbor, which took place between the town of Pictou and that company. The negotiations all fell through before anything definite was arrived at, and no arrangement or agreement was ever made. I think it is monstrous for the hon. gentleman to repeat again and again the statement that because these negotiations were carried on for a while in the years 1882 and 1883, and came to nought, therefore the demands of the people of that section of the country for the completion of this Government railway should be denied. I think the hon. member has not approached this question in the proper spirit. I do not think he has attempted to deal fairly with it. I think the reasons advanced in committee show conclusively that this is not a waste of money, that this is not a Bill which will impose burdens on the people for the gratification of the wishes of the people there, but that by using the funds that Parliament now grants every year in connection with maintaining a connection between the Intercolonial Railway system and the town of Pictou, this scheme will be carried out, and will not only meet the wishes of the people there, but will be of great advantage to the Intercolonial Railway proper, and therefore to the people of this country. Now, I fail to see why the hon. member or why other hon. gentlemen show such hostility to this scheme, when we remember that other branches of the Intercolonial Railway were not attacked. I cannot remember another instance in which such opposition was shown towards the completion of terminal facilities for the Intercolonial Railway or the building of neces-

sary branches, or an instance in which such an amount of party spirit was evoked to obstruct and prevent the carrying out of such a scheme, although no other scheme has had for its recommendation that strong argument that this has, that the construction of the work would not add to the taxation of the people in any shape or degree. It is unnecessary for me to go fully into that matter again. It was stated in committee that the Government has to maintain a most awkward means of communication between the town of Pictou, a large and important town, and the Intercolonial Railway, and at a cost of \$13,000 or \$14,000 a year; and yet for that same cost this work can be constructed, and when built will be of advantage, not merely to the town, but to the Intercolonial Railway itself. The hon. gentleman has again attempted to draw to his aid sectional feeling, if sectional feelings can exist in the Island of Cape Breton, and has endeavored to embarrass the Government by importing into this question the claims of what are to a certain extent rival localities; but I am sure from the expression of the hon. member for Inverness (Mr. Cameron), as well as others in the Island of Cape Breton, that they are too old to be caught by a game like that, and that they are able to show that they have no more reason to complain of the Intercolonial Railway system being completed and perfected in the county of Pictou than of its having been from time to time completed and perfected in the county of Halifax. The hon. member for Digby has never attacked grants of money which have been voted from time to time for adding to the value of the Intercolonial Railway in the county of Halifax and in the city of Halifax, where he resides; but he chooses to attack the expenditure in a county where he does not reside. I do not know whether any such small reasons can underlie his actions; but it is significant that far more money than this has been voted to complete the terminus and improve the arrangements of the Intercolonial Railway at Halifax, and the hon. member has never attempted to arouse sectional feeling in other parts of the Province against that expenditure. The hon. member may be a courageous man; he may not know what timidity is; but he would not talk so glibly of the way in which the people of Pictou town are served by the Intercolonial Railway if he had occasionally to risk his life in crossing the harbor there in winter. I see that the hon. member for Bothwell (Mr. Mills) smiles. We had evidence of his ignorance of that locality the other evening, and I need only remind him that it is not a laughing matter. If lives as valuable as those of the hon. member for Bothwell and the hon. member for Digby have not been actually lost on that ferry, the lives of animals, valued down there perhaps as much as their lives, as well as valuable property, have been lost in transit from the town of Pictou to Pictou Landing.

Sir RICHARD CARTWRIGHT. It appears to me that this Bill is out of order. You will observe that clause 3 declares that the money appropriated shall be available for the construction and acquisition of the work until the work is completed and paid for. Now, I submit that that is distinctly in the nature of a grant of public money. The grant at present available lapses on the 30th of June. Therefore this Bill ought to have originated in committee, and have gone through the requisite number of stages. It is an extension of the terms, and equivalent to a new grant.

Mr. SPEAKER. As I understand it, the money for this work has been already voted, and this Bill is only declaratory that the work for which the money has been appropriated is part of the Intercolonial Railway.

Sir RICHARD CARTWRIGHT. If you will permit me, that is not the point. This money, which has been voted, was granted in Supply, and it lapses altogether on the 30th June. Now, this Bill goes on to declare that this \$250,000 shall be available until the work is completed and paid for.

It may be, for aught we know, completed in four, five or six years off, as the necessities of the hon. member for Pictou may require, and I think that is substantially a new grant.

Mr. SPEAKER. It will have to be put in the Supply Bill again.

Sir RICHARD CARTWRIGHT. But here, Sir, is a new appropriation of public monies by Statute, that ought to have originated by resolution in committee.

Mr. SPEAKER. This is not appropriating any part of public revenue. It is money already appropriated.

Sir RICHARD CARTWRIGHT. But only appropriated to a certain day.

Mr. SPEAKER. Any money that has not been, or is not likely to be, expended before the 30th June, will have to be revoted this year, or it cannot be used. The third clause says, "the money as appropriated as aforesaid," that is, appropriated by the Supply Bill; this Bill does not appropriate it.

Mr. MILLS. Supposing the Bill to be carried with the provision relating to the expenditure of money, would it not make that a permanent charge?

Mr. IVES. This money will not be all expended before the 30th June.

Mr. SPEAKER. This money appropriated by the Supply Bill lapses on the 30th June, and it is only that money which is appropriated. If it lapses it will not be spent after the 30th June. It will be available till the work is completed, but not after the 30th June. There must be a Supply Bill every year for the money.

Mr. DAVIES. The wording of the Bill will have the effect of extending the vote for an indefinite time. The third clause reads: "The money appropriated shall be available until the work is completed and paid for." In passing the vote through the Committee of Supply last year, the House merely authorised the expenditure of money during the current year; but this is an amendment extending the time, and, after this is passed, the Government have authority to expend the amount either before or after the 30th June. It is practically a revote of the money voted in Supply last year.

Mr THOMPSON (Antigonish). The money was voted last year for this work, and a doubt has arisen as to the right of the Minister of Railways to enter into a contract by which it is proposed to expend that money. Notwithstanding the fact that it has been voted by Parliament, his authority to expend it for the construction of a branch of the Intercolonial Railway, has been questioned. The effect of this Bill is simply to enable him to exercise the power he has under the Railway Act in respect of the Intercolonial Railway, and to apply the money to that purpose, not as a revote, or extended vote, but simply to make it available for the purpose.

Mr. MILLS. I do not think the Minister of Justice quite apprehends the position taken by the hon. member for South Huron (Sir Richard Cartwright). The Government have put a Bill before us which must, so far as this clause is concerned, originate in committee under a resolution, unless a sufficient provision was made by the Appropriation Bill of last year. Now, the Bill is a charge upon the revenue of the current year only, and lapses at the end of that year, and a Bill founded upon that appropriation must be consistent with the appropriation itself. It must deal only with the appropriation for this year for work that can be completed within the year. But that is not the intention. The Minister proposes to take power to construct a railway which will be a general charge, not upon the revenues of this year, but upon the resources of Canada. It is a permanent charge upon them. If the Bill be carried, it will be

a permanent charge, no matter whether there was an appropriation made in the ordinary provisions of the year or not. It will be as much a statutory charge as the charge for the Governor General's salary, or any other charge against the revenue of the country. It is not a charge against the revenues of the year founded upon the appropriation made for the year, but a permanent charge against the revenues of the country. Therefore the appropriation made last year is not sufficient authority for the third clause of this Bill.

Mr. THOMPSON (Antigonish). In so far as the Bill affects the construction of the railway by the expenditure of capital, it must be in order. The appropriation of \$250,000 made last Session lasts until the first of July. We have the right, therefore, without the intervention of the committee, to say that that appropriation shall, until the first of July, be applicable for the purpose mentioned in this Act.

Mr. MILLS. You do not say that.

Mr. THOMPSON (Antigonish). To that extent it is in order, and if it is in order to the extent of the appropriation for one day, it cannot be ruled out of order. The hon. gentleman points out that this Bill involves a general charge on the public revenue, but that would apply to every Bill under the Consolidated Railway Act.

Sir RICHARD CARTWRIGHT. If the words "and shall be available for that purpose until the work is completed and paid for" have any meaning, this is a distinct statutory enactment that the \$250,000 voted up to the 30th June shall continue to be available for the purpose of carrying forward this road until the work is completed and paid for. It may be those words are wholly and entirely improper there, but still they remain in the clause, and I cannot see how it can be contended they do not confer power to use this appropriation after the 30th June.

Mr. THOMPSON (Antigonish). I thought I had stated my view on that point before. It is this: The Bill assumes that the \$250,000 has been appropriated for this work, but that there is a deficiency in the authority of the Minister to apply it to this work for want of suitable legislation in the Consolidated Railway Act. There has been doubt as to the application of that Act to a work of this description, and the Bill, without appropriating the money or extending the appropriation as regards time simply, makes it available for the purposes of the company.

Mr. DAVIES. The very argument the hon. Minister uses is one proof that the Bill is out of order, because in Committee of Supply this House authorises the expenditure of a certain sum until the first of July, but the Bill goes further and provides for expenditure beyond that date.

Mr. THOMPSON (Antigonish). It does not necessarily go beyond the first of July. It is fully expected the work will be completed at that time.

Mr. DAVIES. Well, that is another question; but we will keep to the point. The Bill says it shall not be confined to the first of July, but the money shall be available for all time to come. Therefore, on the face of it, it is a justification for the expenditure of money which has never been initiated or voted upon in Committee of the Whole.

Mr. IVES. The hon. gentleman will see the position in which his contention would place the House. If he is right this year, he will be right next year; and if the work could not be completed by the 30th June, 1887, we could never complete it, because we could not begin it without an Act. Granted that you cannot do it one year, and granted that the Supply Bill is only good for one year, you are in a dilemma, and you could never do anything at all.

Mr. MILLS.

Mr. SPEAKER. I would suggest that, in order to remove any doubts as to whether the money is intended to be available when the vote lapses or the Supply Bill of the present year lapses, the last words should be struck out of the Bill:

And shall be available for that purpose until the work is completed and paid for.

If these words are removed, and it were made plain that there must be a revote, that would remove any doubt, and I think it is desirable that there should be no doubt that this is to be revoted.

Mr. MILLS. It will have to go into committee.

Mr. SPEAKER. Yes, after this amendment is disposed of.

Mr. DAVIES. Whatever amendment might be moved might take a different form after the clause is amended.

Amendment (Mr. Vail) by leave of the House, withdrawn.

Order for third reading of Bill discharged, and Bill referred back to Committee of the Whole, amended and reported as amended.

Mr. POPE moved the third reading of the Bill.

Mr. VAIL moved the amendment which he had previously proposed (p. 661).

Mr. WOODWORTH. I do not rise for the purpose of intimating any intention of voting for the amendment, but I do think that there is a great deal in what the hon. member for Digby (Mr. Vail) has incorporated in his amendment—that is, that there are other portions of Nova Scotia excepting the city and county of Halifax and the eastern portion of Nova Scotia. There are eight counties lying south and west of Halifax, and those counties have not got a fair share of public money in the extension of railways and the opening up of facilities for the people of those different sections. I do think that with the Nictaux and Atlantic Railway lying there, 75 miles in length, in a state of dilapidation and collapse, owing to the want of funds to go on with it, when Nova Scotia has given \$6,000 a mile to that work, a sum which is totally inadequate to carry it on, and with the gap between Annapolis and Digby of some 20 miles lying unfinished, with a great deal of bridging to do—I say I think, in view of these facts, that the Government should give their attention to these matters, and other matters connected with the western part of the Province, and not to give all the public money to the city of Halifax and the eastern part. I do not object to give money to the city of Halifax and the eastern part, where it is needed, and I have no doubt that this is a very useful work which is contemplated by this Bill, and that it is very important that it should be done; but while these things are being done the Government should not leave the others undone. While I do not intend, as I said before, to vote for the amendment of the hon. member for Digby (Mr. Vail), still I leave it with the Government to say if they think they have got sufficient funds—and they ought to know whether they have or not—whether they can meet the just and equitable demands of the western parts of the Province and the island of Cape Breton, which has no railway at the present time, and which has been in great need of it for many years. I presume that the Government know their business, and that they have undertaken to do this, believing that they will be able, during this Session, also to provide for the other parts of Nova Scotia.

Mr. KIRK. Hon. gentlemen on this side of the House have been charged with opposing this grant because it is a grant for Nova Scotia. For my part, I repudiate the charge. I am a Nova Scotian, and I am willing to vote for any reasonable amount of money, or any amount the Government choose to put in the Estimates, for any necessary public works; but I am not willing to vote away the peo-

ple's money, the money that belongs to the people of Nova Scotia, money which is to be charged to the people of Nova Scotia, to build a second road for the town of Pictou, to build a road to a town of 3,000 inhabitants that has already a road, while, as the resolution put into your hands sets forth, there are other portions of Nova Scotia proper, and the whole of the island of Cape Breton, without a mile of railway at all. Now, Sir, I agree with what the hon. member for Digby (Mr. Vail) has said with regard to the western counties. Here are several counties, for instance, Shelburne, Queen's, and Lunenburg, with a population of 60,000, and not a mile of railway in any of these counties; yet the town of Pictou must get two railways, while these have none. Then we have all the county of Halifax east of the city, and the county of Guysboro', with a population of over 40,000. These counties also have no railway facilities; yet, these counties ought to be considered before we build a second railway to the town of Pictou. Then there is the island of Cape Breton with four or five counties, and with an aggregate population of 95,000, with varied resources of mines, agriculture, and fishing, but with not one mile of railway; yet, here we are asked to vote money belonging to the people of Nova Scotia and to the people of the island of Cape Breton, in order to build a second railway to the town of Pictou. Sir, I repudiate the idea that we oppose it simply because it is going to the Province of Nova Scotia. It is not money voted to the Province of Nova Scotia, but it is money voted to the town of Pictou, which has already one road. The hon. member for Prince County, Prince Edward Island (Mr. Hackett), and the hon. member for Inverness (Mr. Cameron), have sought to justify this vote because it would give employment to our people. Why, Sir, are we to vote away money for the special purpose of giving employment to the people. If the Government should propose to build a modern Tower of Babel upon some of the capes of Nova Scotia, would these hon. gentlemen vote for the expenditure of the money simply because it would give labor to our people? Surely not. Why, Sir, I opposed the expenditure of money which was voted by this Parliament for a work in my own county, and that at a time when I was running an election and asking the votes of the people; I opposed the grant because I thought the work was unnecessary, I considered it an absolute waste of money. Upon that ground I shall oppose any grant, I care not for what county, or for what Province. Sir, we are told by the hon. member for Pictou (Mr. Tupper) that the road will be a remunerative one. The present road you have there is a remunerative road, but will it be a remunerative road if there is another built to perform the same work that the present road is doing now. If you have to support two roads to do the same amount of work that is being done now by one, will the new road then be remunerative? I fancy not. Now, the hon. member for Pictou said that he did not oppose the grant to other branches. For my part, I did not oppose the grant to other branches of the Intercolonial Railway, and I would oppose a grant to no branch if the town to which it was to go was in want of a railway. I am sure I would not oppose the granting of money to build any road where I was sure the public interest would be served by it. But it is because the town of Pictou has already a road that I oppose the granting money to build a second one, and that, too, in view of the fact that provision has been made by this Parliament to build a road from Oxford to New Glasgow which will accommodate Pictou, whether this road is built or not. Now, Sir, I was sorry to hear a remark made by the hon. Minister of Justice in his speech upon this Bill on Friday last, which I cannot allow to pass unnoticed. I have to make an apology to that learned and exceedingly polite Minister for his high-minded and gentlemanly reference to myself in the opening sentence of his speech.

Had the hon. gentleman spoken in a higher tone of voice so that I could have heard him, I would have acknowledged the generous compliment at once, and I hope it does not come too late now to be acceptable. The hon. gentleman's remark is worthy of him, and shows the true inwardness of the man, and is one for which I shall ever bear towards him a grateful and kindly remembrance. Sir, the hon. gentleman is a very learned, wise and great man—in his own estimation, at any rate—and an exceedingly important man, and, like Sir Oracle, "when he opens his mouth no dog must bark." More than all that, he is a very brave man, which I shall show before I am done. The hon. gentleman, I have no doubt, has not forgotten the geography of his own county, a knowledge of which he obtained by riding by rail from Halifax to the town of Antigonish and back once or twice a year during the five years he represented that beautiful county in the Local Legislature. But a generous nature would have pardoned me if I, in common with all Nova Scotians, have forgotten that the hon. gentleman had been for four years the Attorney-General in a Nova Scotia Government. And why? Because those four years of the history of Nova Scotia, so far as railway enterprises are concerned, formed an entire blank. That hon. gentleman with his party obtained power in that Province in 1878 on the cry that Cape Breton and other sections of the Province required railways. He came into Parliament in that year with a majority of twenty-one in a Legislature of thirty-eight; and during that whole Parliament what did he do towards providing railways? The Government simply re-enacted a law which the hon. member for Inverness (Mr. Cameron) the other day said was enacted by the previous Government for the purpose of depriving Cape Breton of railways. That was one of the acts which the hon. gentleman performed. I had almost forgotten another piece of history. The hon. gentleman also passed an Act incorporating a syndicate, a bogus syndicate, that was to build railways everywhere—a syndicate that had not one dollar of money and could not obtain one dollar. Those being the facts, the hon. gentleman might have pardoned me for having forgotten them. Then we come to the time of a general election. In 1882 the hon. gentleman went to the country having a majority of twenty-one. How did he return after the battle was over?

Mr. SPEAKER. I must ask the hon. gentleman to keep to the tenor of the Bill. The matter to which he is referring has nothing to do with it.

Mr. KIRK. The hon. Minister attacked me on that line. He pretended to pay me a compliment by saying that I had forgotten history. I want to point out that he had reminded me of some forgotten history.

Mr. SPEAKER. We must try to keep to the subject under debate.

Mr. KIRK. I have been talking about the hon. gentleman's performances in regard to railway building.

Mr. THOMPSON (Antigonish). I think the hon. gentleman should be allowed to go on.

Mr. SPEAKER. If the hon. gentleman is allowed to go on, it will lead to an answer, and remarks will be made backwards and forwards. Hon. members should keep to the question under debate.

Mr. THOMPSON (Antigonish). I hope the hon. gentleman will be allowed to finish the speech which he got somebody to write for him since last Friday.

Sir RICHARD CARTWRIGHT. I rise to a point of order. I think the Minister of Justice was entirely out of order in making such a remark. It is not in consonance with his position in this House to throw such taunts across the floor to an hon. member.

Mr. BOWELL. The hon. gentleman should have gone a little further, and said that the hon. member for Guysboro' (Mr. Kirk) was distinctly out of order in reading his speech.

Mr. KIRK. I beg to say that I have not read my speech. The remark made by the hon. gentleman is just such as I might expect from an hon. member like the Minister of Justice. That I have notes of my speech indicating what I intended to say is true. I was going on to state that the time came when the present Minister of Justice had to appeal to the country for approval of his conduct. He went to the country, and how did he return? Not in a majority, but a hopeless minority.

Some hon. MEMBERS. Chair, chair.

Mr. SPEAKER. Some hon. members call "chair," and I must hold that the hon. member, if he has not the unanimous consent of the House, cannot refer to those old matters.

Mr. KIRK. Ministers should, if they do not wish to provoke discussion, treat members with courtesy and respect.

House divided on amendment of Mr. Vail.

YEAS :
Messieurs

Allen,	Fisher,	McIntyre,
Armstrong,	Forbes,	McMullen,
Auger,	Geoffrion,	Mills,
Béchar,	Gillmor,	Paterson (Brant),
Barnier,	Glen,	Platt,
Bourassa,	Guay,	Ray,
Burpee,	Gunn,	Rinfret,
Cameron (Huron),	Harley,	Robertson (Shelburne),
Cameron (Middlesex),	Holton,	Scrifer,
Campbell (Renfrew),	Innes,	Somerville (Brant),
Cartwright,	Jackson,	Somerville (Bruce),
Casey,	King,	Springer,
Casgrain,	Kirk,	Trow,
Charlton,	Landerkin,	Vail,
Cook,	Langelier,	Watson,
Davies,	Lister,	Wells,
Edgar,	McCraney,	Wilson.—51.

NAYS :
Messieurs

Abbott,	Fortin,	Montplaisir,
Allison,	Foster,	Orton,
Amyot,	Gaudet,	Paint,
Barker,	Gault,	Pinsonneault,
Bell,	Gigault,	Pope,
Benoit,	Girouard,	Pruya,
Bergin,	Guilbault,	Reid,
Blondeau,	Hackett,	Robertson (Hamilton),
Bourbeau,	Haggart,	Robertson (Hastings),
Bowell,	Hall,	Ross,
Bryson,	Hay,	Royal,
Burnham,	Hesson,	Scott,
Burns,	Hickey,	Shakespeare,
Cameron (Inverness),	Hilliard,	Shanly,
Campbell (Victoria),	Homer,	Small,
Carling,	Hurteau,	Sproule,
Cochrane,	Ives,	Stairs,
Colby,	Jamieson,	Taylor,
Costigan,	Jenkins,	Temple,
Goughlin,	Kaulbach,	Thompson (Antigonish),
Coursol,	Kilvert,	Towashend,
Outhbert,	Kinney,	Tupper,
Daly,	Landry (Kent),	Tyrwhitt,
Daoust,	Landry (Montmagny),	Valin,
Dawson,	Lesage,	Wallace (Albert),
Desaulniers (Mask'ngé),	Macdonald (King's),	Wallace (York),
Desaulniers (St. Maurice),	Mackintosh,	Ward,
Desjardins,	Macmaster,	White (Cardwell),
Dickinson,	McCallum,	White (Hastings),
Dodd,	McCarthy,	White (Renfrew),
Dugas,	McDougald (Pictou),	Wigle,
Dundas,	McDougall (C. Breton),	Wood (Brockville),
Everett,	McLellan,	Wood (Westmoreland),
Farrow,	McNeill,	Woodworth,
Ferguson (Leeds & Gran),	Mitchell,	Wright.—107.
Ferguson (Welland),	Moffat,	

Amendment negatived, and Bill read the third time.

Sir RICHARD CARTWRIGHT.

REAL PROPERTY IN THE NORTH-WEST TERRITORIES.

Mr. THOMPSON (Antigonish) moved the second reading of Bill (No. 10) respecting real property in the North-West Territories. He said: Mr. Speaker, when this Bill was introduced I took that opportunity of stating to the House what the details of the Bill were, in so far as they were connected with the main principles. I propose, before coming to the second reading, to confine myself to a statement of the two principles which appear to me to be involved in this Bill, and a short statement with respect to the working of similar enactments in other parts of the world. I am glad to have the opportunity of making the few statements which I desire to offer on this subject in the presence of some gentlemen who have already given the subject a great deal of attention. I am aware that the hon. member for Simcoe (Mr. McCarthy) on two occasions in two Sessions drew the attention of the House to the necessity of adopting a measure like this with respect to land in the North-West Territories. And the hon. member for Bothwell, while Minister of the Interior, introduced a Bill embodying the same principle, and he carried it through some of its stages in this House, and I understand he has given the subject a great deal of attention since, and has more than once, I think, brought the matter to the notice of Parliament. The two principles which, it seems to me, are involved in this Bill, and to which alone I propose to draw the attention of the House this afternoon, are these: First, the Bill proposes to give, in relation to titles to land in the North-West Territories, facility of proof; second, it proposes to simplify dealings with land in the North-West Territories. As regards the first, the mode by which facility of proof is to be attained, is principally the adoption of the system of certificates of title, issued by registrars of the different districts of the North-West, which certificates of title shall be indefeasible and incontrovertible evidence of title. The House is quite aware, Sir, without my going into detail this afternoon, of the system which prevails in the Provinces with respect to the registration of deeds—the House is aware that with regard to the proof of titles there, a great deal of difficulty and expense nearly always arises, and that as time goes on and titles become more complicated, and the transactions in land become multiplied, the difficulty is very largely increased. In order to establish a title we have to go back to the grant from the Crown, or so long a period back that there will be a presumption of a grant from the Crown, and then investigate every transaction that has occurred since that time in relation to the transfer of the property. We have, however not ended the difficulty when we have completed the searches, because, in relation to each transaction, whether it be a conveyance or the transmission of property by operation of law, we have to extend the enquiry, for the reason that at every stage of it, questions of fact arise—questions of pedigree, questions of marriage, questions of forfeiture—and as to the actual execution of instruments, and while the investigation is exceedingly laborious and becomes more so as time advances, the uncertainty increases at every stage. We propose, then, in accomplishing what I think a measure like this will accomplish, to establish facility of proof of the title by making the certificate of title which shall be issued by the proper officer after due investigation, after due proof, before him or before some competent authority—incontrovertible and indefeasible evidence of title which shall not be contradicted even by the true owner, in an action of ejectment, or in any other proceeding. The second object which we design to accomplish, that is simplification of dealing with land, is accomplished by establishing uniformity in all conveyances of the same class. We adopt the system of short forms of conveyance, carrying the implication of covenants which are not expressed.

The signature is attested and registration is necessary to validity, and so fully is this to be the case, that the instrument will not operate as a conveyance of the property until it is registered. At the time of the registration of the instrument of transfer, the outstanding certificate of title is to be given up to be cancelled, if the transfer is a complete transfer of the property. If it be only an encumbrance to the property, the certificate is to be produced, in order to have a memorandum endorsed upon it indicating what encumbrance is being made. As I said to the House, when I obtained leave to introduce the Bill, following the system which has prevailed wherever this method has been adopted, following the system which prevails with regard to other species of property, the transfer of which is like the transfer which is adopted by this Bill—as, for instance, regulations with respect to shipping—no trusts are to be recognised on the register, and no limitations affecting titles are to be there noticed. The doctrines of notice which affect titles in the Provinces are to be abrogated, and any trusts are only enforceable by the courts of law as against the persons who ought to be charged with them and not against the property itself. This is essential of course in order to ensure the indefeasibility of the certificate of title, and make the transactions accomplished preceding it, simple, plain and effectual. I may mention that the experience in South Australia, from which colony the Act is principally obtained, and where it was originally put in operation, has been the simplification of the dealing with land, which I have mentioned as the second principle involved in this Bill, has been so completely accomplished that transfers, whether by mortgage or sale, are said to be frequently accomplished in the space of an hour, and at an expense of 10 or 20 shillings at the outside. There is, it is true, some danger of fraud and of error in relation to any system whatever which aims at and accomplishes simplification. The more simple, the more direct, the more rapid these transfers are to be made, the more danger there is both of fraud and of error. It is quite true that it is barely possible that the transfer should be successfully forged, and successfully put upon the register, and the legal owner be deprived of his property by virtue of the indefeasible character of the certificate. It is likewise true that it is barely possible in the investigation which the officer has to make before issuing the certificate of title, that error may occur both as to persons and to boundaries. But the experience which I am able to refer to in the working of the Act in other countries, is satisfactory in that respect. Cases of fraud and of error are exceedingly rare, and an assurance fund has been established in almost every colony in which the system is worked, by a small tax on the value of the property as it comes on the register; and in South Australia a tax of one-fifth of one per cent. has been found far more than sufficient to establish a fund for that purpose. I see that in the Act of a like character which was adopted in the Province of Ontario for one portion of that Province, the fund was established by a tax of one-quarter of one per cent. on the value of the property brought on the register. Another circumstance which gives us some confidence as to the successful working of the system is, that in countries where it prevails, it has been found so advantageous to the owners of property that in advertisements, indicating that properties are for sale, it is put forward as one of the advantages, one of the inducements to purchasers, that the title has been registered under the Torrens Act, indicating to purchasers that there is a certainty of a good title and that the expenses of a long investigation can be readily avoided. I think, Sir, that the opinion will be almost unanimous in this House, that while the system itself, in relation to any country in which it is feasible to adopt it, has a great many advantages, we have

peculiar facilities for putting it into force in the North-West, for the reason that we are there—as I stated to the House when I addressed the House before on this subject—near the root of the title. Comparatively few patents of land have issued, the great proportion of land there is still vested in the Crown, and in relation to those tracts of land which have been patented, the subsequent transactions are few in number. We have likewise the advantage of having in that country a system of surveys which tends to give some degree of certainty, regularity and uniformity to the boundaries of property thereby avoiding the complications which have been suggested as likely to arise in older countries, were the boundaries irregular, uncertain and changed from time to time. We have also the circumstance that in that country possessory rights are more notorious than in older portions of the Dominion. I have noticed that whenever a discussion has arisen in older countries as to the propriety of adopting the Torrens system, it has been readily conceded that in the colonies where it has been adopted it is a marked success, and the advantages likely to arise from its application in older countries have only been questioned on the ground that there are marked distinctions between the land systems of older countries and newer ones, so that the advantages derived from the system in new countries like the North-West are not possible in old countries like Great Britain, where this subject has received a great deal of attention. In one or two enquiries made by committees and royal commissions, after thorough investigation of the subject by the examination of witnesses and the obtaining of reports from different colonies where the system has been in force for some time, it has been conceded in the reports to Parliament and to the Crown that the system was successful in its operation in the colonies, although as applied to a country like Great Britain its success might be doubtful. I mention these circumstances for the purpose of expressing the opinion, in which I think the House will agree with me, that the North-West, in its present position, possesses peculiar advantages for the adoption and trial of this system. Now, I may detain the House for just a few moments in reading very brief extracts from the reports received from different colonies in which the system has been in operation. In reply to questions put in Lord Kimberley's circular sent to the several colonial Governments for the purpose of ascertaining the success of the system, the Examiner of Titles in Adelaide stated in 1880:

“Up to the present time no difficulty whatever has occurred in carrying out the ordinary transactions of land, such as transfers, mortgages, and leases; and there can be no question as regards such transactions. The Torrens system is a complete success. Land, in fact, being as easily and securely dealt with as stock in the funds.”

The Registrar General of Queensland states that since the Act had been brought into force there, 15 per cent. of the lands which had been alienated from the Crown before the adoption of the Act had been voluntarily brought upon the register, and that nearly 4,000,000 acres of lands, which had been alienated from the Crown since, had been brought under this system. As regards New Zealand, the report was equally favorable. “In fact, the system so far has been found equal to all the purposes of conveyancing.” The report of the Registrar General of Victoria was:

“The proportion of land under the Act is now about 7,557,000 acres, or nearly one-eighth of the whole land of the colony. Titles of every sort and kind, simple and complicated, have been registered, and from the value of £5 to £100,000 and more. The facilities for carrying out mortgages and paying them off are very great, and thoroughly appreciated by the public. The expense of either transactions is comparatively trifling.”

From New South Wales this is the report:

“Although the Act has been in operation eighteen years, no compensation has been made for the deprivation of property, nor has any claim been sustained against the assurance fund, which at the present

time amounts to £38,000. The popularity of the Act is so well secured, and the public generally have become so accustomed to our certificates, and have such faith in their undoubted value, as in many instances to decline accepting a property unless the title is registered under what is universally styled Torrens' system."

From Tasmania the statement is:

"The real property Act has now been in operation in this colony for more than eighteen years, during which time 13,714 dealings, all sorts included, have been registered, and I consider that indefeasibility of title has been practically secured, inasmuch as I am not aware of any case in which a registered title has been upset upon reference to the law courts. More than one-sixth of all the lands alienated from the Crown in this colony are now under the Act. It may, therefore, I think, be predicted that the majority of transactions in real property will soon be conducted through the lands titles office, which may now be considered the statutory conveyancer of the colony."

From British Columbia this report came:

"The title to real property has been greatly simplified, without radical changes in the general law. Stability of title, with safety to purchasers and mortgagees, has been secured. The ownership of property, both in town and country, is shown by the register at a glance, and whether encumbered or not. It increases the saleable value of property. It enables both vendors and purchasers to accurately ascertain the expense of carrying out any sale or transfer. It protects trusts, estates and beneficiaries. It prevents frauds, and protects purchasers and mortgagees, and has operated so as to almost entirely dispense with the investigation of prior title. Loans on mortgage are effected, and transfers of the fee are made, with as much ease as the transfer of bank stock is made in England, a search of from five to ten minutes being all that is necessary to disclose the state of any registered title."

I have a report from the Registrar of British Columbia, coming down to the 31st of December, 1879, in which there are one or two additional observations which may be of interest to the House. The Registrar states:

"Lawsuits with respect to the ownership of registered lands are unknown, and must remain exceedingly rare so long as the principles of the present system are in force. * * * Considered in an economical point of view, I believe it to be unequalled by any system for the registration or record or assurances, the registry books alone are about one-half less, and one bookkeeper only is necessary, where, under a copying Act, at least three or four clerks would be required. Up to the present time the fees of office, though fluctuating, have as a whole been sufficient to pay all the expenses of the Department."

I may mention as one qualification of what I have read, that in British Columbia the system is not exactly the Torrens system. It is, so far as the registration of titles is concerned; but the methods of simplifying the dealings in land has not been adopted there; but the old system of conveyancing, which we propose to abolish so far as the North-West Territories are concerned, still exists in that Province. In Manitoba, as you are aware, the Torrens system has been adopted and is stated to have operated satisfactorily. Knowing that the Bill involves a great many details, the discussion of which would weary the House and be unproductive of any useful purpose, I confine myself at this stage to these two points, which appear to me to be the principles involved in the Bill, viz., the giving of facilities for the proof of titles, and the simplification of proceedings in dealing with real property. For the reason that the Bill does involve details which require careful thought and a comparison of opinions, I propose, if it be the pleasure of the House, instead of referring it to the Committee of the Whole House, which no doubt would be proper under some circumstances, to refer it to a select committee. In moving the second reading, therefore, I move that it be referred to a special committee to consist of Messrs. White (Cardwell), McCarthy, McMaster, Mills, Hall, Davies, Weldon, Royal, Shakespeare, Desjardins and the mover.

Motion agreed to, Bill read the second time and referred to Special Committee.

THE INTERPRETATION ACT.

Mr. POPE moved the second reading of Bill (No. 80) to amend the Interpretation Act.

Mr. MILLS. Explain.

Mr. POPE. The hon. gentleman himself raised no objection to the Acting Minister. The second provision is Mr. THOMPSON (Antigonish).

intended, if there are objections, to remedy them. The first section reads:—"Words directing or empowering a Minister of the Crown to do any act or thing shall include a Minister acting for him" and so on, in the same direction as the second.

Mr. MILLS. I called the attention of the Government to this subject last Session. Of course the patent issued to a Minister by His Excellency on behalf of Her Majesty authorises the Minister himself to discharge duties pertaining to a certain Department, and the hon. gentleman provides here to empower one Minister to discharge the duties of another. That has long been a principle acted upon, while there was a Minister responsible for the particular acts done by a colleague in his name and on his behalf, which it was possible for him to ratify, it seems to me it ought to be provided for by Statute. What I referred to last year was that there was no patent issued by the Crown and no one ever authorised to discharge any duties in the Railway Department. The Minister of Railways received his position when there was no person to whom the Crown had issued a patent for the discharge of the duties of that office. The office had been kept vacant contrary to the intention of the law, and the Minister of Railways was authorised to fill the office, as Acting Minister, by somebody in some other way than that which the law provides under the great seal of the Province. It is very plain that anyone who so acted was acting illegally. When the hon. gentleman who is now regularly appointed Minister of Railways, undertook to discharge the duties of Minister, without any patent under the great seal of the Province, he was simply, in point of law, a usurper, for he was undertaking to discharge duties he had no authority to discharge by law. The hon. gentleman proposes to provide for a regular instead of an irregular mode of proceeding, so far as the 28th paragraph of section 7 is concerned, but he goes on to provide that:

"All acts hitherto done by any Minister of the Crown, acting for another Minister, or, where such office was vacant in the place of such Minister, are hereby ratified, confirmed and made valid."

Mr. POPE. That is good sense.

Mr. MILLS. It would have been better sense if the hon. gentleman and his colleagues had advised His Excellency to appoint some person to fill the office, as the law had obviously intended some one should discharge its duties. The hon. gentleman's colleague (Sir Charles Tupper), Minister of Railways, came down with a Bill providing for the constitution of the office and the appointing of a Minister; but after succeeding in getting Parliament to agree with them, the hon. gentleman and his colleagues set the law at defiance by failing to appoint or advise the appointment of any one regularly to discharge those duties, and the hon. gentleman undertook to discharge them without an appointment. Let me suppose that he has entered into large contracts with certain parties, as Minister of Railways, without appointment under the great seal. Does he now propose to ask Parliament to ratify all that has been done, and make legal what otherwise was certainly illegal, and perhaps affect the rights of some parties who are disposed to contest what he did? That is practically what he is doing. There is another consideration; an office, a ministerial office, under the provision of this Bill, might be regularly kept vacant four or five years. Is it the intention of the Government that should be done? The hon. gentleman might, on the office of Minister of Justice becoming vacant, permit it to remain vacant, and without the appointment of any person under the great seal undertake to discharge the duties himself.

Mr. POPE. Not very likely.

Mr. MILLS. Well, it may not be very likely. We supposed it would be very unlikely that the hon. gentleman

would undertake to act as Minister of Railways without being appointed, and yet, notwithstanding the remote possibility of such an act, it happened, and the hon. gentleman, under the provisions of this Bill, might keep a Department without a head for years.

Mr. POPE. Should the necessity arise, the appointment would be made; but, if the necessity does not arise, it would not.

Mr. MILLS. The hon. gentleman sees that the law says what the necessity is. Parliament has declared that such an office is necessary.

Motion agreed to, and Bill read the second time.

FINES AND FORFEITURES BILL.

Mr. THOMPSON (Antigonish) moved the second reading of Bill (No. 82) respecting the application of certain Fines and Forfeitures.

Sir RICHARD CARTWRIGHT. What is the object of the Bill?

Mr. THOMPSON (Antigonish). I suppose the hon. gentleman was not present when I made the explanation. I introduced it a few days ago, and I then stated that there were certain Acts of this Parliament imposing fines, penalties and forfeitures in respect of which there is no provision as to how those fines and forfeitures shall be disposed of. There is in the Interpretation Act a provision as to how fines and penalties recovered in a certain way are to be disposed of, but a recent decision of the Supreme Court of the Dominion has established that that enactment only applies to penalties which are recovered in suits for penalties, and not to criminal proceedings or *quasi* criminal proceedings. It is proposed, therefore, by the first section of this Bill to provide that penalties, fines and forfeitures in regard to which no other provision is made, shall belong to the Crown for the public uses of Canada. By the second clause we propose to take power to the Governor General to appropriate those fines and penalties in any manner that may be deemed for the public interest.

Mr. DAVIES. I think the decision of the Supreme Court to which my hon. friend refers is not exactly as he has stated it. It arose under the Interpretation Act, and as to the application of the fines under the Scott Act. The Interpretation Act provides that all fines, the mode of recovery of which was not specially provided for by the Act which imposed them, should be recovered before a civil court, and another part of the section provided for the disposition of the fines. The question before the Supreme Court was whether those two portions of the section were to be construed as one section or whether the latter part of the section was to be construed by itself, in reference to the disposition of the fines—in other words, where an Act like the Canada Temperance Act provided a mode for the recovery of fines, whether the specific appropriation of these fines in the Interpretation Act applied; and the court held, no doubt very properly, that it did not apply in such cases, and therefore, did not apply to the Canada Temperance Act; therefore all fines levied under that Act belonged to the Crown, except those levied in the Province of Ontario. I suppose the main object of this Bill is to appropriate these funds in a certain way. I have no doubt, as far as the Maritime Provinces are concerned, that it is required; but whether the wording of the Bill will carry out the intention of the hon. gentleman is a matter of doubt. Perhaps it had better be discussed in committee, as I take exception to some of the phraseology. The hon. gentleman vests in the Governor in Council the power of deciding how those fines should be applied absolutely, and it is questionable whether that power should be vested in the Governor General in

Council, and whether the House, now that it is seized of the subject, should not decide how those fines should be applied. A very large amount of money every year is imposed, levied and collected under the Canada Temperance Act. Whether the House would delegate to the Governor in Council, the application of those fines so levied, is a matter worthy of attention. Whether the person who prosecutes, or the municipality in which the offence is committed, should get a portion of the money is a very serious question. In the smaller towns and cities, the civic revenue used largely to be augmented by these fines, and now these moneys are lying there without any power on the part of the civic authorities to retain them. My impression is that the first part of the section is a good one, that the fines should remain in the municipalities; but the second part gives power to the Governor in Council which I do not know that the House is prepared to give them. In point of fact, it delegates to the Governor General in Council the whole power and responsibility of dealing with the fines collected under the Act, outside of the Province of Ontario. I think it is worthy of consideration whether the House itself should not designate the manner in which those fines should be applied.

Mr. THOMPSON (Antigonish). There is no objection to the second reading?

Mr. DAVIES. None whatever.

Sir RICHARD CARTWRIGHT. I think there should be some provision for a due account of the fines and forfeitures and moneys received being laid before the House, either by formal communication within the first fifteen days of the Session, as in many other cases, or by a regular account being kept, debit and credit, in the Public Accounts, which, perhaps, would be the preferable manner of dealing with the matter. Has the Minister of Justice considered that point, or has he any proposal to make in reference to it?

Mr. THOMPSON (Antigonish). I have not considered the mode of keeping the account to which the hon. gentleman refers, but I will give it my attention.

Mr. CASGRAIN. I would call the attention of the Minister to the fact that this Bill is not printed in French. Of course, there is no objection to Private Bills going into committee without being printed in French, but a Public Bill is a matter of more moment than a Private Bill. I merely call attention to it, not to stop the legislation, but I do not think it is right.

Motion agreed to, and Bill read the second time.

SUMMARY PROCEEDINGS BEFORE MAGISTRATES.

Mr. THOMPSON (Antigonish) moved the second reading of Bill (No. 84) to make further provisions respecting Summary Proceedings before justices and other Magistrates. He said: The House, I presume, is aware that probably, the most technical branch of law is that which relates to convictions for offences against the criminal law, and the laws imposing penalties of any kind. That branch of our law has very largely to be administered by magistrates who are not skilled in legal procedure, in consequence of which great facilities are given for the setting aside of convictions which are required by the interests of justice and of order. This Bill, which has come to this House from the Senate, proposes to remove some of the technical objections by which convictions of magistrates are continually defeated, and it is warmly approved by members of the profession in almost every part of the Dominion. A statute in the same line was passed by this Parliament last Session, but owing to changes in one or two of the sections, which were altered during the passage of the Bill through Parliament, it was really made ineffectual, and the object of this Bill is to invite Parliament again to reconsider the original propositions of the Bill,

which were to remove the serious technical objections which so often result in defeating convictions which are required in the interests of justice. I have a memorandum upon the subject with regard to the details of the Bill, with which I shall not trouble the House at this stage, but which I will give the House more fully when we go into committee.

Motion agreed to, and Bill read the second time.

THE LIGHTHOUSE AT CAPE RACE.

House resolved itself into Committee of the Whole to consider a certain proposed resolution (p. 513) on the subject of the transfer of the lighthouse at Cape Race to Canada.

(In the Committee.)

Mr. FOSTER. The object of the Bill which is to be founded on this resolution, is explained in the resolution itself. It is to take over the lighthouse at Cape Race, which was built and hitherto maintained by the British Government, and which it is proposed to transfer to Canada. This lighthouse was built somewhere about the year 1856, and the fund out of which the expense of its maintenance has been paid, has been raised by a tax upon shipping passing through between Europe and America, north of New York, of, I think, one-eighth of a penny per pound. For a number of years back the Canadian Government, rather than submit the shipping, going from our ports to the Old Country, to that tax, has been itself paying the tax, amounting to some \$1,200 per year. The time of the transfer is fixed in the Bill for the first of July of this year. The fund which has been raised in that way from a tax on shipping will amount to somewhere near \$100,000, and that fund is to be transferred to Canada, as well as the lighthouse. There are some 300 acres of land in connection with the lighthouse, and the lighthouse itself is in a very fair state of repair. Under the system of management by the British authorities it has cost about \$7,000 per year for its maintenance; but it can be maintained a great deal cheaper by Canada, owing to the contiguity of position and other considerations. It is supposed, after fairly estimating it, that the annual cost of keeping it up will be somewhere in the neighborhood of \$4,000, so that we shall have the fund of \$100,000 transferred to us, while we undertake the management of the lighthouse, which has cost heretofore, on the average, between \$6,000 and \$7,000, and which, it is believed, we can maintain for \$4,000. It is a condition of the transfer that all lighthouse dues will be abolished, which have amounted to about \$1,200 per year, so that altogether it seems to me that this arrangement will be a favorable one to Canada, as the lighthouse belongs to our system geographically, and it is very important to our commerce. The necessary legislation has been provided for in the Old Country, and we now ask for similar legislation here.

Mr. MILLS. I do not know in what way the hon. gentleman proposes that we should exercise control over the lighthouse and whether it is under the jurisdiction of Canada or whether we are simply to be regarded as private contractors acting under the Government of Newfoundland. I do not know whether the opinion of the Minister of Justice has been taken on this matter, but the ordinary rule that has been applied to us, I think, since Confederation, is that we have no jurisdiction beyond the marine league, and that our jurisdiction is confined within our territorial limits. I have, on two or three occasions before, expressed the opinion in the House that when control was given over the subject of shipping and navigation, and when control was given over maritime defence as well as over land defence, we

Mr. THOMPSON (Antigonish).

might make regulations under the provisions of the British North America Act that would have force beyond the marine league. But I think there is a despatch in the possession of the Government, written by Lord Carnarvon, where our jurisdiction beyond the marine league is contested. Now I can understand how we might acquire property the same as any private individual, and how we might enter into a contract with some proprietor for the purpose of holding Cape Race lighthouse as a private property; but that we could exercise any legal jurisdiction over the party who might be put in charge of that lighthouse, or subject him to any regulation that might be made by the Department here, I do not understand. I think, before we undertake to acquire the lighthouse, and make regulations with regard to it, and to incur expense, we ought to know in what character and in what way we are doing this. It may be that this lighthouse, as the hon. gentleman has said, is a necessary part of our lighthouse system, and it might be considered that the whole island of Newfoundland is a necessary geographical part of our political organisation. But it is not so as a matter of law. It is outside of our Dominion, and so is the lighthouse. I should like to know in what way we are going to acquire this, and what sort of control we are going to exercise over it.

Mr. THOMPSON (Antigonish). There can be no doubt about the soundness of the principle stated by the hon. gentleman, but an Imperial Statute has been passed, or is on its passage now, through the Imperial Parliament, exactly in the terms of the Bill which my hon. colleague proposes to introduce in this House. The Bill sets out that we have the right to acquire this property by this transfer.

Sir RICHARD CARTWRIGHT. Does that legislation propose practically to give us jurisdiction over those 300 acres in Newfoundland?

Mr. THOMPSON (Antigonish). Yes. The Bill to be introduced here is a counterpart of the Imperial Statute.

Mr. VAIL. I know there has been an arrangement existing for a long time between the Canadian Government and the Imperial Government in regard to this lighthouse. I never could understand why the Dominion should have to pay a large sum for the maintenance of this light and Newfoundland be exempt from payment. The light is as useful to Newfoundland comparatively as it is to the Dominion, and I repeat that I never could understand why Newfoundland should not have contributed a certain amount. It is quite true, as the Minister of Marine has said, that under the arrangement there is to be a transfer of \$100,000, which will be equivalent in interest to the amount of \$4,000; but if the lighthouse has cost \$7,000 yearly for maintenance I do not know how the Minister expects to maintain the light and keep the building in repair for \$4,000. It has cost us \$1,200 a year towards its maintenance, and if it can be maintained without incurring any additional cost over \$1,200, it is desirable to take it under the control of the Dominion Government, because in that way our shipping will be exempt from lighthouse dues, which will be rather a favor to them. It seems to me the Minister of Marine should have entered into some correspondence with the Newfoundland Government and ascertained if they would be willing to contribute a certain amount for this light and pass the necessary legislation to fulfil their part of the agreement.

Mr. McLELAN. We have already some three or four lights on the coast of Newfoundland which we are supplying, and judging by the cost of those, we decided that we could maintain Cape Race light at less cost, or at all events for the same amount we are paying yearly, and the interest upon the sum that would be transferred with the lighthouse. Having our vessels employed in the service, and visiting

the coast where the other lights are, we considered we could maintain Cape Race light at very much less cost than is now paid by the British Government; and, therefore, we proposed to accept the proposition of the Imperial Government to take the lighthouse over and the fund connected with it.

Mr. DAVIES. What annual charge will this involve upon the revenue of the country?

Mr. FOSTER. The expense of maintaining it over a series of years has reached an average of from \$6,000 to \$7,000 per annum. It is estimated that it can be maintained by the Dominion Government for about \$4,000 a year. We came to that conclusion after having gone fully and thoroughly into the matter. We now pay \$1,200 a year rather than have vessels coming to our ports taxed for light dues. As has been said, we shall obtain the fund of \$100,000, which at 4 per cent. will reach about \$4,000 a year. We shall save the \$1,200 and have the interest derivable from the fund. The cost cannot be more than it is now; the assumption is that it will be substantially less.

Mr. DAVIES. What gives the hon. gentleman the assurance that the Government are going to save about \$3,000 a year. The light costs now \$7,000 when maintained by the British Government, and the Minister estimates that it will cost Canada only about \$4,000. On what basis does he make the calculation?

Mr. FOSTER. One basis of making the estimate is that we have already, as has been stated by my colleague the hon. Minister of Finance, maintained a number of lighthouses on that coast, and we know what the cost of maintenance has been, and what staff is necessary to maintain the lighthouse at Cape Race. Instituting a comparison of the cost of those lighthouses to Canada and the expense of Cape Race lighthouse to the British Government, with whom the expenses are on a larger scale than in our case, with these as base the estimate was made that the light can be maintained for about \$4,000 a year.

Mr. DAVIES. The hon. gentleman knows that that lighthouse is probably of far greater importance than some others; therefore the expense is larger. What is the state of repair of the lighthouse at Cape Race?

Mr. FOSTER. I can probably give more information with respect to that matter when the Bill is before the House; but I can state generally that the lighthouse is in a fair state of repair. We have had some examination made with respect to the matter, and the reports are in the Department. Those indicate that the building is in a fair state of repair, in as good a state of repair as lighthouses usually are, some expenditure having to be made on them yearly. Of course it is a large lighthouse, but yet we have the figures as to the cost of maintenance and the exact number of employees necessary, and it is not a difficult matter to arrive at the conclusion that it can be maintained more economically than at present.

Mr. VAIL. I understand that this light has been under the control of the Dominion Government and that they have contributed a certain amount annually towards its maintenance.

Mr. FOSTER. Nothing except the \$1,200. In order to relieve commerce and make it free from Canadian ports to ports of Great Britain, the Dominion Government voluntarily assumed that payment rather than have our vessels charged with light dues. The hon. gentleman is right in this, that that amount of \$1,200 went to the fund and it was out of that fund that this expenditure was made.

Mr. MITCHELL. In regard to the Cape Race lighthouse, I know some little about it from old associations with the

Department, and I may say that it was very necessary for the trade of Canada. It was originally placed there at the instance of Canada. Canada could not undertake to construct the fog alarm, so representations were made if my memory serves me, by the Department and the work was constructed, and it has proved of greater service to Canada than any light or fog alarm that I know of. While it was done by the British Government on the representation of Canadian Ministers, a certain tax had to be levied for the purpose of maintaining it, and all vessels sailing north of New York contributed towards that light and fog alarm. But Canada found the sum so small, involving as it did much trouble to her ship-owners, that Canada agreed to pay, for removing the tax on her vessels, \$1,200 a year, and they agreed to pay that and exempt Canadian vessels from the operation of making entries and all that kind of thing. Now, I do not know upon what basis the Minister estimates the cost of maintaining it, but whatever the cost may be, and I do not suppose it would be unreasonable, it would be money well laid out in the interests of Canadian shipping. I have looked into the matter fully, I have read all the correspondence connected with it and I am satisfied that the Bill is one in the right direction.

Mr. VAIL. Does the hon. gentleman mean to say that the lighthouse at Cape Race was erected at the request of the Canadian Government?

Mr. MITCHELL. No; what I said was that the fog alarm was erected by the British Government on representations made by the Canadian Government as to its necessity, and the plans and specifications were furnished by the Department over which I had control during my administration. The estimates of cost were also furnished by us, and it was at the request, as I say, of the Canadian Government that the British Government undertook the matter in the interests of British and Canadian commerce, and the commerce of the world—or at least that portion of the commerce of the world north of New York, because all vessels north of New York sailing to the British Islands had to contribute towards its maintenance, because it was assumed that they came in that direction and derived benefit from it.

Mr. VAIL. No doubt the hon. gentleman is right, but I understood that there was a light on Cape Race before the Provinces were confederated.

Mr. MITCHELL. There may have been a light, but there was no fog alarm; probably there was a light. However, a fog alarm was particularly needed because there was no point where more shipwrecks, and more disastrous shipwrecks, occurred than at that point, owing to the prevalence of fogs.

Sir RICHARD CARTWRIGHT. If I understand right, we are to get \$100,000, which is equal to \$4,000 a year forever.

Mr. FOSTER. The amount accumulated is about \$100,000. That remains with Canada, we binding ourselves to keep the light free forever.

Resolution reported and concurred in.

Mr. FOSTER introduced Bill (No. 100) respecting the transfer of the Lighthouse at Cape Race, Newfoundland, and its appurtenances, to the Dominion of Canada.

Bill read the first time.

CHIGNECTO MARINE RAILWAY.

Mr. POPE moved that the House resolve itself into Committee of the Whole to consider a certain proposed resolution (page 513) respecting the Chignecto Marine Railway.

Sir RICHARD CARTWRIGHT. Explain.

Mr. POPE. The hon. gentleman will remember that there was a vote for this railway a few years ago—I think in 1882. The company were to have time to carry out the arrangement and we were to give them a subsidy upon the road being built and running to the satisfaction of the Government. We were to pay them \$150,000 a year for twenty-five years. That is the position in which the matter stood until last summer, when Mr. Ketchum, the gentleman with whom the arrangement was made, asked us to reduce the time to twenty years, and to increase the amount correspondingly to the sum of \$170,602, which amount was arrived at by actuarial calculation. An agreement was entered into, dependent upon the sanction of the House to meet those views. There is no other alteration in the arrangement except one, and that is to this effect; that in case the earnings of the undertaking should exceed 7 per cent. per annum, the company agrees to pay over to the Government one-half of the surplus profits.

Mr. VAIL. Nothing is to be paid until the scheme is completed?

Mr. POPE. No.

Mr. MITCHELL. On the principle upon which I supported another vote to-day, I suppose I ought not to vote against this, because it provides for the spending of money in the Maritime Provinces, and as we never get anything like our share of public money, of course I could not consistently vote against it. I will say, however, that of all the votes I have ever had to give in this Parliament, there is none that suggests itself to my mind as so utterly useless as this vote of \$3,750,000—because that is what it will cost before we are through with it. Of course the country is committed to it. But they are coming here asking for changes in the conditions under which that grant was made; and my hon. friend who always places this question so plausibly before this House, would only do what, in my opinion, would be in the interest of the country, he would refuse to make any alteration; he would say, there is the bond, we have been foolish enough to promise this money, but we are giving it for a public undertaking, as to which we have to ask ourselves if the work is ever completed—and I do not believe it will be—what vessels are to be carried over that railway. There is, comparatively speaking, no traffic; there have never been any reliable statistics presented to the House to show what vessels would be carried over it; there is no tonnage which would be carried to or from the Bay of Fundy that would not go around; and there would not be enough traffic to pay for the grease that would oil the wheels. But we are facilitating the means of getting money, and I suppose it would come from foreigners. The only justification I have for the vote is that it is going into the Maritime Provinces, and therefore I will not say any more about it, but I do not approve of it.

Mr. DAVIES. I am afraid I have not reached that exalted state of political righteousness that my hon. friend has. He seems to agree with the moral rule that the hon. member for Pictou (Mr. Tupper) has laid down, that it is a crime to oppose any expenditure in the Maritime Provinces no matter how absurd or ridiculous it may be.

Mr. TUPPER. I did not say that.

Mr. DAVIES. The hon. gentleman did not use those exact words, but no other inference could be drawn from his language with reference to the hon. member for Digby. He said it was a curious time for the hon. member for Digby to object to the expenditure of money, and a curious thing that he should object to the expenditure of money in the Province of Nova Scotia. Now, I think it is time we

Mr. POPE.

called a halt in these matters, and got our common sense about us, and judged of the expenditure of large sums of money on the ground of their utility and necessity, and not on the ground that they are for the Maritime Provinces. I have no doubt that within a few days or a few weeks there will be an application made to this House for the expenditure of a few millions more or less, to build a tunnel between Prince Edward Island and the mainland.

Mr. MITCHELL. You do not object to that, do you?

Mr. DAVIES. We will see when the proposition comes down whether it is feasible or not; but I suppose those gentlemen who defend the expenditure of money simply because it is for the Maritime Provinces, would be prepared to defend that proposition, whether the scheme were practicable or not. But I think this is too serious a matter to dismiss with a little badinage. This Parliament is not committed to this expenditure; the country is no doubt committed by the action of a previous Parliament; but this scheme, which has been so much laughed at, has never been seriously discussed in this House, and the House has never had any statistics on the subject placed before it.

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

After Recess.

Mr. DAVIES. I do not want to detain the House from going into Committee on this Bill. My main reason for rising at all was to express my surprise that we had not a little fuller explanation from the hon. Minister as to his proposed change in the subsidy he proposes to give to the Chignecto Marine Railway. The hon. gentleman is always very short, even if not very clear, in his explanations. I do not think we can complain that he occupies very much of the time of the House; on the contrary, we can complain that, being a Minister in charge of a very important Department, and controlling the expenditure of a very large portion of the public money, he relies so implicitly on the confidence his followers seem to have in his prescience and knowledge, that he is prepared to ask them to go it blind on nearly every occasion. The hon. gentleman will admit that on this occasion he has made a somewhat important change in the terms of the contract, which has not, to put it mildly, the approval of the practical men; and my only object in rising was to ask him to give some fuller explanations than he has done of the scope and effect of that change. I understand that this Bill, authorising a subsidy to be paid to the tune of \$150,000 a year to this railway company—he proposes now to make it \$170,000—was one of the last acts done by the last Parliament just previous to an election. I would not hint in the slightest that the vote of this subsidy was intended to have the slightest effect on the vote of the counties through which this railway was to run. But it is rather remarkable that the subsidy has lain dormant these four or five years, that not a single shovelful of clay has been raised or a stroke of work done during those years, and that now, when it is believed we are approaching another election, and the electors of those counties are to be asked again to express their confidence or want of confidence in the Government, the terms of the subsidy are changed so largely in favor of the company. I think the hon. gentleman might have explained to us a little more clearly whether or not there is any prospect of this company carrying out this work, whether it has made any, or what arrangements with capitalists, whether there is any possibility of the work being undertaken before another election takes place, and the terms generally of the agreement which the Department over which he presides entered into with the promoters of the enterprise after the Act was passed; because, if I understand the matter correctly, there

was no agreement made between the Government and the promoters previous to the passing of the Act. The Act was a mere guarantee passed to secure the support of capitalists, and the agreement with the Government was arrived subsequent to its passage. Surely the House has a right to be informed of any agreement the hon. gentleman entered into.

Mr. POPE. I laid it on the Table.

Mr. DAVIES. When?

Mr. POPE. Some three or four weeks ago.

Mr. DAVIES.. The new agreement?

Mr. POPE. The Act was the old agreement.

Mr. DAVIES. The Act contemplates that the Department should enter into an agreement with the promoters. I want to know if the hon. gentleman did so, and when, and the terms of that agreement, as well as the terms of the new agreement he proposes to enter into now. In the very few remarks he made, so far as I was able to catch their purport, it was that we are not increasing the liabilities of the Dominion by this change in the subsidy. In one sense, that is true, but in another sense it is not strictly correct, when \$3,500,000, which we are to pay to a company, and which was to be spread over a period of twenty-five years, is now to be spread over a period of twenty years instead. Although the hon. gentleman is accustomed to deal with millions, still when it comes to a matter of \$3,500,000 he ought to explain a little more in detail the nature of the bargain he is making. However, I will not detain the House going into committee on the resolution, and in committee we can have the explanations.

Mr. POPE. I will explain the matter a little more fully now if it has not been fully explained before. Some three weeks ago, this contract, and it is the only one, was laid on the Table, and the hon. gentleman had only to look at it and he would have found out all the conditions and circumstances made with the company. It is true that the Act was passed in 1882, and Mr. Keifer, the promoter of the Bill, had not been able to get up his company until some time last summer, when he came and said it was desirable this change should be made. If the work is not built satisfactory to the Government, there is no harm done, for there will not be a dollar paid until the work is completed. The hon. gentleman knows well that when the Canal Commission was appointed some years ago, not only to examine Bay Verte Canal but the Welland and other canals, and report, it reported in favor of Bay Verte Canal, which, according to them, would cost \$6,000,000, but, according to Mr. Page, would cost from \$8,000,000 to \$10,000,000. The object of this resolution is to keep faith with the Lower Provinces. This ship canal—

Mr. DAVIES. Does the hon. gentleman believe in it.

Mr. POPE. I have very good authority here for believing in it. Some of the most scientific men on this continent declare here they have perfect confidence in it. Whether I have or not, I do not know much about it, and I might be a little sceptical, but I say it is worth trying. If we can have this for one-quarter the cost of the Bay Verte Canal, I say let us try it. The hon. gentleman will find, if it works well, that we will have saved at least two-thirds of the cost of the Bay Verte Canal. We felt ourselves bound, as my hon. friend knows who rather objects to this to-night, to do something for the Bay Verte Canal. We felt we ought to keep faith, and so did this House, and when the Act was brought down by my predecessor, we felt if we could get this for one-fourth the cost, and if it answered the purpose, it was worth trying.

Mr. HACKETT. I cannot understand why there should be any great objection to the amendment proposed to the

Act empowering the Government to enter into a contract for the building of the Chignecto Railway. At the time of Confederation this great work of building a canal, which would connect the waters of the St. Lawrence with the Bay of Fundy, was first proposed, and a board of commissioners was appointed to report on that question. Eminent engineers were sent to the Lower Provinces to make a survey of the route and an estimate of the proposed cost. Mr. Page also made a report in 1871, and a vote of \$1,000,000 was placed in the estimates for the purpose of commencing this canal. Although there was no specific pledge made, it was tacitly understood this work would be commenced in the Lower Provinces, and I hope the policy of the Government will be to carry out, as far as possible, all the pledges made and agreements entered into, whether specifically or otherwise, with the different Provinces at Confederation. Hon. gentlemen have charged me with advocating the work in Nova Scotia, simply because it would give employment to local labor. That was not the argument I advanced as I do not care to raise the sectional cry in this Parliament, but we have heard in the Lower Provinces, from the hon. gentleman's own supporters and the Grit press of those Provinces, that the whole expenditure of the Dominion was used in the construction of public works in the west. While I was advocating, therefore, the building of the railway from Stellarton to Pictou, I only brought out the idea that now that the Government had fairly relieved itself with regard to engagements in the west, it was time they should pay a little more attention to the east. I am surprised that any hon. gentleman representing a constituency in the Maritime Provinces should raise his voice on this occasion to condemn the building of the Stellarton-Pictou branch, so as to prevent, if possible, the expenditure of money in the Eastern Provinces, for the hon. gentleman was one of the loudest among his colleagues in denouncing the Government for their course in spending the money of the country in the west. The hon. gentleman from Queen's (Mr. Davies) has thought proper on this occasion to refer to a project which is now pretty well matured, that of constructing a sub-aqueous railway between Prince Edward Island and the mainland. He says we are asked to vote \$3,500,000 for the building of the Chignecto Railway, and that the next startling expenditure will be about \$5,000,000 for the purpose of connecting Prince Edward Island with the mainland, and he says it is time to stop large expenditures of this kind. That was not a very patriotic speech of the hon. gentleman. He should make no comparison, as regards the scheme introduced in another branch of the Legislature for the purpose of carrying out the terms of Confederation. That scheme has no connection with this. This idea of building a ship railway will, if carried out, be of great benefit to the trade of Canada. We know that vessels coming down the St. Lawrence on their way to southern ports have to circumnavigate the Peninsula of Nova Scotia, and the building of a marine railway will at once bring that shipping into the Bay of Fundy, and thereby reduce the great risk and expense and time required in coming around the peninsula. The hon. gentleman said there were no statistics at all in connection with the matter but that the House had blindly voted. I would tell him this question was discussed in 1882, though, of course, young men like him (Mr. Davies) and the hon. member for Northumberland had not seats then in the House, and are therefore not qualified to speak on this point, but we had the figures, statistics and facts before us, and it was clearly shown by the then Minister of Railways (Sir Charles Tupper), that he estimated 600,000 tons of shipping and freight generally would be taken across this railway. This was the report made, that a great deal of the trade from Upper Canada, from Hamilton, Toronto, Ottawa, Montreal and Quebec, going down the St. Lawrence and east for southern ports, would necessarily pass over this

railway, and he convinced this House of the great necessity for building this railway, and the great benefit it would prove to be for the trade of Canada. Now, although four years have elapsed, and nothing very practical has been done, yet I do hope that the company having seen their way clear, after having considered the matter and placed their stock on the European markets—and I believe they have had a very fair offer of the money—no obstacles will be placed in the way of the Government carrying this out, but that Parliament will amend the Bill, and thus keep faith, as the Minister of Railways said, with the people of the Maritime Provinces, and will show that no interest which they had at heart at the time of their entrance into Confederation will be neglected, but that, now that the Government have fulfilled the pledges they made in regard to railway communication with the west, the pledges which were made to the Provinces in the east and the contracts entered into and the promises made at the time of Confederation will be carried out.

Mr. WOOD (Westmoreland). I desire to refer to a remark of the hon. member for Queen's, Prince Edward Island, (Mr. Davies) who said that so far no money has been spent and no work has been done on this enterprise. I believe that Mr. Ketchum, the promoter of the enterprise, has devoted his time almost entirely for a number of years to the work of bringing the scheme to its present position, and that also he has expended a large amount of money, that he has had a number of surveys made in connection with the location of this railway, and that a considerable amount has been expended in testing the undersoil in the district through which the railway is supposed to pass, in order to show that it is practicable. At the present time, that gentleman is in England negotiating with capitalists, in order that the company may raise the money which is necessary to carry out the scheme in view. I feel that that gentleman has been justified in taking the course he has by the action of Parliament in the past in regard to this matter. I feel that, whether this scheme is practicable, from an engineering point of view, or not, whether it has any commercial value or not, that gentleman, at all events, has had good reason to believe that this scheme would receive the sanction of Parliament, from the fact that, as the hon. member who last addressed the House has said, the importance of connecting the waters of the Bay of Fundy with the waters of Northumberland has been repeatedly discussed in this House and in the press of the country. Up to this time I believe the importance of this work has never been called in question. It is no doubt as the result of the action of Parliament and the discussion which has taken place, and the general expressions of public opinion in favor of this work, that the promoters of this scheme have been led to devote years to the study and development of this scheme, and in doing so to expend large sums of money. I know they have brought this matter to the attention of eminent engineers both in Great Britain and America, and in reference to its practicability from an engineering point of view, I know it has received the support of those gentlemen. Its commercial value has been recognised by the boards of trade in the various cities of this Dominion, and I am led to believe that the promoter of this scheme is now in a fair way to raise the necessary capital to enable him to construct the work. However that may be, after the action which Parliament has already taken and after the promoter has been led to make so large expenditure, it would be contrary, I believe, to all precedent that Parliament should even express a want of confidence in the commercial value of the scheme.

Mr. MITCHELL. Do you believe in it? Do you believe in it as a commercial scheme?

Mr. WOOD (Westmoreland). Whether I believe in it or not is of no importance to this House or to anyone else; but,

Mr. HACKETT.

with regard to the commercial importance of the scheme, the hon. member who addressed the House last furnished a number of testimonials in support of the commercial value of the scheme, which I consider are deserving of far more weight than any opinion I could express. I believe that Mr. Ketchum, the promoter of the scheme, is at present in London, and I am not prepared to say just what position his financial arrangements stand in, but I am led to believe that if this legislation which is now asked from Parliament passes, he will be able to secure the financial aid which is requisite to enable him to carry through his project. I cannot see why there should be any objection raised by any hon. gentleman at the present time to the proposition which is made by the hon. the Minister of Railways. He does not ask for any additional subsidy. He simply asks for a change in the mode of paying the subsidy, and I think, in view of the position into which this scheme has been brought, and in view of what the promoters have been led to do by the action of Parliament in the past, it would be inconsistent and undignified for Parliament now to reverse the policy which it has adopted in the most public and emphatic manner, or even, by refusing to alter the terms upon which the subsidy granted to this company is payable, to express any want of confidence in this undertaking as a commercial enterprise.

Mr. TOWNSHEND. I do not rise to speak of this measure particularly, because it passes through the county which I represent, nor do I favor it because the person who was mainly instrumental in getting the original Bill through Parliament was the distinguished gentleman who previously represented that county, but I am one of those who believe in this project.

Mr. MITCHELL. As a commercial speculation?

Mr. TOWNSHEND. As a commercial success. I believe in it also because the hon. member for Northumberland (Mr. Mitchell) was one of those who pronounced in favor of it; and not only did he pronounce in favor of it, but members on the other side of the House did the same. The hon. gentleman may wonder why I make that assertion. I think he will agree with me when I say that any person who was in favor of the construction of the Bay Verte Canal; any person who voted for the large amount of money which was to be expended in that enterprise, must also be in favor of this one, for the same reasons which exist for constructing a canal through the Isthmus of Chignecto exist for the construction of this ship railway. Now, if the hon. member for Northumberland (Mr. Mitchell) and other gentlemen will turn to the records of Parliament of ten or fifteen years ago, they will find, I think, that a Canal Commission was appointed in 1871 or 1872, who made a most careful investigation of the matter from a commercial point of view, and reported unanimously in favor of the project. I have not before me, at present, the data on which they based their reasons for favoring the construction of that work, but I know their report was adopted as the policy of the Government of which the hon. member for Northumberland was a member. A certain amount of money was placed in the Estimates for it, but before anything could be done, the Government had resigned. When the Mackenzie Government came into power they did give up the project, not because they believed it would not be a great commercial benefit to the Dominion, but in consequence of the immense expense which the construction would entail. I think the statements I am making will be borne out by reference to the records. Now, I say that both the party now in power, and our opponents, are committed to this project. On referring to the records of Parliament on the subject of the Bay Verte Canal, it will be found that Mr. Mackenzie only abandoned it because of the great expense, and he stated in Parliament that if the cost would not exceed the amount estimated by the engineers, he would

go on with the construction of the canal. I think the hon. member for South Huron (Sir Richard Cartwright) and the present leader of the Opposition, when in the Government at that time, also took the same view. Every argument in favor of the Bay Verte Canal can be adduced in favor of this project. I do not think that we ought to be called upon now to discuss the merits of this question because Parliament is committed to it, and it is only because objections have been raised to it, that I refer to these matters. I was surprised to hear my hon. friend from Queen's, P.E.I., (Mr. Davies) come out in opposition to this Bill. If there is any part of the Dominion that is going to gain by it from a commercial point of view, it is the Province of Prince Edward Island. That Province is so situated that it will derive more benefit, in my view, than any other part of Canada; therefore it seems to me the hon. member for Queen's is placing himself in a position inconsistent with the interests of his Province. Allusion has been made to the change of the terms in which this vote is submitted. There is no increase of the amount asked from Parliament. It is to be remembered that the company are not to receive one dollar until they complete the road and operate it; and more than that, they are not to receive a subsidy year by year unless they keep it in operation every year, until the money is all paid. Therefore, I think the Government have taken pains sufficiently to guard themselves in this respect. Now, with your permission, I will read an extract from a speech of the late Hon. John Young who was a great authority on the subject of the trade and commerce of this Dominion. Speaking of the canals of the Dominion, he said:

"It would be difficult to point out all the advantages which would result to Prince Edward Island, Nova Scotia and New Brunswick by the construction of the Bay Verte Canal. If the 900-ton propeller could deliver Canadian or western products at Halifax, or St. John, these places would thus become cheap depôts for such products. Assorted cargoes of fish, hops, shooks, lumber, &c., could be made up at these ports for the West India Islands and South America, and could bring back return cargoes from those countries of sugar, coffee, hides, tallow &c., to be again reshipped as return cargo to Canada, and the Western States by the inland propeller, and thus be delivered at less cost by such means than by any other possible route."

There is also a report from Mr. Patterson, of the Montreal Board of Trade, though I have not it in my possession, in which he expresses himself in similar terms as to the value of the Bay Verte Canal, and my argument, of course, is that everything favorable to the construction of that work tells equally in favor of the construction of this. I do not see how it can be contended that this work will be of no use. Let hon. gentlemen remember that there are 500 miles of navigation which will be saved by the construction of this canal, and it is hardly to be supposed that vessels and steamers from the St. Lawrence are not going to make use of this route instead of going round the coast of Nova Scotia. Then is it to be supposed that the fishermen from Gloucester and other parts of Massachusetts, are going away round Nova Scotia and Cape Breton instead of taking a short route to the fishing ground by crossing on this ship railway? This will be the first great work of the kind that has been constructed in the world, and I hope there will be no disposition on the part of this House to change the policy already adopted by Parliament, and especially in a matter of this kind where the risk is not in any way to fall upon the Dominion. I am informed that the necessary capital has been obtained to carry it out, and it has been taken up by men of the first standing in England, by distinguished engineers such as Mr. Fowler and others, who have pronounced on the feasibility of the work. I will not detain the House any longer, but I felt that I could not remain silent in a matter of this great national concern, and allow it to pass by without making these remarks.

Mr. VAIL. I am sure the members of the House who have sat here for a number of years are pretty familiar with this question, from the fact that this ship canal was made

to do duty several times before elections were coming on, and four years ago the project was changed into a marine railway. Finding that the canal could not be carried out it was proposed that a ship railway should be built across the isthmus. The hon. member for Prince (Mr. Hackett) states that the previous Minister of Railways gave very full information to this House and explained that some six hundred thousand tons of shipping would go over this railway, and the consequence would be that it would be a paying work, and that there was a necessity for the railway being built. I think the very fact that this Act has been on the Statute-book for four years and nothing whatever has been done in regard to it, shows pretty plainly that it is a work that neither commercial men nor capitalists of this country or of England have much confidence in. I must protest against the idea that a vote of this kind of three million dollars odd, and some \$300,000 or \$400,000 voted this afternoon, for a branch of the Intercolonial Railway should be charged to the Maritime Provinces as a Maritime Province expenditure. The Maritime Provinces are not particularly interested in this work in any way, and notwithstanding the hon. member for Cumberland (Mr. Townshend) has pointed to a report made by Mr. Young on the ship canal and the amount of shipping that would go through and the advantages that would accrue to the people of Nova Scotia, I am quite satisfied that hon. gentleman could have known very little about the trade of the Lower Provinces if he supposed for a moment that vessels from Prince Edward Island would go through that ship canal to reach Halifax. Everyone knows in Nova Scotia that Prince Edward Island has a much larger trade with Halifax than with St. John or any other place in the Lower Provinces, and he would be a madman who would take a vessel over this proposed railway down the Bay of Fundy and round the coast of Nova Scotia to Halifax, when he could take his vessel through the Strait of Canso at much less cost and in much less time to Halifax. It is rather too late to oppose this grant, if it is to be carried out. I have no objection to it so far as I am concerned, but it must not be supposed that the work will be of very great benefit to the shipping interests of the Maritime Provinces, because only large vessels would be likely to use that railway, and one ship in three or four years might, if freights were very low in New York or Boston or some other eastern port, go to Quebec for a cargo of deals or timber. Any ship going from New York or Boston round to Quebec to load timber would never think of going up the Bay of Fundy and over this marine railway, but would go through the Strait of Canso and up the Gulf, as they have always done. It is nonsense to expect that ships would use this work to any extent. The hon. member for Westmoreland (Mr. Wood) has stated that Mr. Ketchum spent a good deal of money in connection with this matter and that he visited England in order to enlist the aid of capitalists in the work. He has, no doubt, taken some trouble, but it will be remembered that that gentleman was voted a considerable sum of money for an old claim in connection with the Intercolonial, of which payment had been refused, and it was generally understood in the House that the vote was given to reimburse him for the expense of going across the water in order to carry out this project and raise the necessary money to build the ship railway. I did not rise to oppose the proposal, but I thought it necessary to make these observations so that it may be understood what our views are as to the benefit that shipping would derive from this ship railway, if it were built.

Mr. MITCHELL. Reference was made to me by the hon. member for Cumberland (Mr. Townshend) in relation to this matter, and he said I was in favor of the Bay Verte canal. There was a time in the history of this country when

I was in favor of it. It was at a time when the country had not one-fourth part as much debt upon it as it has to-day, when the resources of the country were not mortgaged as they are to-day, when the great enterprises we have undertaken during the last few years—I say it to the credit of the Federal Government—had not been carried out, when we had not our present liabilities upon us. It was at a time too when I felt that in view of the large expenditures that were being made in the west we ought to use every means at our disposal to open up the resources of the eastern portion of this Dominion. I never felt warmly about the Bay Verte canal, although I supported it, because it probably would do some good. When you take into account the position of Canada to-day, the enormous increase of debt in the last fifteen years and the great facilities for transportation now afforded, we know that we possess means of transportation which the Bay Verte or any other canal or ship railway could not afford. If I was in favor of that canal it does not follow that I should be in favor of the Chignecto Ship Railway. They are two different things. I have no hesitation in saying this: That in 1882—and the hon. member for Prince County referred to the fact that I was not then in the House, which is true—when this scheme was proposed, I looked upon it as a visionary scheme, and every day's experience tells me I was right in my view. I have tried to inform myself in regard to trade and commerce. The hon. member for Westmoreland (Mr. Wood) has stated his confidence that the Chignecto Marine Railway could be built. We all believe that it could be built; that science and mechanical art in our modern civilisation will enable us to do almost anything. I, however, asked the hon. gentleman: "Do you believe that it can be made commercially to pay?" I have too high an opinion of the honesty of the hon. gentleman to believe that he would do other than he did, evade giving an answer; but he left the impression on those who heard him that he did not believe that profitable commercial results would follow such undertaking. The hon. member for Prince County referred to the fact, and he was quoted by the hon. member for Cumberland as having furnished valuable statistics in relation to the question; I heard of no statistics from the hon. member for Prince County, I heard statements. He said, would not ships go from Hamilton, Toronto, Montreal and Ottawa, down the Gulf and over that marine railway to Boston and New York. The thing is simply ridiculous. Shipping go from Ottawa to Boston down through the Gulf of St. Lawrence and over this marine railway! The hon. gentleman could not have meant what he said. What he probably did mean was that commerce would go by that route to Boston or New York from Hamilton, Toronto, Montreal or Ottawa. Does not the hon. gentleman know that with the present railway facilities and the competition of the various railways, the rates of freight, the time of delivery, the cost of insurance, and other items enable the freight to be carried at about one-third the cost it could be carried if the Chignecto Marine Railway or the Bay Verte Canal was built. That is apparent to everyone, and no commercial man who understands his business would pretend to say that if he wanted to send a shipment from here to Boston it would be preferable to send it down from Ottawa to Montreal; thence down the enormously long navigation of the St. Lawrence, thence to go through the Chignecto Railway, thence to Boston and to New York. Sir, the whole thing is simply ridiculous, and is not to be spoken of. The hon. member for Cumberland (Mr. Townshend) claims my attention for a moment in this matter. He argues that because we may have been favorable at one time to the construction of the Bay Verte Canal, we should still be prepared to sustain a motion for the same thing to-day. Sir, I am one of those who are not afraid, if they have been in error in the past in relation to anything, to acknowledge that error, and to hark back on that position. I say that

Mr. MITCHELL,

to-day the Bay Verte Canal would be an act of folly, and that to construct this Chignecto Ship Railway would be an act of worse than folly, and I speak from a Maritime Province standpoint. No man in this House—and I suppose some men here will not think so highly of me because I say so—would be more in favor of appropriations and expenditures of the public moneys for the Province from which I come, and with which I am associated, than I would, but I would like to see those expenditures of such a character and expended in such a way as to do honor to the country, to do no discredit to this Parliament, to promote the commerce and civilisation of the localities in which they are made, and be of benefit to the whole country; but I say that to expend this sum of \$3,750,000—to spend it as this money will be spent, if it is spent, if there are fools enough in England to furnish the capital which is to be brought out and put into that work—would be an act that will be pointed to in the future as one of the grand follies of the age, and in regard to which Canada will only earn contempt and this Parliament have discredit thrown upon it for encouraging such an expenditure. Where is the commerce to come from which would support such an enterprise? Is it to come from north of the St. Lawrence to go to New York and Boston? Will there be enough commerce from that direction to pay even for the grease for the wheels that this railway will require to run it? The hon. member for Cumberland (Mr. Townshend) said that the schooners coming from Gloucester to the fishing grounds, would supply a great traffic to that railway. Did the hon. gentleman read an interview with Mr. Batson—I suppose he did not—who is a great authority on these matters, the Collector at Gloucester, who stated in an interview the other day that there were only, I think he said, twenty-eight American fishing schooners that went from the New England ports into the Bay of Chaleurs altogether last season. Where is the shipping to come from which will pass through that railway from the North St. Lawrence? Is it to come from Miramichi, from Bathurst, from Restigouche, or any of the ports up the St. Lawrence, until you arrive at Quebec and Montreal? I appeal to hon. gentlemen who come from those various sections of the country to say whether there is any commerce that will come from those ports to go to the southern ports of the United States which would warrant an outlay of this kind, which would justify this expenditure of money—money which might be far more profitably spent in other ways. The hon. member for Cumberland (Mr. Townshend) has charged those who are opposing this measure in the House with a breach of faith. He says the money is voted and the Act is passed. I look at the Act of which the hon. member for Cumberland (Mr. Townshend) is one of the corporators, and if he and his associates can get \$3,750,000 perhaps it may benefit the country, and perhaps it may benefit themselves; I can tell nothing about that. But this I will say, that before we go on to expend such a sum of money we ought to look carefully into the enterprise. I am one of those who believe in keeping the pledged faith of Parliament, and I am prepared to do it in this case. I do not oppose giving the money that has been voted by Parliament, provided it is given in accordance with the letter as well as the spirit of the Act. What I do say is that the Parliament of 1882 made a mistake in granting this money. It was granted without the matter being sufficiently looked into and considered, without sufficient evidence being produced before Parliament that it was a work which would be profitable; and with the better light which recent experience has given us, I say that the Parliament of that day did an act which I cannot pronounce to be a wise one. Now, the letter of the law I am willing to carry out. These corporators have got an Act; they have the facilities and they have the guarantee of the country for the money. Let them keep to the spirit of the bond. They agreed to begin it in three years and to finish it in

seven. The Act was passed in 1882, and we are now in the year after the year when they should have commenced operations, and what have they done in the way of commencement beyond speculating in charters and trying to raise money upon them. I know of nothing else they have done, and I think before Parliament lends itself to a matter of this kind, by amending the Act and giving them further facilities, we should make careful enquiry into it. I, for one, do not hold myself prepared to amend the defects and give greater facilities and change and alter the Act to enable these men to go to the British market and again perhaps fool the people of that country into putting money into a speculation which, in my opinion, will not only reflect discredit upon the country, but be practically useless, and have us pointed to as we have been pointed to for the last thirty years by the men who were induced to put money into the Grand Trunk Railway. These men have the Act; let them keep it and go on and do the work if they can, but do not let us endorse them by giving them additional facilities and additional time, so as to induce an outlay of capital, which will only result in disastrous failure without any benefit to the country. These are my views, and whether they please hon. gentlemen or not, I have stated them honestly. I am a Maritime Province man, and I believe in outlays in that part of the country. I believe in the development of the country where it can be done profitably, but I do not believe in uselessly expending public money on work which will be pointed at in future years as showing the want of judgment and the folly of the Parliament of Canada.

Mr. GILLMOR. I think it would be a great misfortune and an act of folly if this Parliament and this country invested \$3,750,000 in that undertaking. I cannot conceive where any commercial interest is going to be advanced by the building of that railway. I cannot understand how 600,000 tons of shipping are going to pass over it, or 100,000 tons or 50,000 tons. It is quite impossible that it can be utilised to any such extent as to justify such an expenditure. I endorse every sentiment expressed by the hon. member for Northumberland (Mr. Mitchell) that it is a misfortune and a discredit to expend the public money of Canada in any such undertaking as that. I know that the late Minister of Railways spoke about 600,000 tons of shipping going over that railway. Well, he could always make powerful speeches and great appeals. He used to speak about 600,000,000 bushels of wheat coming down from the North-West and that was an astonishing argument, but no more so than to speak of 600,000 tons of shipping coming over that railway and being lifted up in the air and drawn fourteen or fifteen miles. If I had a ship of a thousand tons I do not think I would like to risk it on the railway. In the first place, there is no argument that I have heard in favor of the expenditure, and this is the way that money is going to be expended in the Maritime Provinces for the benefit of the Maritime Provinces. I for one raise my voice against it. I say that it will be money thrown away so far as the general interests of the Maritime Provinces are concerned. I do not like to make appeal with regard to political and electioneering purposes, but it is very singular that when an election approaches some person down in Pictou has to have \$150,000 or \$200,000 expended to build a road parallel to an existing line. Just before an election it is very convenient to have the promise of that money, and so with the Chignecto Railway. It is very singular that just about the time they are needed some enormous promises are made; sometimes the money is expended, and sometimes it is not; but I tell hon. gentlemen that the Maritime Provinces will not be benefited by any such foolish expenditure and waste of public resources. I do not believe, and I am satisfied that the majority of the

members of this House as well as the country, do not believe, that our finances are in that condition to warrant us in expending such enormous sums of money in projects, which even if completed, would not compensate, in a commercial respect, for the expenditure. There is no doubt that railways have largely taken the place of ships. The fleet of schooners that used to ply up and down the coasts, giving employment to hundreds of men, have nearly all disappeared since the Intercolonial Railway was built; few vessels carry on that trade now. What do vessels that go to New York or Boston want to carry? The kind of lumber manufactured there consists of deals for the English markets; and the vessels carrying that lumber do not want to cross the Chignecto Railway or go through the Bay Verte Canal; and what vessels are to go through? Fishing vessels that sail in the Gulf would not avail themselves of that railway if it were built. I think it is folly to talk about such a work; but now that the subsidy has been voted, and the company asks us to renew the contract, I think the House should say that the circumstances have changed and we do not propose to renew the contract.

Mr. WOODWORTH. I do not propose to occupy the time of the House for more than a moment in stating my opinion in regard to this resolution. It has been observed by the hon. member for Northumberland (Mr. Mitchell), and justly and rightly observed, that the Act that incorporated this company, passed on the 17th of May, 1882, enacted that the work should be commenced within three years from the passage of the Act, and completed in seven. In thirty days, or thereabouts, from now, four years will have expired, and not a blow on this work has been struck.

Mr. WOOD (Westmoreland). They are doing work now.

Mr. WOODWORTH. Doing what?

Mr. WOOD (Westmoreland). Clearing the track.

Mr. WOODWORTH. Well, although my hon. friend may think that is commencing the work, and that may be the letter of the Act, I think he will find that it is not the spirit of the Act. Men going down with two or three theodolites, and with two or three levellers, and looking around and taking lunch, is not commencing the work. Commencing the work has a technical and proper meaning. It means some vigor infused into the work; something done; something tangible shown, and not merely somebody going down and looking at it. The company were to complete it in seven years, and even if this resolution passed they could not do so. As has been observed that at the time the Act was passed in 1882, there was a plethora of money in the Treasury. We had a surplus; we had a great deal of money to spend, and an experiment might properly be tried at such a time. That may be a very fair way to look at the matter, but to-day we have other works on our hands. Since that time we have built the Canadian Pacific Railway, which has cost a great deal of money, and is to-day costing a great deal of money; which has taxed the energies of five millions of people, such as the energies of no five millions of people were ever taxed in the history of the world before; and I say that these men, not having gone on with their charter, and not having expended any money within the spirit of the Act, are not justified in coming to us and saying, augment the money, lessen the number of years, extend the grant, and let us go on. I have looked at the matter and I know something of the geography of the country there, and I do not see for the life of me what is to come over this railway from the Bay of Fundy to the Straits of Northumberland, or go from the Straits of Northumberland to the Bay of Fundy. It may be that I do not know, but I have not been informed. The question was asked of the able and intelligent member for Westmoreland (Mr. Wood) whose word in this House on affairs that

he is acquainted with is credited with a great deal of weight, and I was curious to see what answer he would give. But he carefully and astutely and ingeniously avoided the question put to him, and did not give his imprimatur to the scheme.

Mr. WOOD (Westmoreland). I desire to say that the impression the hon. member for Northumberland said, and this hon. gentleman has repeated, that I conveyed to the House that I had no faith in this scheme—

Mr. MITCHELL. I did not say that; I asked if he had faith in the commercial results of the scheme.

Mr. WOOD (Westmoreland). I mean the commercial results of the scheme, and the hon. gentlemen both say that I conveyed that impression. If they received that impression, they should not have done so. The whole tenor of my remarks was that in my opinion it was improper, unwise, and uncalled for to raise that question at the present time—that while it might have been proper to raise it at the time the company got its charter or asked for the subsidy, yet after Parliament had sanctioned this scheme and voted the subsidy, and after their action had led the promoters of the scheme to spend a considerable amount of time and a large amount of money to bring the scheme to its present position, it was not proper or dignified for Parliament to discuss the commercial importance of the scheme, and the whole effect of my remarks was to protest against that discussion.

Mr. MITCHELL. What I want to get at is this: Does the House understand that the hon. gentleman has faith in the commercial results of this scheme?

Mr. WOOD (Westmoreland). I can tell the hon. gentleman that I have a good deal of faith in the commercial results of the scheme. I do not wish to refer to other schemes, but I feel tempted to ask the hon. gentleman if he has faith in the commercial results of some of the schemes he proposed last Session, and for which he asked large subsidies.

Mr. MITCHELL. One moment—

Mr. DEPUTY SPEAKER. I cannot allow this to go any further.

Mr. MITCHELL. I have in my hand an amendment which I think it desirable to propose. What I want to say is this. The hon. gentleman asks me if I have faith in the commercial results of some of the schemes I have submitted to this House. I am prepared to answer the hon. gentleman, the only scheme I know of that I submitted to this House was in connection with the Miramichi Valley Railway. I submitted it as an act of public improvement, that would give facilities—

Mr. DEPUTY SPEAKER. Order. The hon. gentleman has spoken, and the hon. member for King's has now got the floor.

Mr. MITCHELL. The hon. gentleman had not the floor.

Some hon. MEMBERS. Chair, chair.

Mr. MITCHELL. His honor will find he will best get rid of me in this matter—

Mr. DEPUTY SPEAKER. The hon. member for Northumberland has already spoken, and he cannot now address the House again.

Mr. MITCHELL. I was only going to give an explanation.

Mr. LANDERDIN. Let the hon. gentleman explain.

Mr. DEPUTY SPEAKER. Order.

Mr. MITCHELL. I am not going to be put down by him. What I wanted to say to the hon. gentleman was this—

Mr. WOODWORTH.

Some hon. MEMBERS. Chair, chair.

Mr. MITCHELL. Well, I will take another opportunity.

Mr. WOODWORTH. I was going on to say, when I was interrupted and gave way to the hon. member for Westmoreland (Mr. Wood) to allow him to make, not only an explanation, but another speech, for he speaks so seldom and so well, that I am always glad to give him the floor, even at my own expense and perhaps against the rules. I said the hon. gentleman did not seem to have faith in the scheme itself. Why? Because the hon. member for Northumberland (Mr. Mitchell) asked him the question, and the answer of the hon. gentleman was not that which he has given now, and not that which will appear in *Hansard* tomorrow. His answer was to the effect that, well, a great many persons stated that they had faith in it, there were reports and different statements of eminent men, much more able to form an opinion than he. That was his answer to the hon. member for Northumberland, and he will find his explanation now given, in interruption to me, is entirely different from the answer he gave to the hon. member for Northumberland, and I rely on *Hansard* to prove my version correct. The hon. gentleman's memory may be a little defective to-night, as he will see by *Hansard*. Therefore, I have the right to say that he did not seem to have any faith in the scheme. Then, as to the opinion of the Minister of Railways and Canals (Mr. Pope), neither did he seem to have any faith in it, for when he was asked the question, he said there was a lot of documents, that they looked very well, but he would not read the whole thing; that it was likely a good scheme, and that if it was not carried out the Government would not spend the money. That was his answer to the hon. member for Queen's (Mr. Davies); so that we have no light thrown on the subject, nor can we find anybody who has faith in it, because the hon. member for Cumberland (Mr. Townshend), who supported the project, stated that he was the successor of the Minister who proposed this scheme in 1882, and felt bound to stand by it on that account, and also because it came from the county of Cumberland originally. So he supported it, although he did not know much about it. He stated, also, that Mr. Mackenzie, who was leader of the Opposition when the then Minister of Railways (Sir Charles Tupper), in 1882, introduced the scheme, was very much in favor of it.

Mr. TOWNSHEND. No, I did not.

Mr. WOODWORTH. Mr. Mackenzie is reported in *Hansard* as being entirely the opposite. The hon. member for Cumberland (Mr. Townshend) stated that Mr. Mackenzie was in favor of the scheme, and considered it would be of great utility and advantage.

Mr. TOWNSHEND. No, no.

Mr. WOODWORTH. As I have here Mr. Mackenzie's statement when the scheme was introduced, I will read just a couple of sentences, which are not contradicted by any others in his remarks. I quote from page 1471 of the *Hansard* of 1882:

"Now when it is said that a canal at this point would be of great public service, I am bound to say that our experience for two or three years, leads to the conclusion that the traffic which would pass through it, would be very small. * * * I do not say that the scheme is impracticable, but I doubt very much its utility from the reports made, from time to time, by maritime men on the subject. My recollection is that several New Brunswick members, and those from the neighborhood opposite St. John especially, were warm in favor of the construction of the canal, while those from Nova Scotia were entirely hostile to it, believing that the trade which would pass through it would be very much less than was anticipated by its friends. I think it was rather conclusively proved that vessels passing to the West Indies would never seek that route, but that it would be much cheaper and better for them to take a straight line eastward, until they reached the open sea and got into a direct line to the West India Islands. The trade from Prince Edward Island, and any trade from the lower St. Lawrence

to Boston, would undoubtedly be benefited by a short course there, but that trade is comparatively light."

But the whole scheme seems to have taken another complexion to-night. I was not in this House in 1882, and did not hear these remarks, but, according to Mr. Mackenzie, the New Brunswick members were in favor of it and the Nova Scotia members were hostile to it. To-night, on the contrary, we find the New Brunswick members hostile to the scheme, and the only hon. gentleman from Nova Scotia who has spoken in its behalf, says he advocates the scheme really because it had been proposed by the hon. member for Cumberland whom he succeeded (Sir Charles Tupper), and although he was not in love with the scheme he was the only one who seemed to father it at all. All the New Brunswick members who have spoken, the hon. members for Charlotte (Mr. Gillmor), Northumberland (Mr. Mitchell) and Westmoreland (Mr. Wood), were certainly not very great defenders of the project, the hon. member for Digby (Mr. Vail) opposed it, and the hon. member for Cumberland stands alone in its favor. This is a very large sum of money, \$3,750,000, especially when we have all this war debt upon us, when we have our hands full with schemes that will pay, with railways that will pay, with canals that will pay, with measures, not tentative or experimental, but measures already inaugurated, and which it has been proved to the Administration will pay. If our Treasury were full, I would not say that this money should not be granted and expended to try the scheme; but before people indulge in luxuries they ought to be supplied with the necessaries. That is the proper economy to follow. While, therefore, I would be very glad to see this scheme worked, I think that with other schemes on hand of immediate necessity, with the breakwaters, with the piers that the different maritime interests, up and down our shores, are trying to have money expended upon, the people whose representatives we are, who are looking to us and watching what votes we give, and what opinions we express, in order to see whether we really reflect their opinions, who are wide awake to the interests of the country, who read the papers, who read everything that concerns the welfare of themselves and their children—the people will say: Before the \$3,750,000 are granted here upon a tentative measure, give us the necessaries of life; and, then, if you have money to spare, you can afford to spend it generously. I think the Government ought to pause in this matter, especially as there is no father for the bantling, especially as there is no one in love with it, not a soul who will get up and nail his colors to the mast, and say that this Bay Verte Canal, or as it is now the ship canal, of ten or twelve miles, is a necessity in the interest of the country, and should be attended to immediately. I thought it my duty, when this resolution came up, to utter these remarks, which I do in all sincerity, not wishing to oppose unnecessarily the Government in this concern, but to state my opinion that the Government, unless they have more money on hand than they have, should pause before putting this sum in the Estimates, and proposing this resolution and asking us to pass them.

Sir RICHARD CARTWRIGHT. I do not know anything about the merits of the scheme, although I am bound to say that the experiment of taking large vessels across by railway has never yet been successfully tried, whether it be practicable or not. But what I want to call the attention of the House to is this: We have had a good deal of discussion here as to the true extent of the liabilities of Canada. I have pointed out a good many times, that in addition to the debt which we at present possess, there are very many millions of liabilities which are not usually taken into account, liabilities contracted under a great variety of Acts for the promotion of railways and similar

projects of that kind; and, although, if the faith of the country is pledged to this, it must be carried out in accordance with the letter of the bond we have entered into, still it is a very serious consideration for us to remember, that in addition to the three millions and three quarters which are demanded by this project, there are probably twelve or thirteen millions more to which the country is at least equally pledged for the construction of various lines of railways or similar projects; and that, if you add that to our existing liabilities, it is only too clear as has been already stated, that the sum total will be a very formidable one, and one calculated to tax the resources of this country to the utmost. I understood that the hon. member for Northumberland (Mr. Mitchell) stated that this work required to be commenced within three years.

Mr. DAVIES. By the Act of incorporation.

Sir RICHARD CARTWRIGHT. Then it is clear that this company have no *locus standi* here at all. This is nearly the end of the fourth year. I quite agree with everything that has been said as to the very doubtful nature of this experiment, and I think the House ought to pause in view of the certain fact that, over and above our present very large debt, we have many millions of liabilities yet undischarged which we will assuredly have to meet.

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

(In the Committee.)

Mr. CHAIRMAN. Shall the resolution be adopted?

Mr. MITCHELL. Not if I can help it. I was interrupted a short time ago, and I now desire to say what I had to say then. I simply wish to observe that the hon. gentleman from Westmoreland (Mr. Wood) has chosen to refer to some scheme which I have had the honor of bringing before this House. I am not aware of any scheme demanding a vote of public money which I have brought before the House which has not been in the public interest, or in regard to which it is not recognised, where the money has been expended, that it has been of great public service. I have never had my name in any of these charters and I have never derived any benefit from them. What I did was done in the interest of the public, and the money that was expended was expended in the public interest. The hon. gentleman does not answer the question which I asked of him, whether as a commercial undertaking he believed in the result of this work. I have not got an answer yet from the hon. gentleman from Westmoreland, but I inferred, and I think I had a right to infer, from the manner in which he spoke, that he had no commercial faith in this undertaking. Now, that was all I intended to say some time ago, and all I intend to say now, and if I had been allowed to say it then, it would have saved some time now.

Resolution to be reported.

Mr. MITCHELL. This is the first time that I ever saw an important measure of this kind, involving an expenditure of nearly \$4,000,000, pass through this House without anyone being able to show any practical benefits to result from it.

INLAND REVENUE ACT AMENDMENT.

House resolved itself into committee on certain proposed resolutions (page 601) to amend the Consolidated Inland Revenue Act and the Act amending the same.

(In the Committee.)

On resolution 1,

Mr. COSTIGAN. At present, when a change takes place in the Excise duties, it involves a hardship to the manufac-

turers, or it might involve a hardship. For instance, they may manufacture goods during the month of April. The accounts have to be rendered up to the 1st of May, covering the whole of April, they may have disposed of part of their goods affected by the Excise duties. On the 24th April the Excise duty may have been increased, and, according to the strict reading of the existing law, they would be obliged to pay into the Treasury the difference between the duty as it stood when they sold the goods and the duty imposed afterwards. It is to remove that objection that the change is now proposed. If the goods manufactured are sold before the increase takes place, they should not become subject to the duty.

Sir RICHARD CARTWRIGHT. I see clearly enough what the hon. gentleman proposes to do, but I do not see the desirability of it from considerations of general policy. This is practically to offer a sort of premium to the manufacturers of spirituous liquors or ales, and I suppose other exciseable liquors, to make as much as they can in the early part of the month in which the changes of the revenue take place, and perhaps to sell them. I do not think that these parties are deserving of any special consideration at our hands. The hon. member explained to us very learnedly last Session that in the case of spirituous liquors, and I suppose the same holds to some extent in the case of beer—if not, his colleague beside him can correct me—it is not desirable to sell these freshly made. There are special provisions to prevent their being freshly sold on the ground of injury to the public health. I think for that very reason the hon. gentleman's present proposition is inadvisable. It is not at all desirable that parties should be encouraged to manufacture largely just before they expect a change in the revenue laws, and should be encouraged, as they will be, if this passes, to sell their goods. I think that the old law did no practical harm. It added a little to our revenue, and prevented, to some extent, the anticipation of duties which always takes place, as we have had ample proof time and again, when a new tariff was proposed. I cannot see that there are any sufficiently good reasons for this, or that there is any hardship which deserves to be removed, caused by the operation of this law. We have worked under the old law for a great many years, and this is the first time I have heard any serious complaints made of the injury done to manufacturers.

Mr. COSTIGAN. This is not at all done with the view of giving special favors to the manufacturers of spirituous liquors or beer, nor is it in any way favoring them. It is a matter of simple justice, and it is only upon that ground that we propose this resolution. It applies not only to spirits and beer, but to all classes of goods subject to Excise.

Sir RICHARD CARTWRIGHT. There is no other, except tobacco.

Mr. COSTIGAN. Tobacco, cigars and vinegars—everything that comes under the Excise law. After all, Mr. Chairman, we are going back to the old law after the experience we have had upon this principle of three or four years. I may say, for the information of the House, that formerly the accounts were made up semi-monthly; now they cover the whole month, so that the operation of this Act will give less cause of complaint to these men than when they made up their accounts twice a month. For instance, importers of goods subject to Customs duties are not obliged to pay those duties if they can take their goods out of the Customs at any day of the month and pay the duty then actually due under the existing law. Now, there is no reason why one Department should deal differently with the public than another Department. This will not involve any loss to the revenue, but it relieves men from paying duty, on goods they have already sold, subject to

Mr. COSTIGAN.

one rate of duty, at a higher rate of duty after the goods are sold.

Sir RICHARD CARTWRIGHT. All these parties anticipate habitually, whenever the tariff comes into force, and make considerable money out of the projected changes by their anticipation. That is constantly done, and that is one reason why I do not think they deserve any special indulgence. The hon. gentleman states, and there is no doubt he is correct, that these accounts were only fortnightly before, and that they may now be made monthly. I should like to know when that change came into effect.

Mr. COSTIGAN. The change was made under the Act of 1883.

Sir RICHARD CARTWRIGHT. Do these monthly returns vary in the case of different distillers or manufacturers, or are they all on a particular day of the month throughout the Dominion?

Mr. COSTIGAN. In all cases on the first day of the month, throughout the Dominion.

Sir RICHARD CARTWRIGHT. Then the Minister of Finance has it a good deal in his own hands; if he brings down his Budget on the first days of the month, he can prevent any confusion arising.

On resolution 2,

Mr. COSTIGAN. This is to provide that the Governor in Council may have power to make regulations to dispose of fusil oil, otherwise than by destroying it. We have applications from parties engaged in manufacturing chemical articles, that this fusil oil would be useful in the manufacture of their preparations; and instead of wasting that quantity for which we have to pay the distillers, we provide that it may be utilised under proper safeguards.

Mr. BLAKE. Has the hon. gentleman found that it is utilised in other countries?

Mr. COSTIGAN. No, I have not heard that it is.

Sir RICHARD CARTWRIGHT. The hon. gentleman stated just now that he had to pay the distillers. I was not aware that any special allowance was made to them. What has he been in the habit of allowing?

Mr. COSTIGAN. The percentage allowed has not exceeded 3 per cent. for such quantities of fusil oil or other refuse as is separated therefrom by a second process of manufacturing.

Sir RICHARD CARTWRIGHT. That is a reduction in the tax, I suppose?

Mr. COSTIGAN. No, it is necessary that that fusil oil should be taken from the spirits as a poisonous substance, and it is on that ground that we charge the duty upon the actual quantity of spirits.

Sir RICHARD CARTWRIGHT. There are other clauses on which the hon. gentleman has not touched. What is the meaning of the provision that abatement for shrinkage is to be allowed in reference to spirits maturing in ventilating tanks, and in what respect does it differ or modify the existing law?

Mr. COSTIGAN. The only change now proposed is to take the ground occupied during the discussion last year by the Department. The present Act provides for the shrinkage in maturing whiskey or spirits; but it provides that this process of maturing shall take place in wooden tanks or vessels. It has been found that the distillers have large amounts of money invested in copper tanks. During last year tests and experiments have been made with a view to establish the fact that the process of maturing spirits may be effected in copper tanks as well as in wooden tanks.

That is not yet established, but the Department has sufficient information to show that it may be accomplished by ventilation. It was thought at one time that the whole process of maturing was due to a portion of the objectionable elements being absorbed in the wooden vessels. It has been pretty clearly established that while some of the elements are soaked up by the wood, the greater proportion disappear by evaporation and the action of the air on the liquid itself, and that by the action of the air upon the liquid in the copper tanks, the same process can be carried out. The only change here is to take power so that if it be established that this object can be secured by the use of copper tanks, the Governor in Council shall have power to allow maturing to take place in copper tanks as well as in wooden tanks.

Mr. BLAKE. This subject was up last year, and at that time the hon. gentleman stated that he had not any data or basis on which he could rely, and the House, at my suggestion, declined to adopt the proposal. And I do not understand that the hon. gentleman has any more data or proof to-day. He says some experiments have been made since the close of last Session, that they may possibly prove that the arrangement suggested would be feasible. But the experiment should be continued, and after it had been ascertained that the new system was practicable, then the hon. gentleman should ask the House to legislate on the basis of the experiment which had produced such results. These are very serious questions. It is a very serious question to understand what kind of special provision in regard to the tank would accomplish the object, and to what extent evaporation would take place; on what principle the abatement should be made. Is it that we in Canada are so far in advance of all other countries that we are able to make a provision in the way of experimental legislation which has not been made in any other country? I asked that last year. The hon. gentleman said he did not think any such provision was made elsewhere. If such a provision has not been made elsewhere, and if the experiments made do not satisfy even the Minister himself that the proposition is practicable, the proposal should not be made. This must come from the distillers.

Mr. COSTIGAN. With regard to the principle of maturing spirits in wooden vessels I was not aware that that question was disputed last year. Last year I stated that so far as regards the effect of aging or maturing spirits in wooden vessels was concerned, that appeared to be generally admitted all over the world, and in Great Britain it had been acted upon for years—the distillers aging the whiskey in wooden vessels. The hon. gentleman says the proposal covered by the resolution is an experiment, and that we should not adopt it until the tests which we have been making are completed. We do not propose to act before that time. The distillers, however, have invested very large sums of money, many thousands of dollars, in erecting copper tanks—I dare say Gooderham & Worts must have eighty of those large copper tanks, which must have cost a very large sum of money—and it would be an arbitrary rule, while there is a probability of maturing the spirits in the copper tanks as well as in the wooden tanks, to say that the copper tanks shall be swept away and their places supplied by wooden tanks. We do not say that the law should recognise copper tanks; but as we have information that leads us to believe that probably the same results may be achieved with the copper tanks, that power should be left with the Governor in Council. If it can be established that the same results can be reached by maturing spirits in copper instead of wooden tanks, there can certainly be no injustice, in the event of the Government being satisfied with the experiments, to allow the distillers to use copper tanks.

Mr. BLAKE. I am sorry the hon. gentleman has forgotten the legislation he proposed last Session. He made last Session the same proposal. He struck it out on my stating that it was an objectionable principle to pass legislation until the experiments had been completed. His proposal in regard to wooden tanks is one thing, and that in regard to ventilating tanks is another thing. Last year his proposal was struck out because he did not place himself in a position where he was able to say that experiments had been completed. This time he says some experiments are going on; a certain degree of progress has been made; and probably it may be found that what he proposes is practicable. The experiment should go on to completion, and Parliament should not be asked to legislate in advance. If the experiments have produced certain results, let us have the reports of the Department, let us see what the experiments are and what are the scientific results; because we have to consider what abatement should be made. This has been arrived at by experience in regard to wooden tanks, but we have had no experience in regard to the evaporation with ventilating tanks. This is a proposal which the distillers have made to the hon. gentleman, because he says they have a large amount of money invested in copper tanks. They have told him that they think they can produce the necessary results with those tanks at a future day, therefore he says, legislate on trust. You legislate, you do your duty; it will be all right, if it is all right. I say the hon. gentleman has surrendered to the distillers who have put pressure on him.

Mr. COSTIGAN. We can settle the matter very easily. The hon. gentleman says when the subject was introduced last year, on his raising an objection on this point I allowed it to be struck out. At that time no experiments had been made. Now we have experiments, and they have satisfied me that they indicate that the maturing of spirits can be done in copper tanks. I have suggested it, knowing that we have had experiments made during the last few months, and the best officers of the Department have reported that they have no doubt that this arrangement will produce the same effect. The hon. gentleman asked me for additional information and I yielded to his request, and now I ask him to return the same favor and allow me to go on.

Mr. BLAKE. I do not take this to be a matter of favor from the hon. gentleman to me or from me to the hon. gentleman. I do not understand those to be the principles upon which legislation is conducted in this House, or the principles upon which it would be proper to conduct it in any House. It is a question of what is right in the interests of the country. The hon. gentleman has enlarged his statement because he told us first that the officers of his Department thought it was possible; a little later he said it was probable; and now he says there is no doubt of it. According to the hon. gentleman's process of reasoning, I am afraid myself that these experiments which have produced such varying effects in the hon. gentleman's mind, must have been conducted on a distiller's premises. One would like to know how much information has been derived during these eventful nine months, upon which information the hon. gentleman proposes to make this change. What principles of action are to be applied? You cannot apply the same principles as were applied in the case of the wooden tanks, because there is ventilation from the tanks themselves as well as from the ventilating holes and the draughts of air. I should say, therefore, that the experiments should last a considerable time in order that one might ascertain, first of all, whether the practical results were obtained; and, secondly, at what rate they were obtained, and at what rate we should allow abatement. I do not think the hon. gentleman has shown any greater basis for legislation to-

day than he did last year; and I do not think we should allow this large abatement to be made by the Government until the Government brings down the practical results of the experiments, which will show whether the change is a feasible one or not. I asked the hon. gentleman for the experience of other countries in which spirits are manufactured, but he is not able to say.

Mr. COSTIGAN. We do not ask power to legislate directly, but if there is no shrinkage we have no abatement to make. If the shrinkage does not produce the expected results, we know what the shrinkage is when the liquor is matured in the wooden tanks. The hon. gentleman does not, of course, put confidence in the Government in dealing with these questions, but such powers are frequently taken by every Government. We simply ask power in case these tanks are found to answer the purpose, that the same law with regard to shrinkage shall apply to them as to the wooden tanks, but not otherwise.

Mr. BLAKE. I do not think there is any use in my pursuing this branch of the subject any further. Will the hon. gentleman state what application is proposed to be made, mechanical or otherwise, of the fusil oil which is now destroyed?

Mr. COSTIGAN. I do not allude to any particular application.

Mr. BLAKE. Yes, that is the reason I ask.

Mr. COSTIGAN. Some of the manufacturers claim that they can make illuminating oil of it, and it may be used in several ways. We simply ask power to have it utilised without injury to the public instead of destroying it as we do at present.

Mr. BLAKE. Certainly, but the hon. gentleman has passed a law which declares that it cannot be utilised with safety to the public, but must be destroyed, because that is the only use which could be made of it—if it can be called a use.

Mr. COSTIGAN. We propose now to make regulations to guard its use so that it shall only be used under regulations of the Department.

Mr. BLAKE. Under the law which the hon. gentleman passed, he prescribed its destruction, and, therefore, unless some new state of things has arisen, it should be destroyed. But the hon. gentleman does not tell us that a new state of things has arisen. It would be easy for him to defend this proposition, by simply stating the Department had been shown that a good, safe, mechanical or mercantile use could be made of the oil. But he does not say that; he says somebody has told him that perhaps it might be so used. All I ask is, who said it, and what use can be made of it?

Mr. COSTIGAN. Most of these communications from the public come directly to the Commissioner, who is an experienced officer, thoroughly familiar with the work of the Department, and I get my information from him. I can furnish the hon. gentleman, to a reasonable extent, at a future stage, with the information he wants with regard to the use that may be made of fusil oil.

Mr. BLAKE. I am, unfortunately, unable to make myself intelligible to the hon. gentleman. All I ask him to do is to show us some reason why the law should be amended at present. He simply says that if the condition of things that existed when he passed the law has changed, then it would be right that he should change the law, and I quite agree with him. But I ask him to say how the conditions have changed, and he says he will give me that information at a future stage. Perhaps he will also give me some information as to the extent that it is possible or probable that evaporation can go on with the ventilating tanks.

Mr. BLAKE.

Mr. COSTIGAN. I will not promise to do anything of the kind. I will give the hon. gentleman the information I promised in regard to the fusil oil. On the other points I think I have given him all the information he can reasonably desire, and I know the hon. gentleman does not think it in the public interest that he should have all this information that he calls for. I think the House looks on the proposition as a reasonable one and will accept it, and with regard to the uses made of fusil oil under the control of the Department, I will furnish information on that subject.

Mr. BLAKE. Whatever the hon. gentleman knows, I think he had better not say that I know that the information I am asking is not required in the public interest, because he cannot know that. I admit at once that he is a complete master of his Department. On every occasion he shows that to the House; but he has not a knowledge of the mind or the views of every member of the House. Now, I conceive it to be a very important question, this whole question of abatement for the evaporation of spirits. Last Session we took the views of the hon. gentleman based on the experience of other countries. We declined, on that occasion, to take his views with regard to the ventilating tanks, which were thoroughly theoretical; and now he says he has made some experiments which have not satisfied him so far, and he says he does not intend to act on them before being satisfied. I maintain that that is putting the cart before the horse. I maintain that when we are called on to legislate, we should legislate on experiments which have succeeded, and not legislate on the theory that if the Government find they can do this or that, the law is to be changed at their instance. That, in fact, would be abnegating our functions, and handing them over to the Governor in Council. Our laws ought to be based on our reasons being reached, not on the hon. gentleman's, however much he may be the master of his Department, saying I won't put the law in force unless I am satisfied it should be put in force.

On resolution 3,

Sir RICHARD CARTWRIGHT. What is the alteration here?

Mr. COSTIGAN. The object is a further protection to the revenue, by making provision that malt may not pass into the hands of persons who might make illicit use of it.

Sir RICHARD CARTWRIGHT. I understand that may be convenient; but in what respect does that differ from the existing law? This refers, I suppose, simply to malt produced in a distillery or a brewery, or does it refer to malt made elsewhere?

Mr. COSTIGAN. All malt is manufactured under the control of the Department. This is a protection to the licensed brewers and distillers as well as to the public.

Mr. PATERSON (Brant). The hon. Minister will have to remember that bakers use malt largely. I do not know whether this will inconvenience them seriously or not. I think there might be an exemption made in their favor.

Mr. COSTIGAN. I think under the Act they can get a permit to use the very small quantity of malt they require.

Mr. BLAKE. There would have to be a permit for each case—a daily permit.

Mr. PATERSON (Brant). It would be a pity to have the baking industry hampered in that way. I think the law should be altered to exempt bakers.

Mr. COSTIGAN. When we come to the Bill we can deal with that without any difficulty by amending the clause.

On resolution 4,

Mr. BLAKE. What is paragraph 2 of section 226, which he proposes to vary?

Mr. COSTIGAN. The effect of the change is to benefit the manufacturers of chemicals and other products in which spirits are used, to the extent that the distillers in Canada will not be enabled to charge extravagant prices to the manufacturers of Canadian spirits, as by these regulations they will be brought into competition with foreign distillers.

Mr. BLAKE. What is the variation proposed to be authorised by the fourth line of this paragraph?

Mr. COSTIGAN. At present the importer has to pay the difference between the Excise and Customs duties, and this authorises the Governor in Council to vary the duty, which would be oftener less than higher.

Mr. BLAKE. It is proposed to give the Governor in Council power to lower or increase the duty at their pleasure. If power is given to vary, it must be to increase or diminish. The hon. gentleman said that, under the practical operation of the law, there was, to a certain extent, a monopoly among the distillers, who might charge too high prices to the manufacturer who requires these particular goods which the distiller produces, and who has practically no redress unless he pays the Customs duties, and then the hon. gentleman proposes to give the Governor in Council power to vary the duties.

Mr. COSTIGAN. To vary them so far as regards the difference between the Excise and the Customs duty. The law allows the goods to come in bond for manufacturing purposes, and to be taken out of bond at the difference between the Customs and Excise duties.

Mr. BLAKE. What is proposed to do?

Mr. COSTIGAN. It is proposed to leave that open to be varied by the Governor in Council as the interests of the public require.

Mr. BLAKE. I do not know about the interests of the public; but it seems to me a very extraordinary proposition that Parliament, which fixes the duties, which fixes the amount that the public or the manufacturer is to pay, should now be asked to leave it to the Governor in Council to fix what the rate of payment should be. At present, the operation of the law is, as the hon. gentleman says, that the goods which are imported for use as raw material by those who require them are allowed to be used by those persons on their paying the difference between the Customs and Excise duties. But, under this proposition, the duty may be varied by the Governor in Council. It may be heightened or it may be lowered, and there may be an increased charge at the pleasure of the Governor in Council. The principle upon which the change is to take place is not stated, and it is proposed, contrary, as I conceive, to the rules of Parliament, to give the Governor in Council power practically to make the impost.

Mr. COSTIGAN. Power to reduce it.

Mr. BLAKE. The hon. gentleman's proposal does not say it shall be lawful to diminish, but that it shall be lawful to vary the charge. A variation must be created by an increase.

Mr. COSTIGAN. Would the hon. gentleman be satisfied if it were provided that it should be a decrease?

Mr. BLAKE. I think it would be an improvement.

Mr. COSTIGAN. I propose to add to the fourth paragraph: "Provided that no increase shall be made in such duties."

Amendment agreed to.

Sir RICHARD CARTWRIGHT. The hon. gentleman did not say anything in regard to the effect of this resolution in reference to the prohibition of the removal of methylated spirits without a permit. What is the reason for that alteration?

Mr. COSTIGAN. It is found that methylated spirits find their way into public use and are very often sold as a beverage when mixed with alcohol. That, of course, is very objectionable, and it is to protect the public against that that this clause is inserted.

Sir RICHARD CARTWRIGHT. Are there not many persons who require, in connection with their business, to have possession of methylated spirits, and would not this subject a very large number of such persons to be fined if they were found in possession of any quantity, however small? I am not conversant with all the trades that use methylated spirits, but I think that might cover a very large number of people that the hon. gentleman would hardly propose to fine for having possession of such a small quantity of this article. There is a danger in making them so wide that they will be practically inoperative.

Mr. COSTIGAN. It is difficult to meet all these points that may possibly arise. But the greater evil is dealt with. I am informed this same provision is in the English law.

Mr. BLAKE. That may be quite true. But we all know that if we are obliging those who require to use an article in numerous trades, to obtain permits, we are putting a considerable restriction upon trade, and considerable vexation.

Sir RICHARD CARTWRIGHT. What is the fee demanded for the possession of a permit? It is not granted as a matter of course, I know. I think a considerable fee is usually required from all parties carrying on business.

Mr. COSTIGAN. No, I think that we shall not ask any fee at all in such cases as the hon. member suggests.

Sir RICHARD CARTWRIGHT. Is it to be granted as of courtesy?

Mr. COSTIGAN. Yes.

Sir RICHARD CARTWRIGHT. I should be glad if the hon. gentleman would, if he could, give us some details, when this comes on to the next stage, as to the number of trades that are affected. My own impression is that a considerable number would be affected by it, much larger than any body would suppose.

Mr. BLAKE. Are methylated spirits used for illuminating purposes at all?

Mr. COSTIGAN. In some cases, I am informed, they are used—not generally.

On resolution 5,

Sir RICHARD CARTWRIGHT. What is the variation between the present law and this provision?

Mr. COSTIGAN. This change is to facilitate the business transactions by the manufacturers in disposing of their stock. It reduces the quantity required for ex-warehousing, from the present Act. At present the manufacturer of tobacco from the Canadian leaf labors under a disadvantage from which the manufacturer from the foreign leaf is free. The foreign leaf may be brought into the country in bond, and when manufactured removed in bond from one warehouse to another, without paying duty until disposed of, while the Canadian leaf can only be bonded once, and, therefore, we propose to extend the privilege of removing tobacco, manufactured from the Canadian leaf, from one warehouse to another, when the packages are not less than ten pounds.

On resolution 6,

Mr. BERGIN. Before the resolution is adopted, I wish to call the attention of the House to the oleomargarine question. I do not think, Sir, that the House and public generally are sufficiently acquainted with the method of the manufacture of oleomargarine, or with the materials

of which it is prepared. The great centre at which oleomargarine is prepared, is Hunter's Point, in the State of New York. It is true, as a gentleman behind me remarks, that there are large factories at Chicago also, but the manufacturing at Hunter's Point are the largest in the States. At that point the factories are entirely in the hands of Jews. Dead cattle, dead hogs, dead horses, dead cats, too, I might say, are used for the production of this article, which is thrown upon the market as human food, and as a substitute for one of the most wholesome and healthful foods employed by the people. Animals which die in the cars from over-crowding, or are strangled to death, animals that die from disease, are purchased at a nominal sum by these people. Hogs that die from disease, from hog cholera, and from charbon, horses that die, and cattle that die from pleuro-pneumonia are used in the manufacture; and the counties around New York furnish a large number of cattle which die in the distilleries and in the cattle byres from that terribly infectious disease, pleuro-pneumonia, and are taken to these factories by the hundred and by the thousand, many of them in such a state that if you take hold of them by the leg you draw the leg off. These are thrown into vats where they are subjected to a heat of over 300 degrees, until the fat separates from the flesh and the bones and the hides and floats upon the top, and the offal goes to the bottom. When this separation takes place, after the heat has been applied long enough—a heat that, I make bold to say, does not destroy the germs of disease in those dead carcasses—the vacuum pump is applied, the vats are cooled until the temperature comes down to about 150 degrees, when ice is thrown in and after a time the fat separates and becomes hard. Then the man-holes are opened, water is poured in until a couple of feet of water are between the offal and the hardened fat, the water is run off, the offal is allowed to escape from the bottom, the fat is taken out and then bleached by the application of sulphuric acid and other chemicals. It is contended by the parties who own those factories and make human food out of the rotten, decayed carcasses that the chemicals destroy all the diseased particles. No proof of that has ever been produced. On the contrary, we know, as was stated by the hon. member for Dundas (Mr. Hickey) the other night, that where animals, which died of a certain disease, were buried as deep as eight or ten feet under ground, a year afterwards healthy animals feeding on the ground under which those diseased animals had been buried were infected with the same disease and it spread among the cattle throughout the surrounding country. Yet this is the material from which human food, an article designed to take the place of butter, is manufactured, and it can be produced at so cheap a rate that it is impossible for the honest dairyman or for the honest butter-maker to compete. In preparing this food the manufacturers designedly go to work to deceive. By machinery, after they have bleached this fat to the color they desire, by means of chemicals so as to place the article on the market, they granulate it so as to give it the appearance of butter. They imitate what is called gilt-edge butter so closely that it is impossible for anyone to tell whether it is the genuine article or not. The manufacturers also add chemicals so as to change the odor to that of first-class butter, and they add chemicals to give it a flavor. Whether those chemicals added to make oleomargarine are likely to add to the healthfulness of the product or not, I leave for the House to declare. But I do say that the Government should hesitate before they allow to be manufactured in this country or sold here an article which is the product of rotten and diseased carcasses. What I think the Government should do under the circumstances is to issue a commission and send that commission to Chicago and the State of New York, to Hunter's Point, to see for themselves the matter from which this oleomargarine is manufactured and

Mr. BERGIN.

the way in which it is manufactured, the fraudulent processes through which this is being put in order that the manufacturers may be able to place it upon the market as human food and so deceive the public that they will buy this article as pure butter when they are really buying the vilest compound ever manufactured by chemical means. I think the Government would not err just now if they were to confiscate the oleomargarine that is to-day in the country. At all events if they do not do that, I think it is their duty to prohibit the sale of the oleomargarine now in the country until the commission reports, and if after the report of that commission the Government decides to allow oleomargarine to be manufactured here, it should only be for exportation. Canadians ought to be fed upon something better than oleomargarine. We ought not to allow any class of men to come here and impose upon our people as human food that which we would not give to our dogs if we saw the manner in which it was manufactured and the materials from which it is made. It is monstrous to suppose that material like that should be sold to our people as pure butter, and I think the Government, now that their attention has been called to it, and they have, at all events, the evidence I offer them of the kind of material of which oleomargarine is compounded, should listen to the suggestions we offer. I am far from believing that oleomargarine is not a source of disease. I am far from believing it can be safely used, and we are yet to be convinced that many of the diseases to which people in the large cities and towns are subjected are not the result of using oleomargarine. At all events, we know that since the introduction of that food certain poisonous blood diseases have become more frequent and more deadly. These remarks I offer to the Government in the hope that they will take heed and that they will not allow factories of this kind to be established in the country until a most thorough investigation has been made. I know that of which I speak. I know that the evil has grown to such an extent that the authorities of the United States, not only the Federal Government but the several State Governments, have had their attention called to it. Last year a meeting was held—true it was a secret session—at the Cooper Institute, in New York city, at which prominent dairymen of the United States were invited to be present. The most able of the internal revenue officers were present at that meeting. Evidence was produced more terrible, more horrible and disgusting than anything I have put before the House to-night with respect to the manufacture of oleomargarine. Excuses were attempted to be made on the part of manufacturers of that vile compound by stating that butyric and butyric acids and all the noxious compounds were removed by the chemicals used in its manufacture. But they failed to prove their assertion. At that meeting at which there were present most of the prominent dairymen of the State, including representatives from Orange county, which is famed for the character of its butter the wide world over, probably the most prominent man, who kept silent during the whole of the proceedings, was the greatest authority. When asked what he had to say he replied, in a speech characteristic of his countrymen, leaning his hands on the table: "I have heard it all. I have got the best bred and best fed cows in the State of New York, but I can tell you that the best bred and the best fed cows are nowhere when they come into competition with a dead rotten hog." What that man said in his homely Yankee phrase was the truth, the whole truth and nothing but the truth as regards oleomargarine.

Mr. JACKSON. The hon. member for Cornwall (Mr. Bergin) has been spreading it a little thick. My opinion in regard to this matter is that hon. members who have been asking the Government to prohibit the article, do not know anything about it. I have had considerable experience

with oleomargarine and butterine. The fact is that this article is equal to the common class of butter. If such is the case, and if it has been analysed and found not to be injurious to the public health, then I say it should be allowed to be manufactured in this country, but my opinion is that if it is not injurious to the public health, it should be allowed to be manufactured free of Excise, because it will go into common use with the poorer classes of the country, and if it cannot be detected from butter it must be a good article. I have seen the article. I have bought it and tasted it, and the sample which was handed round this Chamber within the last few days is a very inferior article. I went to Chicago last fall buying supplies for my lumber camp. I had always bought butter, but on this occasion the dealer asked me why I did not buy this article, oleomargarine or butterine. I said I did not think it was fit for people to use, and he replied: You are entirely mistaken; try it. I tried a sample. I tasted it and examined it, and I made up my mind it was equal to good, fair butter, and I bought a large supply for one of my lumber camps in Michigan. To tell you the truth of the matter, I had always taken in butter before, but the men always complained that the butter got strong, but since this particular occasion there has not been a single complaint against this oleomargarine. They have used it, and of course they did not know it was oleomargarine —

Some hon. MEMBERS. Hear, hear.

Mr. JACKSON. So long as they did not know it, and so long as they thought it was good butter, and if it was not injurious to health, I do not see why they should not use it. My opinion is that the Government, instead of putting an Excise duty on the article, should reduce the Excise so that it could be manufactured in this country. The general public cannot tell it from butter, and it can be used by the poorer classes because it is better than some butter. If they cannot tell it from butter, and if it is not injurious to health, let them stamp the article for what it is; do not deceive the people, but allow it to be manufactured in this country, as it is cheaper and better for that purpose. I believe it would be doing justice to the poorer classes of this country, if, instead of putting the Excise duty at 8 cents, it should be reduced to 4 cents, or taken off entirely.

Mr. BERGIN. I did not suppose the day would ever come when any man in the Parliament of Canada would dare to stand up and advocate the feeding of the product of such rotten carcasses as I have described to the people of this country instead of butter. But when, in addition to his hardihood in advocating that view, the hon. gentleman tells us that he has been in the habit of feeding it to his employees; that he found it to be cheaper than butter, and that they did not find it to be worse than the butter with which he fed them, all I can say is, I can well believe it. But, Sir, we know that butter will become rancid and strong, and we know that oleomargarine remains always the same rotten thing, with the smell and taste disguised to the end. It cannot get worse. It may be good enough in that hon. gentleman's opinion to feed to the men he employs, but it is not good enough to feed to good, honest Canadian citizens. It was urged very strongly the other day, in the progress of this debate, that on account of its cheapness it should be admitted as human food, but I contend that this is an argument which should be scouted. We, Sir, in this Parliament have a duty to perform to the country. We ought not to permit anything which is diseased or poisoned to be used as human food. We owe it also to the farmers of the country that we should protect them. Theirs is the largest and most powerful interest in the country, and we ought not, because there are men who think that anything is good enough to feed those whom they employ, to allow poisonous products of this kind to be introduced into the country and used daily for human food. How do

we know that many of the diseases which carry off such large numbers of children, particularly in larger cities and towns, are not due to the consumption of these villainous compounds. We know that the three hundred and odd degrees of heat to which these carcasses are subjected, is not sufficient to destroy all of the poisonous germs, and I do not think there is anyone in this House, who gives the matter proper consideration, who will for a moment believe that it is as well to fill the stomachs of our people, be they adults or children, with the fat from rotten or diseased animals, combined with chemicals which we know are destructive of human life. I think the Government will receive with consideration what I have offered, and I think they will scout the suggestion offered by the hon. gentleman opposite. All we ask the Government to do is to enquire whether the statements I have made are correct or incorrect. If they are found to be true then there can be no excuse for allowing oleomargarine to be manufactured or sold in this country. If they are found not to be true then I shall be obliged to admit what the hon. gentleman from South Norfolk (Mr. Jackson) says — that anything is good enough to feed his employees.

Mr. JACKSON. I did not say anything of the kind, but the hon. gentleman is so prejudiced against this article that he could not deal with it fairly. I said if it was not injurious to the public health—as the Minister stated it was not—if it could be produced so that consumers could not tell it from butter, we should allow the consumers to have it. The hon. gentleman referred to me as though I fed my men on poor articles. If they will go to my lumber camp in Michigan they will find that Michigan lumbermen do not starve their men. They feed their men on the best there is to be got, and I say that the butterine that I supplied those men was equal to, if not better than the butter which I had always supplied them. They found no fault with it, but the hon. gentleman is so prejudiced that he could not look into the matter fairly.

Mr. TAYLOR. I am glad to see that what opposition exists to the policy of prohibiting the manufacture of oleomargarine comes from the other side of the House. I would like to ask the hon. member for South Norfolk (Mr. Jackson) if he informed his men to whom he fed this oleomargarine or butterine what the article really was? He says that the Government should properly brand the article, but did he brand what he fed to his men; did they know what it was? My hon. friend from North Leeds was sent a sample of oleomargarine yesterday. A friend of his who was in the States bought two pounds, at 9 cents a pound, and that sample is in the House, and it was that sample which I showed my hon. friend yesterday. It requires an expert to tell it, if it was only nine or ten days old when it was on exhibition. I wonder if the hon. member for South Norfolk (Mr. Jackson) would like to have the farmers of his county compete on the market with this article which sells for 9 cents a pound? I think that hon. gentleman made a speech a few years ago in favor of lowering the standard of oats from thirty-four pounds a bushel to thirty-two pounds a bushel, so that farmers could get as much for thirty-two pounds of oats as they used to get for thirty-four. That was the substance of his argument. Now, he wants them to put their butter in competition with oleomargarine at 9 cents a pound. I am glad the lumbermen that he fed with this article were in the United States and not in Canada. I am glad to know there is not a gentleman on this side of the House who favors the production of that article in Canada.

Mr. GILLMOR. Well, Sir, the Government the hon. gentleman supports intend to have it manufactured here. Is that the way the hon. gentleman wants to protect the farmers—to force them into competition with oleomargarine manufactured in this country as well as that imported

from the United States. I, myself, made some remarks on this matter the other day, and I certainly was not aware that the article was made from the decayed bodies of animals. I really cannot conceive of that; I think there must be some mistake. I know that some years ago, when I was in New York, I found that the poor people of that city were in the habit of buying an article of this kind because they were not able to buy butter, and I am sure it was a healthy article. I do not think there can be any objection to it if it is not injurious to public health; but if it is to be manufactured, and if those who manufacture it will be buying the dead bodies of horses and cows, as we are told they do in the United States, I think both its manufacture and importation should be prohibited.

Mr. IRVINE. I have nothing to say in favor of the manufacture of this article. I think there is plenty of butter in the country, and it is cheap enough. But while I am of that opinion, I think the statements made by the hon. member for Cornwall (Mr. Bergin) are very highly colored and very much exaggerated. If we took all the dead animals in the country, I think they would yield very little fat out of which to make oleomargarine. I have never seen the article; but I have always understood that it was made principally out of tallow. We know that the price of tallow is from \$4 to \$6 per cwt., and tallow is certainly not an unwholesome article; and at that rate oleomargarine could be manufactured and sold at a handsome profit for 8 or 9 cents a pound. But this is the first time I have learned that there were so many dead animals in the country or that there was so much fat in them. The hon. gentleman sneered at my hon. friend about feeding his men on that article, which was good enough for people on the other side of the line. I know the average American, and he is quite as able to tell a good article when he sees it as a Canadian. If oleomargarine is anything worse than the butter which comes from Ontario down to St. John, N.B., it is certainly not worth much. I am willing that the article should be put alongside of butter, and I will guarantee that you will not deceive a New Brunswicker with it. You might deceive an Ontario man, who has eaten the stinking stuff which is sent down to us, but not a New Brunswicker.

Mr. GAULT. If this article is all that it is represented to be, I think we should not manufacture it in Canada to send to people on the other side of the Atlantic. I know that a man was arrested in Liverpool for selling spurious butter there, and he had great difficulty in getting away. If this article is what the hon. member for Cornwall says it is, it should not be allowed to be manufactured at all. But I hope the members who represent farming constituencies will make it a point to go around and ask the farmers to instruct their wives how to make butter. A great deal of the butter we get in Montreal is not fit for use.

Mr. FISHER. Before this resolution passes I should like the Minister to make some explanations with regard to the means he intends to use for restricting the manufacture and to insist on a healthy product being put on the market, if after what we have heard it is possible that oleomargarine can be healthful.

Mr. HESSON. I should be glad if the Government would take the whole matter into consideration as to whether there is not enough butter in the country and whether the price of it is not sufficiently low as to make it unnecessary to permit the manufacture of an article of this kind at all. There is not a gentleman in this House identified with the agricultural interest who does not know that there is abundance of butter produced in this country and that the larger proportion of it is very good indeed. It is only the handling that it gets in the country stores that makes it inferior for use by the time it reaches a distance

from where it is made. After it has passed through the hands of many country merchants, by whom a variety of quantities are packed together in tubs, is then shipped in hot cars, is frequently left standing on the wharves of towns and cities on the way to its destination, and is then retailed in some filthy store. It is not reasonable to suppose that farmers' butter will always be as nice as the tasteful housekeeper would like to have it on the table. If we have a quantity of butter that is inferior in its quality when it reaches the market, is it not fair to assume that it would be unwise to introduce a substitute even in our own market for those who are obliged to buy a poor article, when that substitute is more unhealthful still than the strong-tasting butter that is so properly objected to now. I do not think it would improve the manufacture of butter in Canada, or that it would give employment to many extra hands; and it would be simply, as appears from what the hon. member for Cornwall says, to get rid of the dead stock, such as cattle dying on railway trains, or in passing from one stock yard to another. Now, I think the Government ought to prevent both the manufacture and the importation of it. If 8 or 10 cents a pound is not sufficient duty, I would certainly advise the Government to put on sufficient to prevent its importation altogether. There is no necessity for it. Butter is cheap, and our people are not so poor that they cannot buy good butter and pay the price for it. There may be some poor families who cannot afford to buy the best butter; but is it advisable to put an article in their way which is going materially to damage the health of the family as well as the reputation of our butter in the market? What would be the result? You would put on the market here an article that would enter into competition with dairy-made butter, the product of our farms. And as hon. gentlemen say that you cannot even detect the one from the other, what would be the result? It would probably be to force on the foreign market, as best Canadian dairy butter, an adulterated substitute. I should be glad if the Government would take means, as they can, to prevent the manufacture of oleomargarine, by imposing so high an Excise duty on it that it would be impossible to manufacture it with any profit.

Resolutions reported and concurred in.

Mr. COSTIGAN introduced Bill (No. 101) to amend the Consolidated Inland Revenue Act of 1883 and the Acts amending the same.

Bill read the first time.

SUPPLY.

House again resolved itself into Committee of Supply.

(In the Committee.)

Department of Indian Affairs..... \$36,257 50

Sir HECTOR LANGEVIN. The small increases on this item are as follows:—Chief clerk, an increase of \$50, the ordinary increase; in the third-class clerks, there are two increases of \$50 each; second-class clerks, also \$50 increases. The fact is they are all increases of \$50, except those of Mr. Shore and Mr. Hunton, who have a \$100 increase, because they passed on special subjects and obtained each \$50 besides the statutory increase; in the third-class, there are two increases. In the one case the clerk receives \$612 and in the other \$500. Then the housekeeper has an increase of \$30, which brings him to \$400, and the messenger has also an increase of \$30, making \$375. Those increases are all ordinary increases.

Sir RICHARD CARTWRIGHT. I observe a promotion is mentioned; who is the gentleman intended to be promoted?

Sir HECTOR LANGEVIN. Mr. McNeill, who is promoted to the first-class at \$50. Mr. McNeill had \$1,400 and he will now have \$1,450. The first-class begins at \$1,400 and goes to \$1,800.

Mr. WALLACE. Did he pass his promotion examination?

Sir HECTOR LANGEVIN. In all cases of promotion, they must pass this examination.

Mr. VAIL. Who is the Solicitor for Indian Affairs?

Sir HECTOR LANGEVIN. He is the Deputy Minister of Justice, who receives \$3,600, and these \$400 make up his salary to \$4,000.

Mr. VAIL. It would be better to give him \$4,000 at once.

Sir HECTOR LANGEVIN. This has been the practice for many years.

Mr. THOMPSON (Antigonish). It would be inconvenient to have such a difference between him and the other deputies.

Sir RICHARD CARTWRIGHT. If the Minister of Justice looks at the next charge, he will see that other deputies are marked \$4,200 or \$4,000, and in one case I think something more; and, although it is perfectly true, as the Minister of Public Works remarked, that that has been the practice, it appears to me that it is a very unnecessary practice, and that it would be better to call the salary of our Deputy Minister of Justice \$4,000, instead of distributing it in two places. In the case of the Deputy of the Minister of Railways, and I think also in the Public Works, the Deputy Minister has \$4,100, the Chief Engineer of Canals, \$4,500, and so on. I am not objecting to this, but I really think my hon. friend is right, and that it would be better to put the two amounts together.

Sir HECTOR LANGEVIN. Perhaps so.

Auditor General's Office..... \$21,300

Mr. McLELAN. There were nine third-class clerks provided for last year, and I think only eight were appointed. Provision was made for one, but the Auditor-General did not fill it, and continued a temporary clerk, and this year he has provided for the appointment of Mr. J. W. Ried at \$800. Last year he was a temporary clerk. He has also provided for him for special qualifications as an accountant. That and the statutory increases are all the alterations since last year.

Sir RICHARD CARTWRIGHT. Incidentally I might observe that it appears to me that the question of the deputy heads requires a little consideration. Here is an officer of very considerable importance, that is to say, the Auditor General himself, who is in a certain sense our officer, the officer of the House, and who is the supervisor of all these parties, and he is put at a considerably lower salary than most of our deputy heads. I am inclined to think that, now that officer has been so many years in the service, and has proved so efficient an officer and one so useful to the House, the Statute should be amended so as to put him on an equality with the deputy heads who receive \$4,200 or \$4,100. That, however, is a matter for the consideration of the Ministers, and one which, I know, must be done by Statute. It could not be done by a parliamentary vote.

Department of Finance and Treasury Board..... \$53,067 50

Sir RICHARD CARTWRIGHT. There are many alterations here and a considerable reduction, which is particularly due, I know, to the appointment of the Assistant Financial Inspector.

Mr. McLELAN. Of that reduction, \$1,700 is for the transfer of the Assistant Inspector to charges of manage-

ment. Then there have been two deaths in the Department. One officer who died received \$1,800, and his place has been filled by one at \$1,475. Another who died was receiving \$1,437, and a promotion was made to fill his place at \$1,400. Then, it is proposed in the coming year to superannuate one or two of the officers who are advanced in years and are receiving high salaries, and to appoint others at lower salaries, and in this way the saving is effected, reducing the amount from \$57,000 to \$53,000.

Inland Revenue Department..... \$37,760

Mr. COSTIGAN. There is no change in the number of officers, and the only change in the salaries is the statutory increases.

Sir RICHARD CARTWRIGHT. Looking at it casually, I should imagine that somebody had more than the statutory increase. I find twenty-four gentlemen among whom an increase of \$1,300 is divided, which is more than \$50 a piece.

Mr. COSTIGAN. I am quite satisfied that there is no increase except the statutory increases, although apparently the amount slightly exceeds that. I will get the information for the hon. gentleman on concurrence.

Mr. WILSON. I find that in 1884-85, he expended something like \$35,000, and here we have him asking for something like \$37,000. Why is he asking for \$2,000 more this year?

Mr. COSTIGAN. A portion of the \$36,000 voted last year, was not expended. But every year we base the estimates upon the same principle, that is, the sum that is likely to be required. But it sometimes happens that an office becomes vacant, and no salary is drawn for that office for sometime, and this accounts for the non-expenditure of the whole amount.

Mr. WILSON. Will the Minister please explain why it was that the whole amount was not expended, and what offices became vacant?

Mr. COSTIGAN. I have been so accustomed to be called upon to explain increases of expenditure, that it is something new to be called upon to explain a diminished expenditure.

Mr. WILSON. I do not complain of a diminished expenditure, but I do ask the hon. gentleman to explain why it is that he is asking this year \$2,000 more than the expenditure of last year for the same service. I want the hon. gentleman to make a closer approximation of the amount that it will be necessary to expend.

Sir RICHARD CARTWRIGHT. It is clear that somebody here in the second-class has received more than the statutory allowance, there are twelve second-class clerks and they divide among them \$712.50; now it is quite clear that the statutory increases would only amount to \$600; therefore some of these persons have received at the rate of \$100 each, who are they and what is the reason for giving them the extra allowance?

Mr. COSTIGAN. All I can do is to tell the hon. gentleman that I will explain this on concurrence.

Sir RICHARD CARTWRIGHT. But when the hon. gentleman comes down here and tells us that they are only ordinary increases, and it turns out that that is not the case, he ought to acquaint himself better with the details or postpone the item.

Mr. COSTIGAN. It is customary, when gentlemen criticise the estimates, that where a discrepancy so very slight occurs, to make and accept the explanation on concurrence. I told the hon. gentleman that there was apparently, amongst the second-class clerks, an increase beyond

the statutory increase, and I promised him an explanation on concurrence.

Sir RICHARD CARTWRIGHT. I do not want to detain the House upon a matter of \$50 or \$60 extra, but really I must say that the hon. gentleman ought to have acquainted himself with the details of that kind before asking for the vote. It is not at all desirable to postpone this to concurrence, when nobody can rely on remembering these matters, and when they may slip through without the slightest notice.

Mr. COSTIGAN. I may tell the hon. gentleman that I had been furnished with all the details regarding increases, but I did not expect to use them to-night, and the officer who has them has gone home. But I will furnish the information required by the hon. gentleman.

Department of Customs \$33,100

Sir RICHARD CARTWRIGHT. How has the Minister of Customs managed to ask for \$1,300 less than last year.

Mr. BOWELL. That is customary in my Department. This decrease is partially owing to the fact that Mr. Peachey, who was formerly chief clerk at \$2,400, has been superannuated. His position has not been filled, but a third-class clerk appointed. Then there have been a number of changes. When an officer dies, or is removed, some one else is appointed at a lower salary. The only increases that have taken place have been the statutory increases. The office of assistant commissioner and chief accountant has been separated, and the assistant commissioner now has that work to attend to exclusively, together with the work that is imposed upon him through carrying out the Chinese Act. Mr. Watters, a first-class clerk and assistant accountant, is now made the accountant, and it is proposed, when he has passed the promotion examination, to make him a chief clerk.

Department of Postmaster-General \$168,585

Sir RICHARD CARTWRIGHT. There is a considerable increase both in number of officers and cost.

Sir HECTOR LANGEVIN. They are the statutory increases for the first and second-class clerks. The chief clerk has a statutory increase of \$50 and the first-class clerk has a similar increase. Next come the second-class clerks. One of these has been promoted and the vacancy has been filled at \$100 less. The total increase is \$150. Of third-class clerks there are six, the total increase being \$1,495. In the accountant's office there are some statutory increases. There are in that office twenty-three third-class clerks who have obtained statutory increases, the total increase, after deductions are made, being \$1,500. In the money order office the principal increase is \$700, being increases given to third-class clerks. In the savings bank office there is a small increase.

Sir RICHARD CARTWRIGHT. Who are the packers, of whom there are twenty, and what grade do they hold?

Sir HECTOR LANGEVIN. They occupy about the same position as messengers, and pass the same examination. They are not entitled to more than \$500.

Sir RICHARD CARTWRIGHT. No doubt the \$4,000 or \$5,000 increases are pretty well covered by the same \$50 statutory increases, but I desire to point out that this Department is continually increasing its number of employees. The number has swollen from about 100 to 188 within the last five or six years. It is becoming a serious matter. We have here \$200,000, including contingencies for the Post Office Department under Civil Government. Looking on a little further we have \$2,840,000

Mr. COSTIGAN.

asked for the services of this year, in all, a little over \$3,000,000 on post office service. When you recollect that the total revenue that the Finance Minister expected was about \$1,850,000, the annual deficiency appears to be greatly in excess of any addition to the service that has been rendered within the last seven or eight years. In 1878, the expenditure was \$1,724,000. Now, the expenditure is \$1,841,000, and it corresponds precisely with the increase here. I cannot, for my own part, understand how that can be justified by the growth of the post office within the last six or seven years. It appears to me that there is a great laxity in the Department to allow of such an increase.

Sir HECTOR LANGEVIN. There is no doubt there is a large increase in this Department, but if there is a large increase in the expenditure, the hon. gentleman will admit that there is a very large increase in the service. The post office service in the North-West for example, is extending every day, and must extend, and it cannot give a return in accordance with the expenditure. The distances are very great, the population is scattered and not very numerous, and yet we have to give them the same postal facilities that we have for other portions of the country and wait until the country becomes more settled, when the revenues will increase. For many years no doubt that service will not repay the country in that way, but if we do not obtain a revenue from the post office service, we will obtain it from the sale of lands, from Customs, Excise, and so on, and so will recoup ourselves in that direction. The hon. gentleman will remember—we have been long enough in Parliament together for him to remember—the time when other portions of the country were about in the same position as the North-West and Manitoba are now, but matters have improved very much and the revenue has increased largely. We cannot expect that both ends will meet for years to come. Nevertheless I may say that, so far as I recollect, this Department, which at a certain period I had the honor of administering, is well administered, the officers are up in their work, and the Postmaster-General and the previous Postmaster-General have given great attention to the service, and tried to curtail the expenses as much as possible. However, the wants of the people are such that we cannot refuse all the applications that are made. If the Postmaster-General would grant all the applications that are made, I am sure that the hon. gentleman would see that the expenditure has grown much more than it has grown. We have to refuse; we have to select and do the best we can, and I have no doubt that Parliament will not refuse to give the necessary amount for this service, which is a very important one, as the hon. gentleman knows.

Sir RICHARD CARTWRIGHT. It is true there are perhaps few Departments as to which the House would be less disposed to be critical than the post office. But I must observe that the deficit has increased enormously. In the time of Mr. Mackenzie's Administration a very great change was made. We reduced the rate, if I recollect aright, from 5 cents to 3 cents, and as a matter of course a considerable loss was inflicted on the revenue at the same time. That, however, was in a fair way of being recovered, and after doing that our total deficit was only about \$600,000; now it threatens to be a million and it may be more, it would be a great deal more if we were to take into account the increases of this particular Department under consideration. I think this is more than can be fairly accounted for by any growth in Manitoba and the North-West. There the total expenditure would not be more than \$250,000, and it always was very considerable, even seven or eight years ago. So though that may account for part of it, it would not account for the whole of it.

Department of Agriculture \$47,705

Mr. CARLING. The increase amounts to \$1,070. The statutory increases amount to \$1,470, but this is reduced by the fact that only \$100 was paid for a private secretary last year when the usual amount is \$600. Then there has been the death of Mr. Fraser, creating a vacancy which has not been filled, which with the difference in the amount for private secretary leaves the increase of \$1,070.

Mr. VAIL. I find by the Auditor General's report that the total amount for extra services in this Department is over \$18,000. That would seem rather irregular. If these clerks are required in the Department, I think their salaries should be in the amount we are now voting. I can understand that it is quite impossible to get along with such a Department as this without some extra sums in this way, but this seems an exceedingly large one. Are these clerks still kept on, and is it the intention to keep them on, because as the vote stands now it is rather deceptive?

Mr. CARLING. A number of the clerks have been employed in connection with the census of the North-West Territories and criminal and other statistics, and also in connection with the patent branch. The number of patents issued has increased very largely, while the receipts of that branch have increased very much more than the cost of the number of clerks employed, and I think a large number of the extra clerks are employed there. The patent fees give \$69,000 a year of receipts in round numbers.

Mr. VAIL. We have the amounts which go to make up this sum summarised in the Auditor-General's report. There is nothing among them for the patent office. Here is one item, for instance: M. C. Woods, 70 hours, at \$1 an hour.

Mr. CARLING. M. C. Woods is not employed in the Department at present.

Mr. VAIL. I am not charging my hon. friend with any neglect of duty. I am simply pointing out that this requires some explanation.

Department of Marine \$23,912 50

Mr. VAIL. How is it that the Minister of Marine has not allowed his clerks the \$50 increase?

Mr. FOSTER. They have been allowed the \$50 increase. The number of clerks is the same, but one clerk has been transferred from the Department of Marine to the Department of Finance, by which a saving of some \$400 has been made; and the regular increases of \$50 taken in connection with that, make up the whole increase of \$40.

Sir RICHARD CARTWRIGHT. Who is the clerk that has been transferred?

Mr. FOSTER. Mr. McLelan. He was private secretary in the Department.

Sir RICHARD CARTWRIGHT. There appears to be precisely the same number of clerks.

Mr. FOSTER. There is the same number. One has been transferred as I have stated, and a third-class clerk has been appointed at \$400.

Sir RICHARD CARTWRIGHT. What salary had Mr. McLelan?

Mr. FOSTER. I think it was \$900.

Department of Fisheries \$13,100

Mr. FOSTER. There are regular statutory increases and there is to be a promotion to the place of a second-class clerk who died. Otherwise the number of clerks is the same as before.

Department of Public Works \$42,020

Sir HECTOR LANGEVIN. The increase is altogether due to the \$50 increases.

Sir RICHARD CARTWRIGHT. I observe that the clerks must be of the highest quality, because it does not seem necessary in any Department to deprive a single man of the increase.

Department of Railways and Canals \$47,447 50

Sir RICHARD CARTWRIGHT. Are these all statutory increases too?

Mr. THOMPSON (Antigenish). There are the various increases, and there appears to be a second-class clerk promoted to a first-class clerk—I cannot give his name.

Mr. VAIL. What is the meaning of the note at the bottom of the page:

"An Order in Council, dated 13th December, 1882, allowed \$2,000 a year to Mr. Schreiber, as Chief Engineer of the Canadian Pacific Railway, to be paid out of the appropriation for that railway."

Is it intended to have an engineer appointed for the Canadian Pacific Railway now that it is supposed to be completed?

Sir HECTOR LANGEVIN. That will be continued until the railway is completed.

Mr. VAIL. This vote is not to come into effect until the 1st of July, and the railway will be completed before then.

Sir HECTOR LANGEVIN. His regular salary is \$4,000. The note is only to show the committee that besides that he has \$2,000 as engineer of the Canadian Pacific Railway, but it is not noted here.

Resolutions to be reported; Committee to sit again.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to; and the House adjourned at 12:20 a.m., Wednesday.

HOUSE OF COMMONS.

WEDNESDAY, 14th April, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FIRST READING.

Bill (No. 99) relating to Druggists (from the Senate).
—(Mr. Hickey.)

BUSINESS OF THE SESSION.

Mr. MITCHELL. I would suggest to the leader of the House whether, in view of the fact that it looks as if we were to have a fairly short Session, it would not be well to facilitate the business of the House by taking up these Notices of Motion and pass through all the undiscussed ones, so that the Departments could get the papers ready in order to bring them down to the House and thus avoid, as much as possible, any delay in our private legislation.

Sir HECTOR LANGEVIN. In answer to the hon. gentleman I may say that it is our desire to meet the wishes of the House, and the wish seems to be general to have as short a Session as possible. But I would say to the hon. gentleman that as to-day we only go on to six o'clock with

the Notices, we might proceed as usual to-day, but that on Monday, when we take up Notices, we will be prepared to meet the view of the hon. gentleman, if it is the desire of the House, and go through Notices which are not opposed, and then proceed to the other business of the House.

LETTERS PATENT FOR INDIAN LANDS.

Sir HECTOR LANGEVIN (for Sir JOHN MACDONALD) moved for leave to introduce Bill No. 102) to expedite the issue of letters patent for Indian Lands. He said: The object of this Bill is to place the issue of letters patent for Indian lands in the same position as the issue of letters patent for the ordinary lands of the country. It provides that a Deputy Governor may be appointed by the Governor General, who shall have power, under the instructions of the Governor, to sign those letters patent: that the Superintendent-General of Indian Affairs or his Deputy, or some other person thereunto specially authorised by Order in Council, may sign those letters patent; and that they may be registered in the Department of the Secretary of State, and be signed by the Secretary of State or the Under Secretary of State.

Motion agreed to, and Bill read the first time.

THE FISHERIES OF MANITOBA.

Mr. ROYAL asked, Whether, in view of the exportation which has been going on for the last two or three years, it is the intention of the Government to make provision for the effectual protection of the fisheries in the Province of Manitoba?

Mr. FOSTER. The Government is now making provision for the more efficient protection of fish in Manitoba. There is an inspector, Alexander McQueen, residing at Winnipeg, and it is proposed to increase the number of local guardians. It is also intended to fix the close season in Manitoba for whitefish from the 1st of November to the 1st of February, giving the Indians only permission to fish through the ice for food, but not for export or for sale, and to charge a license fee for seine and net fishing.

HARBOR MASTERSHIP OF SARNIA.

Mr. LANDERKIN (for Mr. LISTER) asked, 1. Whether W. F. Taylor was lately appointed to the office of harbor master at the port of Sarnia? and if so, what is the date of his appointment, and how is he compensated? 2. Is the Government aware that the said Taylor has left Canada and removed to the United States, and that before removing he appointed a deputy to discharge the duties of the office? and if so, was such appointment made with the authority of the Government, or is it the intention of the Government to sanction such appointment? 3. Have representations been made to the Government, by petition or otherwise, with a view to the abolition of the office of harbor master at the port of Sarnia? and if so, is it the intention of the Government to abolish the office?

Mr. FOSTER. Mr. W. F. Taylor was appointed to the office of harbor master at Sarnia on July 25, 1885. He was compensated by fees. The Government has been made aware that the said Taylor has left Canada and removed to the United States, and that before leaving he appointed a deputy to discharge the duties of the office. The appointment was not made with the authority of the Government, and it is not the intention of the Government to sanction such appointment. Representations have been made to the Government to abolish the office of harbor master at Sarnia. It is not the intention of the Government at present to abolish the office.

Sir HECTOR LANGEVIN.

THE GEOLOGICAL DISPLAY AND THE COLONIAL EXHIBITION.

Mr. HOLTON asked, How many members of the staff of the Geological Survey have been sent to England in connection with the Colonial and Indian Exhibition? What duties have been assigned to each, and how are their expenses to be met?

Mr. WHITE (Cardwell). Four members of the staff of the Geological Survey have gone to England in connection with the Colonial and Indian Exhibition: Dr. Selwyn, with general superintendence of the geological, natural history and raw products, including timber exhibit; Professor Macoun, in special charge of botanical and natural history collections; Mr. Adams, in special charge of mineral exhibits; Mr. Willmott, in charge of minerals, and giving general assistance. The travelling expenses of these gentlemen are paid through the Department of Agriculture on exhibition account. Their maintenance in London will be chargeable against the Geological Survey in the same way as if they had been working in the field here.

TERMS OF UNION WITH PRINCE EDWARD ISLAND.

Mr. McINTYRE asked, Has the Government received any communication or communications from the Imperial Government in relation to the visit of Hon. Messrs. Sullivan and Ferguson, members of the Government of Prince Edward Island, to London, or in relation to the non-fulfilment of the terms of union with Prince Edward Island? If so, will such communication or communications, and the answer of the Dominion Government thereto, be laid before this Parliament?

Mr. CHAPLEAU. There has been no communication sent to the Government since these gentlemen left for England.

Mr. DAVIES. That is not the question, whether any communications have been received since they left.

Mr. CHAPLEAU. The question, as I have it here in French, is whether the communication had been received since they left, relative to their visit to London; and I said there has been no communication, since they left, received either from the Imperial authorities or from themselves.

Mr. DAVIES. The hon. Minister will see that the question is alternative—Has the Government received any communication in relation to the visit of these gentlemen? Such communication may have been prior to their going to England, or subsequent. It also asks: Has any communication been received in relation to the non-fulfilment of the terms of union with Prince Edward Island?

Mr. CHAPLEAU. That is not the same question. There were some communications informing the Government of the demands made by these gentlemen to the Imperial authorities before their departure, and since nothing has been done. If such communications are asked by the House, they can be laid before Parliament.

QUESTION OF PRIVILEGE.

Mr. CAMERON (Inverness). I desire to call the attention of the House to a question of privilege, before the Notices of Motions are gone on with. In the *Ottawa Free Press*, of the 13th of April, 1886, I read an editorial paragraph in reference to myself, which is as follows:—

“Mr. Kirk, of Guysboro’, brought to the attention of Parliament yesterday a matter which was so grossly dishonorable and unfair on the part of the person responsible for it, that Mr. Speaker unhesitatingly pronounced it to be very improper, and stated that he would call the attention of the Chairman of the Debates Committee to the subject. It appears that by an arrangement with the publishers of the official *Hansard*, individual members are permitted to obtain at a nominal price

to cover expenses, reprints of their speeches as officially reported; and these are circulated with the official headings and the official imprimature. But Dr. Cameron, of Inverness, thought he could do better than that. He obtained a pamphlet printed with the official heading, and the official imprimature, containing a report of a debate, together with such portions of the division list as suited his own peculiar views as to 'political exigencies.' The cooked pamphlet also boasted this heading: 'Better terms for Nova Scotia—The insincerity of the Grits exposed—Only one from Ontario and one from Quebec in favor of better terms for Nova Scotia—The member for Guysboro' caught in his own trap by Cameron (Inverness) and McDougall (Cape Breton).' Dr. Cameron can circulate any falsehood he pleases so long as he does not libel his political opponents; but when he issues from the Parliamentary printing office, with the official heading—the official imprimature—a pamphlet professing to be official which is a partisan effusion, he resorts to a species of warfare as contemptible as it is dastardly and dishonorable. Abuses of this kind of a useful privilege is likely to result in its abolition. The only person who condoned this gross offence was Mr. Thomas White, and the possible reason he did this was that Mr. Speaker had impartially condemned, a few minutes before, this abuse of the privileges granted to members of reproducing their speeches."

This editorial paragraph had reference to a discussion on the question of privilege which took place on the 12th instant. This question of privilege was raised by the hon. member for Guysboro' (Mr. Kirk), whose remarks were as follows:—

"Before the Orders of the Day are called I desire to direct your attention, Mr. Speaker, and the attention of the House, to a matter which has just come under my notice. I find, with respect to a debate which occurred on a motion moved by myself for papers and correspondence in regard to better terms in the Province of Nova Scotia, that this debate is published with interpolations and corrections under the official heading of the Debates of the House of Commons. This is done for the purpose of creating a false impression, and for the purpose of giving the authority of this House to that false impression. I have the paper here. It is under the official heading: 'House of Commons; Fourth Session, Fifth Parliament, 49 Victoria—Better terms to Nova Scotia—The insincerity of the Grits exposed.'"

Mr. SPEAKER. The hon. gentleman must not read a speech made the other day. He should state what the question of privilege is.

Mr. CAMERON (Inverness). It is necessary to point out the remarks made in connection with this question of privilege, to show there was no ground for them, so far as I am concerned. If it be contrary to the rules of the House to do so I shall submit, but I shall unquestionably be able to show, as far as I am personally concerned, that there was neither design, nor intention, nor reason why the very strong language used against me should have been used on that occasion. To-day I addressed a letter to the firm of MacLean, Roger & Co., Parliamentary Printers. I have no personal acquaintance with any member of that firm, or anybody in their employ, and I considered that, to place myself right before the House and the country, the proper course for me to pursue was to address a letter directly to these gentlemen, believing they had honor and honesty enough to answer the questions I considered it my duty to ask them. This morning I addressed them the following letter:

"OTTAWA, 14th April, 1886.

"GENTLEMEN,—I called at your printing establishment, a few days ago, and there enquired how much, per hundred copies, it would cost to publish the debate under the heading—'Money Subsidy to Nova Scotia'—in the correct *Hansard* reports of the House of Commons Debates of the 1st April, on page 474, including the whole debate on that subject, and containing the 'yeas' in favor of my amendment to Mr. Kirk's motion on that subject, on page 481. I was then and there informed that it would cost seventy-five cents 'per 100 copies,' with any heading that I might desire. I then wrote what I considered to be a very suitable heading to the said debate, as follows: 'Better terms for Nova Scotia—The insincerity of the Grits exposed—Only one from Ontario and one from Quebec in favor of better terms for Nova Scotia—The member for Guysboro' caught in his own trap by Cameron (Inverness) and McDougall (Cape Breton).'

"I frankly submit that this was a fairly appropriate heading to the discussion in question. I had a perfect right to demand this heading to that publication, as it was neither misleading nor unfair, in the circumstances. And, as the whole debate on the subject of a 'money subsidy to Nova Scotia' would be published, the reader might infer from the facts if the head-lines were incorrect.

"As your right to publish that debate in that manner, under the official heading—'House of Commons Debates'—was severely criticised, in the House of Commons, on a 'question of privilege,' on the 12th instant, by several members of Parliament, I beg to demand a categori-

cal answer to each of the following questions, as I did not desire nor require any violation of your duty to the House of Commons:—

"(1.) Is it most improper for the Parliamentary Printers to publish statements of this kind?

"(2.) Have you the right to use the official heading—'House of Commons Debates, 4th Session, 5th Parliament'—over a correct report of the whole debate on a question of this kind?

"(3.) Have you the right to state that such an issue was 'printed by MacLean, Roger & Co., Parliamentary Printers'?

"(4.) Have you given me a correct *Hansard* report of the debate on the 'Money subsidy for Nova Scotia,' on the 1st April last, with heading as agreed upon, and for which I paid you in good Dominion currency, before delivery?

"An early answer will oblige,

"Yours truly,

"H. CAMERON (Inverness).

"MESSRS. MACLEAN, ROGER & CO.,

"Parliamentary Printers,

"Wellington Street, Ottawa."

To this letter I received the following reply:—

"OTTAWA, April 14th, 1886.

"DEAR SIR,—We are in receipt of your letter of this day's date, submitting to us certain questions, to which you ask us to give categorical answers. You ask:

"1st. Is it most improper for the Parliamentary Printers to publish statements of this kind?—Answer: We are authorised by our contract to supply 'any member requiring extra copies of his own or any speech.'

"2nd. Have you the right to use the official heading 'House of Commons Debates, Fourth Session, Fifth Parliament,' over a corrected report of the whole debate on a question of this kind?—Answer: It has been the invariable practice; the question of right has never arisen; no matter what the question, if the subject of debate in Parliament.

"3rd. Have you the right to state that such an issue was 'Printed by MacLean, Roger & Co., Parliamentary Printers'?—Answer: Yes; we claim the right.

"4th. Have you given me a correct *Hansard* report of the debate on 'the money subsidy for Nova Scotia,' &c.?—Answer: We gave you what you ordered, the *Hansard* report of Mr. Kirk's speech and your own.

"We have the honor to be, your obedient servants,

"MACLEAN, ROGER & CO."

Now, in view of this correspondence, I claim that I had just as much right to give that heading to that publication as other hon. members who have given similar headings to papers published by themselves. I referred to a number of pamphlets, issued in a similar manner with similar headings, and, therefore, I claim that I have done nothing that is not justified, nothing but what is done by several hon. members of this House; that there was nothing either misleading or unfair in the headings of that debate, and, as far as that is concerned, I assume all the responsibility. I had no intention of circulating the debate except in my own county, but, owing to the very public manner in which the debate has been referred to, I now feel at liberty to give it a little wider circulation.

Mr. KIRK. Mr. Speaker—

Mr. SPEAKER. There is no question before the Chair.

THE RIEL QUESTION.

Mr. Landry (Montmagny) moved for:

Copies of correspondence, whether by telegraph or otherwise, between the Government and Drs. Jukes, Valade and Lavell, or any of them, officers of the Government appointed to enquire into the mental condition of Louis Riel.

Sir HECTOR LANGEVIN. I asked the hon. gentleman the other day to be pleased to postpone his motion and I would ask him again to postpone it.

FISHING RIGHTS OF INDIANS ON LAKES HURON AND NIPISSING.

Mr. O'BRIEN moved for:

Copies of petitions or letters from the Indians on the north shore of Lake Huron or Lake Nipissing with reference to their rights of fishing in those water; and correspondence on the same subject between the Department of Indian Affairs and the local Superintendents.

He said: By this resolution of which I have given notice, and which I now beg leave to move, seconded by Mr.

Dawson, I desire to call the attention of the House and of the Government to a clause of the treaty, commonly known as the Robinson Treaty, by which the Chippewa Indians on the north shore of Lake Huron surrendered their lands to the Government of this country. By this clause the Indians reserved the right to exercise in future those rights of hunting and fishing which they had hitherto enjoyed. It is evident, from the terms of the treaty, that they were apprehensive that that would happen which has since happened, that those rights would be seriously impaired as the progress of the country went on. Although it is evident that, in many respects, it is impossible to prevent this from happening, yet if it could be shown that the Government of this country, either by its own acts or by the acts of others, has placed the Indians in a worse position than that which they occupied before, I think they are entitled to compensation. The clause in the treaty embraces two things—the right of fishing, and the right of hunting. The right of hunting would be necessarily limited, in the nature of things, as the position of the country changes. It is worth while to look for a moment at the very close connection of the fur trade, from which the Indians at one time derived a very considerable benefit, with the great events which have happened to this country. It was the fur trade, carried on as these Indians were in the habit of carrying it on, which brought about the disputes between the English and French colonists, which resulted in devastating wars, and finally in the conquest of Quebec. It was the fur trade which led to the sending out in the early days of this country of the *couriers des bois*, the progenitors of those *Metis* whose discontent with the changed condition of affairs was the main cause of that rebellion which we had so much reason to deplore. And it was the fur trade which brought into this country the company of Gentlemen Adventurers trading to Hudson's Bay, who exercised until recent years almost regal authority over the northern portion of this continent. But with regard to the claim of these Indians, the Government have, for several years, allowed these rights to be impaired. They have established a close season which has prevented the Indians from enjoying the right of fishing as it was at the time the treaty was made, when there was no close season. By their legislation in regard to the fisheries, they have practically deprived the Indians of the fishing which they previously enjoyed, because they have issued licenses and encouraged in various ways the trade in fishing, which has destroyed practically the inshore fisheries which were for the benefit of the Indians. While it must be admitted that the hunting, in the nature of things, must come to an end, yet the fishing is a matter which is very largely regulated by the action of the Government, and, if it appears, as it must, that the position of the Indians is very inferior to what it was when the treaty was made, they are entitled to equitable consideration. There are several ways in which this can be done; and, as I wish this motion to have a practical result, I want to point out to the Minister of Marine and Fisheries one way in which it can be done. At the time this treaty was made, the Indians could fish where they liked, and I think it would be only fair if the Department would agree to set apart some portions of the coast, conveniently situated to the Indian reserves, where the Indians might have exclusive rights of fishing. That is only a reasonable proposition. By the action of the Government, directly and indirectly, the Indians have lost the control of the fishing, and it would be only fair for the Government now to give them certain places where they would be in something like the position in which they stood before. There is another way in which I think the Government might fairly deal with the Indians. There are many of the bands whose reserves are comparatively worthless, from an agricultural point of view. There are others who have had no timber on their reserves, and consequently have not had the same income from the sale of timber which other

Mr. O'Brian.

tribes possess. It would be very simple for the Government, it would be a very inexpensive experiment, and it would encourage the Indians to carry on agricultural operations, which it is most desirable that they should enter into, if the Government would set apart a small sum of money to distribute to the bands, on the principle that, if the bands set apart out of their treaty money any sum for the purpose of purchasing agricultural implements or stock, the Government would set aside a similar sum. Supposing the band sets aside \$50 or \$100, the Government should do the same thing, and place it in the hands of a proper person to purchase these implements or this stock. This would satisfy the Indians to some extent, and would also encourage them in agricultural pursuits. I had the opportunity, a few years ago, of visiting most of the reserves on the shore of Lake Huron, and the House will be gratified to know that those Indians are progressing very favorably. I was surprised to find such comfortable houses, well kept, clean and tidy, well furnished, and comparing very favorably with many of the houses of the white settlers of that locality. I notice in their case that they had every comfort that men living as they do, could possibly possess, and altogether, so far as a casual observation could lead one to form an opinion, they were doing as well as they could desire. Many of them are working in the mills, and many of them go to the lumber camps and earn fair wages for a considerable portion of the year. I think the Government should do everything they can to encourage them in industrial pursuits, and in so doing they will, to a great extent, remove the present discontent which prevails among them with regard to their rights of fishing and hunting. I can assure the Government that this question is one upon which they feel deeply. Fishing, especially, has always been one of their principal sources of livelihood, and I think the Department of Marine and Fisheries ought to see whether it cannot, in various localities, set apart a portion of the coast for their special use and benefit. I think the Government generally might also help to remove their distress by adopting some measure to encourage them in their industrial pursuits in the way I have referred to.

Mr. DAWSON. In seconding this motion I may say that it is not very often that the case of the Indians comes before this House, and I am sure the House and the country will feel very much indebted to the hon. gentleman for bringing it up. There is no more important question connected with the Indians than that of their treaty rights to the fisheries. Their rights to certain fisheries and to fish everywhere about the great lakes, were secured to them by solemn treaty. By this treaty they were given the right to fish as they had always done up to one time, when they relinquished to the Government all that vast territory bordering on the great lakes to the north of Lakes Huron and Superior. With the leave of the House I will read a short extract from the treaty by which they relinquished their territorial rights:

"And further to allow the said chiefs and their tribes the full and free privilege to hunt over the territory now ceded by them, and to fish in the waters thereof as they have heretofore been in the habit of doing."

Now, Mr. Speaker, this right of the Indians to fish, thus secured them by treaty, has been ignored upon a great many occasions; and I invite the attention of the Minister of Marine and Fisheries to the fact that that right has been so completely ignored that leases have been given on the grounds where the Indians were accustomed to fish, and boat licenses have been issued so that people go wherever they choose, and deprive the Indians of the food upon which they have been accustomed to subsist. I am happy to hear the hon. gentleman say that the Indians are progressing well, that they are in a comfortable condition, and that he had seen comfortable Indian houses among them. I can also say, with regard to many parts of

the district I have the honor to represent, that the Indians are advancing, that they are becoming materially well off, and that they show every readiness to adopt habits of civilisation. Within the bounds of the district which I represent, there are 12,000 Indians or more. In Algoma proper there are 5,200; then west of the height of land, on the waters of the Rainy River, there are 4,000, and on the waters of the Moose River, leading towards Hudson's Bay, there are 3,000 more, and, if I draw attention to the condition of these people for a moment I am sure the House will bear with me. Some of these Indians are engaged in agriculture, and are fairly well off, especially in certain parts of the island of Manitoulin, and also in certain sections along the north shore of Lake Huron; but in some sections on the north coast of Lake Huron, where they have been accustomed to depend on the fisheries, they are at present deprived of the means of living because those fisheries have been leased. Last fall new fisheries regulations were published which the Indians did not notice in time. The regulations came upon them unexpectedly, and deprived them of the privilege of fishing in the fall, and it was in the fall of the year that they had formerly been accustomed to lay in their winter store of fish. But last fall these regulations came upon them so suddenly that they had not sufficient notice to prepare themselves. In a particular place called Garden River, where the people are not Indians, but rather French half-breeds—and the population on the coast of Lake Huron are partly French and partly of Indian origin—at this particular place the people were deprived of the privilege of fishing in the fall, and the consequence has been starvation among them in the past winter. I drew the attention of the Department of Indian Affairs to this matter, and, as usual, met with a very kind response. They were ready to do everything they possibly could, and, I believe, they made the poor Indians in that section an advance on account of their annuity moneys, in order to help them through the winter. But that was not enough, and their suffering has been very great. Now, Sir, the Indians of the North-West, when deprived of the food to which they had been accustomed for centuries, the buffalo, received aid from the Government. The Government had to aid them, because these Indians are able to take their own part; they are powerful, and they make themselves felt, and their grievances ring from one end of the Dominion to the other. But these poor people on the shores of the great lakes, although they suffer as much as the Indians of the North-West, from the white men coming into their waters, and sweeping off the food on which they have been accustomed to depend, their suffering does not attract so much attention. There is another feature connected with this question which the hon. gentleman has mentioned, and that is that certain payments were to have been made to these Indians under a solemn treaty. The Government of the day engaged to make certain payments to the Indians on the great lakes on account of the lands they had relinquished, lying between the lakes and the summit of the watershed. Under the two treaties it is ascertained and acknowledged that there is a sum of over \$300,000 due to these poor people. Now, Sir, a dispute is going on between the Government of Ontario and the Government of the Dominion, as to which Government should pay the arrears due to the Indians. The Government of Ontario claims that it has nothing to do with the Indians, and the Government of the Dominion, on its part, claims that as the land was apportioned to Ontario on which the payments were, in fact, made dependent, on the sale of the land, and were a lien on the land, Ontario ought to pay the arrears. What I maintain is this, that no matter what Government should ultimately pay the amount, the Indians in the meantime should be paid, and this matter settled between the two Governments afterwards as to

which should furnish the funds. The Indians in many places are suffering now; while undoubtedly in many places they have advanced in prosperity and are very well off, in other places they are very badly off. There can be no doubt that this amount is due. It is acknowledged by the Indian Department and by both Governments to be due them, and I think the payment of that amount should not be longer withheld.

Mr. ALLEN. The more I hear of the Indian question the more I am satisfied that the proper way to treat the Indians would be to enfranchise them, to give them their property and let them have possession of it, the same as white people. The Indian fishermen of whom we have heard to-day are located along the different rivers and lakes, but they are not qualified to go into fishing profitably. They depend on white people for their fishing, and if the fishing grounds were allowed to remain in their possession the Indians would not make them pay. They would catch some fish for themselves, but it would be a hardship for the white fishermen on those lakes if any arrangement should be made to prevent them fishing in all those waters. The Indians would be far better off if they got their lands and were taught farming, as a number of them now cultivate considerable quantities of land. If they were to attend to their farming business it would pay them a great deal better than fishing, because they have not the capital, the experience, or the judgment to guide them in carrying on the fishing business as extensively as white men do, in large quantities, pack them in ice, and ship them to the United States. The whites engage the Indians to fish for them, and that is the only way they can make a living at the present time, and in this way they do better and make more money than if they had the fishing-ground to themselves. I would recommend the Government to act differently with the Indians. Give them their lands; make them work those lands. They would then be better off, be better citizens and more comfortable, and such a result would be better for the country, better for the citizens at large, better for our fishermen, better for all persons concerned, and would involve less trouble, annoyance and anxiety to the country and to the Government. But it would be a hardship to fishermen, who have gone to great expense and labor to establish fisheries, if they were deprived of those grounds—and at the same time be of little or no benefit to the Indians, who have not the means or facilities to work profitably.

Sir HECTOR LANGEVIN. I followed what the hon. gentleman who put this motion before the House, and what the other hon. members have said on this subject. Of course, there is no objection to the motion and to the papers being brought down. The mover of the motion has made two or three suggestions to the Government. The first was in regard to the fisheries. He thinks the Indians are not properly treated in that respect, and that a source of revenue to them, or of subsistence has ceased, and that those fisheries are now in the hands of private individuals, and therefore the Indians cannot use them. I observed especially what the hon. member for Algoma (Mr. Dawson) stated when he read an extract, which I understood to be an extract from a treaty made with some of the Indians, by which it would appear that certain fishing rights were reserved to them. Of course that Department is not specially under my direction, and I am not in a position to answer the hon. gentleman now. But I will not fail to call the special attention of the sub-head of that Department to the point, so that he may lay it before the Superintendent-General as soon as possible. There cannot be any intention on the part of the Government to deprive the Indians of their rights, no matter what those rights are. If they are entitled to certain fisheries according to their treaty, the Government will, no doubt, take means to recognise those

rights, and have them again placed in the possession of the Indians if possible, and if not, to compensate them for those rights. Another suggestion is made by the mover of the resolution, namely, that in order to encourage Indians to improve their stock and agricultural implements, the Government should give them an encouragement in money, and that when a band of Indians would put aside for that purpose \$100 the Government should add an equal sum or other amount in order to encourage them. This is a suggestion which I am not ready to say the Government would accept or not, but it is worthy of consideration; I thank the hon. gentleman for having put it before the House. The hon. member for Algoma also spoke of arrears due to certain tribes amounting to a large sum of money, and the hon. gentleman said the difficulty is this, that the question is whether the Federal Government should pay it or whether it should be paid by the Ontario Government. I think if the question has come to that point some settlement might be found between the two Governments, the powerful Government of the Dominion and the important Government of that large Province, so that they would not, on such a question in dispute between the two Governments, deprive the Indians of that to which they might be entitled. Some means must be found by which this difficulty between the two Governments may be removed and the Indians have the amount due, if it is due to them. The hon. member for Grey (Mr. Allen) made another suggestion. He would go at once and enfranchise the Indians. I do not suppose the House or the community would object to enfranchise the Indians, but only when they are ready for enfranchisement. They have been under the care of the Government, which has done everything possible to improve their position in social life and to educate them, and there can be no doubt that before many years have passed a large number of Indians will have been enfranchised. But I differ from the hon. member for Grey, and I do not believe it would be for the benefit of the communities near which those Indians live, to enfranchise them before they are ready. It would not be in accordance with our duty as a Government and Parliament to give them perfect liberty and place them on the same footing as white men before they had attained that degree of civilisation and education which would enable them to advance in life. You do not do it with children. You try to educate them and bring them up, and then, after a number of years, when the young man or the girl is able to get on in life, then freedom is given to them, if I may use the word. I think, therefore, we should take care not to enfranchise the Indians too soon, but as soon as they are ready for enfranchisement then it should be given them. There is no objection to the motion.

Mr. PATERSON (Brant). I suppose the hon. Minister has not forgotten that the very parties he is now condemning as unfit to manage their own affairs are the parties to whom he gave the vote last year.

Sir HECTOR LANGEVIN. I could answer the hon. gentleman, but I do not suppose that we should, on a side issue like this, begin again the long discussion we had last year, in which the hon. gentleman took so prominent a part.

Mr. MILLS. We are not beginning a long discussion, but just referring to the subject and beginning another.

Mr. GUILLET. I feel sure that the granting of the vote to the Indians would be the means of promoting their education and preparing them for the exercise of the franchise. There is good evidence of that in the fact that some of the hon. gentlemen opposite who were opposed to the enfranchisement of the Indians have been going among them—

Mr. SPEAKER. Order.
Sir HECTOR LANGEVIN.

Sir RICHARD CARTWRIGHT. It would seem that the hon. gentleman believes that though the Indians are not capable of managing their own affairs, yet they are abundantly able to manage ours, and I am free to say that I do not think they could manage them worse than they are managed at present.

Motion agreed to.

TRIALS FOR TREASON-FELONY AT REGINA, ETC.

Mr. MILLS moved for :

1. Copies of all correspondence and telegrams between Henry J. Clark, Q.C., Counsel for the Half-breed or Metis prisoners sentenced to imprisonment in the gaol at Regina and in the Provincial Penitentiary of Manitoba, and the Honorable Minister of Justice; together with all the depositions or other evidence submitted in favor of the prisoners, and forming part of such correspondence. 2. Copies of all correspondence and telegrams between Henry J. Clark, Q.C., Counsel for André Nault and Abraham Monteur, Metis prisoners confined at Regina and Battleford, and the Honorable Minister of Justice; together with all depositions submitted on behalf of said prisoners.

Mr. THOMPSON (Antigonish). I may state that there is no objection whatever to bringing down to the House the petitions and representations on behalf of the prisoners referred to in the motion, and these I understand are the documents which the hon. gentleman principally desires to have. There is no correspondence with Mr. Clark, excepting a letter from him and a letter acknowledging its receipt by myself. There are reasons why I think it would not be expedient to bring that letter down, as I have mentioned to the hon. gentleman, but I would not urge those reasons if there appeared to be any information whatever in the letter itself. If the hon. gentleman will be good enough to omit that part of the motion I will have great pleasure in bringing down the rest.

Motion, as amended, agreed to.

CLAIM OF JEAN BAPTISTE PLANTE.

Mr. AMYOT moved for :

Copies of all documents addressed to the Honorable the Minister of Railways, praying on the part of Jean Baptiste Plante, of St. Charles, that his claim for two horses killed on the Intercolonial Railway may be referred anew to the Dominion Arbitrators.

He said: This is a very simple matter and I am sure that the Government will think it just and proper to accede to my request. My object in moving for these papers is twofold. I want first to get a copy of the letters in full, and secondly to draw the attention of the Government to the facts of the case. Some two or three years ago when the St. Charles Branch was undertaken, there was a surveying party engaged there, and they went on the farm of Jean Baptiste Plante on which there were two horses among other cattle. They came back in the evening, and the next morning it was found that the two horses had left the farm and were killed on the Intercolonial Railway, which adjoined the farm. The contention of Plante was that the gate had been left open by the party, and he claimed to be paid for his horses. The case was referred to the Dominion arbitrators and a regular *enquete* took place, and the evidence was so clear and conclusive that the arbitrators decided in favor of Plante, and the judgment was that the Government should pay the value of the horses. Plante was informed of that and expected his money, but something or other occurred and the case was referred back to the arbitrators without his knowledge, and a second *enquete* took place. He was never informed of it, and new witnesses were heard. Instead of receiving his money, Plante learned that the case had been dismissed by the arbitrators. Hearing this, he procured affidavits and established before the Government the facts of the case—that witnesses had been heard without his being informed, that they had been heard *ex parte* in that second instance. He produced affidavits to establish that he had other witnesses to contradict

those who were heard *ex parte*, and he applied to have, not payment for his horses, but a reference to which he would be made a party, so that he might be able to cross-examine the witnesses brought against him and bring forward new witnesses. The answer of the Railway Department was that this could not be done. I humbly submit that this should be done, and that a second reference should be given to him. The papers before the Department establish two things: First, that he was not aware of the second reference after the first judgment in his favor; and secondly, that had he been aware of it he would have not only successfully cross-questioned the new witnesses, but would have procured new evidence, which would have entirely demolished the case of those who appeared against him in the second reference. Under the circumstances I hope the Government will again consider this case. I hope they will take into consideration that the first case, in which Mr. Plante had an opportunity to cross-examine the Crown witnesses and to produce his own witnesses, was adjudged in his favor; that they will also consider the affidavits which proved that he was not informed of the second reference, and could not cross-examine the Crown witnesses or produce his own witnesses; and that they will order a new reference.

Sir HECTOR LANGEVIN. There is no objection to bringing down the papers; but I am not in a position to answer the hon. gentleman's suggestion that there should be a new reference. I shall call the attention of the Minister of Railways to that, and he may take it up when he thinks the matter should be considered.

Mr. BLAKE. I am very glad to hear the hon. Minister say that, and I think, after the distinct statements made by the hon. member for Bellechasse, that some explanation should be made to the House at a convenient season; because it is quite clear, from the statement made by the hon. member for Bellechasse, if he is correctly informed, that the arbitrators proceeded contrary to the very first principles of justice. After a decision in favor of this individual, that an order for a new reference should be made without notice being given to him, seems strange; but the order having been made that that reference should be proceeded with without notice of the intention to proceed being given to him, is a violation of the very fundamental principles of justice; and arbitrators who have done that and are unable to explain it, have by that action declared themselves disqualified for any further arbitrations.

Sir HECTOR LANGEVIN. I did not enter into any explanation on that part of the hon. gentleman's statement. I assumed that he made it on information he received; therefore, I cannot discuss that matter. But I am sure, when the papers come down, that it will be found that there must be some misapprehension, because, whether a man is poor or wealthy, if he has a just claim against the Government, of course the claim must be paid.

Mr. AMYOT. I may say that the notification of the second trial reached Mr. Plante after the trial had taken place. I do not want to charge the arbitrators with any improper conduct; but I must say that they have very often proved themselves in these cases to be most arbitrary. I am sure, when the Government examine the papers with a spirit of justice, they will come to the help of this man. The killing of his two horses has destroyed about half of what he is worth in this world.

Motion agreed to.

CLAIMS FOR FISHING BOUNTIES.

Mr. LANGELIER moved for :

Copies of all claims for fishing bounties by Louis Pinault and Michel Pinault, of Ste. Océile, Bic, fishermen; of all affidavits or declarations in

support of the said claims; of all correspondence in relation to such claims between the Department of Fisheries or any other Department of the Government and the said Louis Pinault and Michel Pinault or other persons; also of all reports of fishery overseers in relation to the said claims.

He said: By the Act 47 Vic., chap. 18, the Governor in Council is authorised to grant every year \$150,000 to be distributed to our fishermen to aid them in building craft and vessels. During the seasons of 1882, 1883, 1884 and 1885, Messrs. Louis Pinault and Michel Pinault, both of the parish of Bic, in the county of Rimouski, were engaged in sea fishing in the schooner *Amarilda*, which they built for that purpose. During those seasons they carried on their fishing for more than three months in each season, which, I understand, is all that is necessary, according to the regulations of the Marine and Fisheries Department, to entitle fishermen to the bounty under the Statute of 1882. They carried on their business at a place called St. Margaret's Point, or Jambon, on the north coast of the St. Lawrence. They applied for their bounty like all the other fishermen engaged in sea fishing at the same place and under the same circumstances, who have all received the bounty; but the bounty was refused to these gentlemen. I cannot bring myself to believe that it was refused to them because they did not hold the same political opinions as the party in power. Until otherwise informed, I shall be obliged to believe that the Government have been misinformed by the overseer of the station at which they were engaged in sea fishing, one Mignault. The answer they received from the Government was that the overseer had made an unfavorable report—had reported that they had not been engaged long enough each season to be entitled to the bounty. They have sent to the Department a great number of statutory declarations, showing that the Government, if they received such information from the fishery overseer, had been misinformed. Unfortunately, they have not been able to obtain redress up to this moment. I do not wish to detain the House by reading all these declarations. I shall content myself with reading two which prove most conclusively that they were entitled to the bounty, and that the representations of the overseer, if they were as stated, were false representations. Here is one of these declarations :

"I, the undersigned, Auguste Michaud, of the parish of Isle Verte, county of Temiscouata, navigator, solemnly declare that the schooner *Amarilda*, belonging to Messrs. Louis Pinault and Michel Pinault, of Bic, has been engaged in sea fishing during more than three months in the summer seasons of 1882, 1883 and 1884, at St. Margaret's Point, commonly called Jambon, on the north coast of the River St. Lawrence; that the said schooner *Amarilda* has passed the fishing seasons mentioned with us at Jambon, and I declare that the said schooner *Amarilda* has been engaged in sea fishing exactly in the same manner as the schooner *Emerillon*, of which I am the owner, and for which I obtained a fishing bounty, except for the season of 1883, which I hope to receive."

I shall read another declaration showing the motives of Mignault for the report he made to the Department :

"I, Thomas Deschêne, senior, of the city of Sherbrooke, fisherman, solemnly declare that the schooner *Amarilda*, belonging to Messrs. Louis Pinault and Michel Pinault, of Ste. Océile du Bic, fishermen, has been engaged in sea fishing during more than three months during the summer seasons of 1883, 1884 and 1885 at St. Margaret's Point, commonly called Jambon, on the north coast of the River St. Lawrence.

"I have passed the summer season above mentioned at Jambon, and I can state and affirm that the schooner *Amarilda* was employed and engaged in sea fishing, exactly in the same manner as the other schooners which were fishing at the same place during the seasons above mentioned, and which have received the fishing bounty. I declare further, that towards the middle of October, 1884, at Jambon, the fishery overseer, Mignault, said and declared in my presence, that as long as he would be fishing overseer, the Messrs. Pinault would not get the fishing bounty, and he used the following words: 'While I will be fishery overseer I will do all I can, and you will not get the fishing bounty.'"

I call the attention of the Minister of Fisheries to this, that he may see justice is done to those men. It may be that the Department has been misinformed, but I am sure, if the Minister will take the trouble to read the numerous solemn declarations sent to the Department, he will see that the

Department has been deceived by the overseer who has a personal spite against the parties. Those parties, he will find, are as much entitled to the bounty as any of the other fishermen who gave in their declarations.

Mr. FOSTER. I have no objection to bring down the correspondence, though it is very voluminous. The hon. gentleman will find from it that there are two sides to the question: I have not read the whole correspondence, but have acted largely on information I have received, and I can assure my hon. friend that, whether the parties he named belong to one party or the other, the fact has had nothing to do with their case, and will have nothing to do with any such claims in the future.

Motion agreed to.

IMPERIAL TITLES.

Mr. EDGAR moved for:

Return showing:—1. The names of the officers of the Canadian Militia, of the Imperial Army, or of the Canadian Militia Department, including its political head who received titles, honors or decorations from Her Majesty in connection with services rendered in repelling the Fenian raid of 1870, and services rendered in the Red River expedition, under Colonel Wolseley; 2. The names of the officers of the Canadian Militia, of the Imperial Army, or of the Canadian Militia Department, including its political head who received titles, honors or decorations from Her Majesty in connection with services rendered in quelling the North-West Rebellion of 1885. 3. Copies of reports or recommendations of Major-General Middleton upon the subject of conferring titles, honors or decorations upon any of such officers in connection with services in quelling the North-West Rebellion of 1885.

He said: Although I make this motion, I must confess that the granting of a few titles more or less is not a subject about which I individually feel a very profound interest. I must admit that I may have rather strong views upon the subject of titles and decorations which are purely honorary. Perhaps my notions are Republican or Democratic. At any rate, I do not believe that any Canadians are much better for such titles, and I fail to learn that they are any the worse for not having them. I have a strong prejudice against Canadians holding titles who do not, directly or indirectly, come from the Canadian people. I do not think we can be made, and I am rather inclined to think we do not want to be made, an aristocratic people in this country. However, there are some amongst us who hold quite different views on that subject, and I know that among the military men in this country there are certain titles which are considered equivalent to professional promotion, and therefore they are valued by our military men. We are all agreed that the Canadian volunteers did well in 1885; we know they did their duty in the first place, and that in doing it they suffered very great hardships. We know that they not only submitted to hardships, but they actually fought in the field and were victorious too, and, for Canada, there was a comparatively large number of men engaged. The Fenian raids and the Red River expedition were trifling affairs, as compared to the troubles in the North-West, yet the honors, as far as I have been able to ascertain them from an unofficial source, were showered upon the officers engaged in the Fenian raid of 1870 and the Red River expedition. I dare say, when this return is granted and brought down, we may find that I have omitted a number, but, so far as I know, in the Fenian raid of 1870, General Lindsay received a K.C.M.G.; Col. Chamberlin received a C.M.G.; Col. Fletcher, a C.M.G.; Col. McEachren, a C.M.G.; Col. Osborne Smith, a C.M.G. Then we come to the bloodless Red River expedition under General Wolseley, we find that that distinguished warrior was made K.C.M.G.; on that occasion Col. Boulton was made C.M.G., Col. Casault, C.M.G., also Col. Feilden, Col. Jarvis, Col. McLeod, Col. McNeil and Comptroller Irvine. Now, so far as the world knows, only two titles have been conferred upon the officers connected with the quelling of the rebellion of 1885, one a knighthood on the distinguished leader of the forces in the field, and the other, also a knight-

Mr. LANGELEIR.

hood, on the distinguished leader of the forces in the western block. It is true all the brave commanders of regiments and of brigades and of separate corps received no recognition, but perhaps that omission was made up for by the honors secured in the western block. Now, surely, it cannot be that this state of things will be allowed to remain so much longer. I dare say, if we could only see the report of the gallant general, which I have asked for, if it were consistent with the public interests, that it should be brought down, that it would be found that he had promptly recommended a number of his comrades in arms to a small share in the honors which were lavished so largely upon him. Is it possible that there is any hitch? Is it possible that any different view has been taken by the general in the field and the head of the War Department? Perhaps we will know where the mystery is some day, but, after nearly a year has elapsed, I think it is time that the public and the military men who are concerned should know something about it. No complaints have been made that I have heard of by any officer. Canadian soldiers do not make complaints, but, in the face of what I have told you about the honors conferred in 1870 and how well we know they were deserved in 1885, I think an opportunity should be given to the Government to give a little explanation to the country. I do not refer at all to the question of medals or clasps for the men. I think we know from the public press all that has been done there. We are told that medals have been struck and sent out to the men, and clasps for a certain number among them. Now, I believe in rewarding our brave volunteers in every reasonable way, in giving them grants of land or scrip, and I believe in giving most liberal pensions to those who were wounded and have suffered for the country, and to the families of those who have been killed. But I cannot say that I sympathise at all with the idea of giving our volunteers war medals for that unfortunate affair of 1885. I do not think that we should give them medals to commemorate a contest which we all regret, a contest in which the whole power of Canada was turned against a small and oppressed and a brave people, who, after all, are our fellow citizens and fellow Canadians; and I am very much mistaken if the volunteers want these medals. I do not think they have ever asked for them; I do not think many of them will wear them, and I doubt if some of them will accept them at all.

Sir ADOLPHE CARON. The hon. gentleman has asked for a return which, of course, there is no objection whatever to bring down; but, in asking for that return, the hon. gentleman took occasion to express his views as to the honors which had been conferred upon some Canadians, and upon the leader of the military force which was sent out to the North-West to put down the unfortunate troubles of 1885. The hon. gentleman also took advantage of the opportunity to express his views as to the aristocratic tendencies of some people in Canada, and to state that, so far as he was personally concerned, his views were more republican than they were aristocratic, and that he disapproved of honors which were conferred upon Canadians and which did not come from the Canadian people. So far as the hon. gentlemen's republican views are concerned, if those views are merely based upon the question of receiving honors from the Imperial Government, it is just possible that the hon. gentleman may not be interfered with in keeping as long as he chooses the republican views which he has just expressed, and that he may not be placed in the rather disagreeable position to him of having to refuse any honors which might be conferred upon him. The hon. gentleman stated that the volunteers of 1885 had done very well indeed, and I am very glad that the hon. gentleman should have found one occasion to express what the people of Canada as a whole, I believe, think of the manner in which

the volunteers, during the trying times of 1885, fulfilled the duty which was thrust upon them by the circumstances, and fulfilled that duty to the fullest extent, better even than could have been expected by their own countrymen. But the hon. gentleman stated that the honors which had been conferred by our Gracious Sovereign had merely been conferred upon the general who was in the field and the general who was in the western block. I have no manner of doubt that the hon. gentleman was not consulted by our Gracious Sovereign when she decided to confer upon those who had taken some part in the suppression of the troubles in the North-West the honors which have been conferred. The hon. gentleman went further, and said that this kind of thing cannot continue any longer. I have no doubt that, when our Gracious Sovereign reads the utterances delivered by the hon. gentleman to-day, she will be induced to change her mind, and, in sending out more honors, so as to avoid the possibility of making any mistake, will consult the hon. gentleman as to who should be the recipients of such honors and how many of those distinguished marks of her approbation should be sent to Canada. Now, Sir, the hon. gentleman also stated that he disapproved entirely of war medals having been granted by Her Majesty to those who took part in the suppression of the rebellion in the North-West. I am not surprised that the hon. gentleman should express himself in that way; I am not surprised that he should feel in that way. When the hon. gentleman displayed such energy in defending the rebellion and in defending rebels, it is hardly to be supposed that he should consider it fit and proper that medals should be given to those who took their lives in their hands and went up to the North-West to put down that very rebellion, and to put an end to the very troubles which the hon. gentleman has defended. I can only tell the hon. gentleman that, in so far as I am concerned personally, I attach the greatest importance possible to the manner in which those troubles were suppressed by our own people, by our own Canadian volunteers, and I attach also the greatest importance, as a Canadian, to the manner in which the distinguished services of our volunteers were recognised in England by our Sovereign, and rewarded by her. It may be that when the hon. gentleman takes up the returns, which will be brought down, he may find examples, not only in 1885, but during the troubles which the hon. gentleman has referred to, of the manner in which our Canadian volunteers have always behaved when called upon to defend their country and their flag. It is not a new thing to Canadians to know that Canadian volunteers, whenever called upon to defend their country, have done so in a manner creditable to both themselves and their country. I say again that I feel very proud, indeed, that the services which have been rendered by our volunteers have been recognised in so distinguished a manner. The hon. gentleman has spoken about other distinctions, and other honors being conferred. Well, I am not at all in the secrets of Her Majesty, I do not know whether she intends to confer further distinctions, or to give further rewards, for the services which have been rendered; but it seems to me that we should be grateful for those which have been so far conferred, when Her Majesty considered that it was due to the valor of the Canadian troops to have these medals struck in order to commemorate the manner in which they have fulfilled their duty to their country, and to herself as our sovereign.

Mr. GAULT. I was sorry to hear the hon. gentleman belittle the services of the volunteers who went to the front at the time of the Fenian raid. I may say that on that occasion four or five regiments went from Montreal, and my hon. friend for Montreal East (Mr. Coursol) took off his

gown and put on his sword, and marched out at the head of his regiment. I think that was a much more serious affair, perhaps, than that of the North-West, although the latter was at a much greater distance and more difficult to put down. But still our volunteers behaved at Pigeon Hill in the most noble manner, and I have always regretted that nothing was done to confer any mark of favor upon the men and officers who then went to the front. Many of them feel, and have felt to this day, I know, that they deserved some mark of recognition which they could have shown to their children and I think that if this had been done they would have prized it very highly. I regret exceedingly that nothing has ever been done by our Government in that respect. I desire to say, Sir, that I am very proud, indeed, of the conduct of our volunteers in the North-West. We all felt, the whole country felt, that they had gone forth on a most perilous expedition, and little did we know the perils they were to encounter. I am very glad we have a Minister at the head of the Militia Department, a young man, who was able to do the work so efficiently as he did; because a great deal depends on him and on his energy and his efforts. I am also proud that we had General Middleton to lead our troops, and glad to know that he displayed the greatest valor, while at the same time he did all he could to protect the men from danger, and both the Minister and General richly deserved the high honors conferred upon them by Her Majesty.

Sir RICHARD CARTWRIGHT. Before that motion passes, I would like to say a word or two. I do not precisely agree with my hon. friend in all the sentiments he has expressed. I am inclined to think that so long as we remain subjects of a monarchy, honorary distinctions of that kind, if they are freely and spontaneously tendered may fairly be accepted. But that is not a point, on which, for obvious reasons, I wish to prolong discussion. But I desire to say that I think the Ministry themselves will see, on reflection, that there is a good deal to be said for the views suggested by my hon. friend who moved this motion. We are bound, in these cases, to regard the custom of the service. Now the custom of the English service always has been that when any success was achieved in the field, the general officer in command was not the only one to receive a decoration. You must recollect, Mr. Speaker, that in cases of this kind our volunteers will feel themselves, to a certain extent, governed by the rules which prevail in Her Majesty's service, and had this thing happened in the regular service, there can be no doubt whatever that one conclusion could have been drawn, and that is, that the officer in command was the only one who deserved well of Her Majesty's Government. Now, I am quite sure that the Ministers, that this House and the country, will agree with me in saying that the officers and men who served on that occasion deserve all the recognition that their country could give them, and, by implication, that they deserve, I think, the usual recognition at the hands of Her Majesty's Government. Her Majesty is, of course, as the hon. member remarked, the fountain of honor, but being at a distance of three or four thousand miles she must derive her information from Her Majesty's advisers on this side of the ocean. I think, Sir, that when the Government comes to reflect they will see that, bearing in mind the custom of the English service, this omission to recognise any of these gallant men except the officer in command, has been, to say the least of it, unfortunate, and that it would be well that it should be remembered. It is a pity, I think, that it has not been remembered earlier. Now, I am quite aware that the distribution of honors of the kind is more or less invidious, is more or less troublesome, and it may well be said that it would give rise to a certain amount of heart-burning, and that it is unfortunate that anything of the sort should exist on such an occasion. But I submit that it is

part of the necessary duties of a Government to make a selection on their responsibility, after taking all the pains they can to inform themselves who are the parties best entitled to the recognition. Now, Sir, as to these officers, and in particular to the officers on whom devolved the responsibility of leading bodies of men in the North-West, everybody knows that many of the gentlemen suffered very considerable hardship, as did also the men and officers under their command, and very probably exposed themselves to considerable loss by being absent from their ordinary avocations at such times. But human nature being human nature, it cannot be wondered at—although I am bound to say I believe that they have made no sign and given no indication of their feelings but it cannot be wondered at if these gentlemen do feel in their hearts a little aggrieved at seeing that their services are apparently altogether ignored. I repeat, Sir, it is unfortunate that they should be ignored. The House should recollect that we were in a very serious dilemma about a year ago, and it was mainly due to the gallantry of the officers and men who formed that North-West expedition, that what might have been an exceedingly dangerous revolt, was promptly suppressed before it was possible for it to spread to the Indian tribes, and I doubt, with all due respect to my gallant friends who took a share in suppressing the Fenian raid in 1869-70, or in the first expedition to Red River, if any men rendered better service to their country,—and in rendering service to their country they rendered service to the British Empire be it remembered—than did the officers and men that took a share in the expedition of 1885; and, therefore, although it is not for me, although it is not for us, to dictate to Her Gracious Majesty what she should be pleased to do in the matter of honors, I think it might be as well that in some indirect method or fashion that expression of opinion, which I venture to say is shared by a great many gentlemen on both sides of the House, should be brought through the proper channel to the notice of Her Most Gracious Majesty, who may, when it is brought before her, be thoroughly depended upon to do what is right and proper in this matter.

Motion agreed to.

FLAG TREATY BETWEEN SPAIN AND THE UNITED STATES.

Mr. VAIL moved for:

Copies of all correspondence between the Dominion and the Imperial Governments on the subject of the flag treaty between Spain and the United States, whereby American products are admitted to entry in Cuba and Porto Rico on more favorable terms than the products of the Dominion of Canada.

He said: This is the third time I have moved for this correspondence. The importance of the subject, and the interest taken in it by commercial men who are engaged in the trade with the Spanish islands, must be my excuse for occupying a few moments in making a further explanation beyond the statements made last year and the year before. As I stated at that time, previous to 1884, the United States Government obliged all persons entering goods from Porto Rico and Cuba to pay 10 per cent. additional over the goods entered from any other country. But in the beginning of 1884, I think in February, an arrangement was made between the Spanish Government and the American Government that in consideration of the American Government removing that restriction of 10 per cent. on Spanish goods brought to the United States or entered in United States ports, the Spanish Government agreed to place the goods landed from the United States in Porto Rico and Cuba on the same footing as goods landed from Spanish vessels or from Spain. Our annual shipments of dried fish to Porto Rico alone is about 150,000 quintals. In addition, we ship a large quantity of pickled fish. Besides this, we ship a large quantity of fish to the Island of Cuba.

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The change made in favor of the United States Government is equal to about 20 per cent. of the duties paid, and the duty paid on dried fish by our merchants is about 13 cents per 100 lbs. over what the Americans are called upon to pay on their fish. In addition, the United States vessels when discharging cargoes are admitted to entry on payment of 62½ cents per ton, while our vessels, and, in fact, the vessels of every other country except France and Germany pay \$1.25 per ton. For loading cargoes our vessels pay \$1 per ton while American vessels are only charged 50 cents per ton. I explained all this to the House in 1884, and the Minister of Finance replied as follows:—

“Sir LEONARD TILLEY. The attention of the Government has been called to this subject previous to the statement of the hon. gentleman. We have obtained some information with reference to the effect of this treaty or arrangement between the two countries, but as far as we have received it, if it includes the question of tonnage, it does not bear out the statement he has made, though I dare say he may be right. The arrangements between Spain and the United States were not really as favorable as those between Canada and Cuba or Porto Rico. There were charges made that did not exist here. They have been removed and the United States have been placed in the third list of duties. The Government are quite alive to the importance of having our trade on as good terms as that of the United States, and no time will be lost in endeavoring to bring about such arrangements as will place us on quite as favorable terms as they have.

“Mr. MACKENZIE. What treaty is it that governs the traffic at present? Is it a recent treaty?

“Sir LEONARD TILLEY. It is an arrangement made, such as this, I presume. It is not a treaty.

“Mr. MACKENZIE. It is independent of any commercial treaty?

“Sir LEONARD TILLEY. Yes. This is an arrangement by which this anomalous state of things is to be removed, and, as far as I have seen the correspondence, they propose to go still further and make treaty arrangements even wider and broader in their operation than those referred to by the hon. member for Digby (Mr. Vail.) This is an arrangement made by the representative of the United States and the Spanish authorities placing the imports entering into Cuba or Porto Rico under what is called the third list. There are four rates of duties and charges, and they are now placed in the third column. The exact effect of this we have not yet been informed of.”

The matter stood over from that time till last year, when I again moved in the matter, and went over pretty much the same ground as I have gone over to-day. I pointed out then that a year had elapsed and nothing apparently had been done. I pointed out that we were placed at a very great disadvantage; that it was a matter that required the attention of the Government, and I was a little disappointed on finding that nothing had been done, so far as I knew, up to that time. Last year I was in a position to show pretty conclusively the statements I had made were quite correct, and I produced at that time a price current from Cuba by which I showed the exact amount of duty paid on American goods at those islands, and the duty paid on our goods. Perhaps I had better read to the House the short table I then submitted, which, however, contains only a few of the articles. It is as follows:—

	All Countries except Spain and United States.	United States.	Difference.
	\$ cts.	\$ cts.	\$ cts.
Apples	1 47½ per 100 lbs.	1 15 per 100 lbs.	0 32½
Beans	1 12½ do	0 82½ do	0 30
Bran	0 64·30 do	0 48·30 do	0 16
Brooms	3 68 per dozen.	2 76	0 92
Butter	6 64	5 23 do	1 44
Bacon	3 84	2 87	0 47
Coal oil	2 90	2 20	0 74
Coal	0 61·50 per ton.	0 49·50	0 12
Box shooks	0 22½ each.	0 15	0 07½
Wheat flour	5 40	4 00	0 80
Cod fish	1 12½	0 82½	0 32
Hams	3 84 per 100 lbs.	2 07	1 17
Smoked herring	1 12½	0 82½	0 30
Lard	4 48½	3 35	1 13
White pine lumber	6 40	4 80	1 60
Mackerel	1 12½	0 82½	0 30
Mess pork	1 86	1 38	0 48

Now, Sir, the House will see at once that it will be next to impossible, with these restrictions on our trade, for our

merchants to compete at all with the United States. On that occasion the Minister of Finance replied to me as follows :

"I may say to the hon. gentleman who has moved this resolution, that early after the return of the High Commissioner to London, he was instructed by the Government to take certain steps with a view to securing the same advantages to Canada as were secured to the United States by the treaty referred to. Instructions were given to him to make certain propositions. If those failed, he was to make other propositions. Correspondence was entered into between the High Commissioner and the Imperial Government, and it was settled that he was to act in conjunction with the British Minister in Spain, in negotiating a treaty of this kind. It was stated at the time the treaty was made that a more extended treaty would likely be arranged between Spain and the United States during the summer. It was found that negotiations of a much more extended character were being prosecuted between the representative of the United States and the Spanish Government. It was found desirable—in fact our High Commissioner was communicated with—to say that understanding, as we did, unfortunately, through the Imperial Government, through the foreign office, that the negotiations, the proposals to cover the ground of the treaty to which the hon. gentleman referred, would not be sufficient to meet the larger ground through the negotiations which were going on. Under these circumstances he waited until the larger treaty was agreed upon, and then he was instructed to put himself in communication with the foreign office, and the foreign office with the Government of Spain. The answer of the Spanish Government was, that they declined to enter into further negotiations with the representative of the Government of Canada until the decision of the Senate of the United States was known, as to the other treaty; and therefore the matter stands in that position until the action of the Senate is known. I might state that it would not be in the public interest to say what instructions were given to Sir Charles Tupper to cover the ground of the original treaty. If the treaty made is ratified the Government will probably be in a position to give decided instructions to the High Commissioner in the larger and more important question. The Government think it would not be in the interests of the public to state exactly what the instructions were or to bring down the papers which would show exactly what we propose in the first place, and then as an alternative proposition."

Now another year has passed, and, as far as I know, it seems that no progress has been made; at all events, we have never been told that any progress has been made. We were told in 1884 that certain negotiations were going on, and that the papers could not be brought down. In 1885 we were told that the correspondence was still going on, and that certain instructions had been issued, but that nothing could be done until it was decided by the United States Senate whether the enlarged treaty which had been entered into early last spring between Spain and the United States would be confirmed. Now, nearly a year has elapsed since the Senate of the United States refused to ratify that treaty, and of course, nothing was done. But the flag treaty, which affects us really more than the more extended treaty would if it had been carried into effect, is still in existence, and I hope that the Government, having had two years now to consider this question, to carry on correspondence with the British Government and point out the difficulties under which our commercial men labor under this arrangement between Spain and the United States, will be in a position to tell me that they have made such progress that in a very short time our merchants will be placed on the same footing as the United States merchants are at the present time. I shall not make any further remarks until I hear the reply of the Government.

Mr. STAIRS. I am sure the hon. member for Digby (Mr. Vail) in bringing this motion to the notice of the House and by the remarks which he made, has not in any way over-estimated the disadvantages under which the trade of Canada, and particularly the Maritime Provinces, now labors in regard to the trade with Cuba and Porto Rico on account of the flag treaty between the United States and Spain, to which he has referred. It is certainly to be desired that all possible means should be taken by the Government of Canada to secure from the Imperial Government equal concessions to our trade. But I must say that I do not see how the remarks of the hon. gentleman are in point in this connection. The only object he can have in introducing this subject in this way must be to endeavor to cast some blame on the Government for not doing more

than he thinks they have done. I am quite confident that the members of the Dominion Government acknowledge and recognise as fully as he does the importance of this question to the trade of Canada, and are prepared to do everything they possibly can to secure for us equal advantages with the United States. I can state that the more confidently because the hon. gentleman himself in his remarks a few moments ago referred to the efforts which the Government have been making during the past few years to secure for Canada equal advantages, by sending their High Commissioner in London to Spain, to endeavor to secure these advantages. But the difficulty is, Mr. Speaker—and I think the hon. gentleman has hardly been fair in bringing this question before the House in the way he has brought it, without acknowledging that difficulty—the difficulty is that the question rests not with the Dominion Government, but that in order to get a fair settlement of it we must go to the Government of Spain, and if they refuse to enter into treaty negotiations with the Imperial Government to give us these advantages, what more can the Government of Canada do? I was not a little surprised at the hon. gentleman, in the first part of his remarks, stating that the Government of Spain gave these concessions to the United States because the United States gave up 10 per cent. additional duty which they had imposed on products from Porto Rico and Cuba; and I would ask the hon. gentleman if he would advocate our imposing an extra 10 per cent. on Cuba and Porto Rico products, simply that we might have the privilege of taking it off again, and thereby induce the Government of Spain to give us that advantage. Does he think such a dodge as that would be at all likely to succeed.

Mr. KIRK. Just what was done with the National Policy in the United States.

Mr. STAIRS. I beg the hon. gentleman's pardon; I do not think the cases are the same at all. Now, I think the hon. member for Digby would have done the Government more service if he had shown the Government and the House how it is possible to induce Spain to give us this treaty. Although he has not stated any good reasons which we could use to induce Spain to give us this treaty, still I am not without hope that this question will be satisfactorily settled. I would impress on the Government the importance to our trade and the trade of the whole country of the relations between Canada and the Spanish West Indies. I myself feel its importance, and I may, on a future occasion, bring it more prominently before the notice of the House and the country.

Mr. McLELAN. There is no objection to bringing down all the papers that can properly be laid before Parliament. The hon. member for Digby, who moves in this matter, speaks as if the whole case rested with the Canadian Government. No doubt it is a great disadvantage to the merchants of the Maritime Provinces not to be able to trade with the Spanish West Indies on the same terms as the merchants of the United States. The hon. gentleman forgets that the United States are able to offer greater inducements to Spain for a treaty than the Dominion of Canada, as their markets are very much larger than ours. He speaks as if we had nothing more to do than to demand a treaty. We have been in communication with Spain for a number of years. I think Sir Alexander Galt commenced the negotiations during the time he was High Commissioner, and whenever the temper of the Spanish mind seems to be such as to offer the least inducement to our High Commissioner in London to strike for a treaty, he is there, prepared and watching and anxious to do so; but to take the ground that all we have to do is to demand a treaty from Spain is not the proper one. The papers will be brought down.

Mr. DAVIES. I do not understand why the hon. member for Halifax (Mr. Stairs) should have adopted the tone he did towards the hon. member for Digby. He reproved that hon. gentleman for bringing this matter to the notice of the House, and at the same time he admitted that the Province from which he comes had a very great interest at stake in the proper adjustment of our trade relations with the Spanish Antilles. The hon. gentleman says he has the most unbounded confidence in the Government that they will do what is right. Well, he may have that unbounded confidence in the Government; but I do not think the conduct of the Government in this matter has been such as to justify or challenge confidence. The hon. gentleman says he would like to know whether the dodge of putting on duties would bring the Spanish Government to their knees, and bring about the desirable result of reciprocal relations between Canada and the Spanish Antilles; but the hon. member for Digby was not making any such proposition, and that suggestion was a purely gratuitous one. If he had made such a suggestion, he would have been only following the line the Government have adopted regarding our relations with the United States. They thought that by putting duties on United States products, they would bring about reciprocal relations between this country and the United States, and what had been the result? The result has been most lamentable. It appears that we are farther away than ever from reciprocal relations with the United States. The hon. member for Halifax has misinterpreted the object of my hon. friend altogether. He explained clearly that this is the third time he has brought this matter before the House, with the object of obtaining from the Government a statement of what action they are taking to have Canada placed on the same footing as our neighbors. He said he had brought forward this motion in 1884, when he was met with the statement by the Finance Minister, that negotiations were proceeding. He brought it up again in 1885, when he was met with the statement, that inasmuch as a provisional treaty was made between Spain and the United States, Spain declined to enter into negotiations with us on the same terms until the Senate had ratified that treaty; but in the meantime, the old flag treaty is going on, and the produce of the United States is being admitted into the Spanish Antilles on much more favorable terms than ours. Last year, the hon. First Minister said in reply to the hon. member for Digby:—

"I believe we never stood a fairer chance of making an arrangement with Spain."

Surely, with such language as that coming from the leader of the Government, it was proper for the hon. member for Digby to endeavor to ascertain if the Government had done anything this year. The hon. member for Halifax is perfectly satisfied with the policy they have adopted. As far as we have been enlightened by the hon. Minister of Finance, that policy has been a do-nothing policy. He has not stated that anything has been done during the last year. He knows that the Senate of the United States has not ratified the provisional treaty; he knows that the treaty now in existence is the old flag treaty, and he hears the statement made by the hon. member for Digby that under that treaty we are placed at a great disadvantage. The hon. member for Halifax admits that; his constituents feel it; they memorialised Parliament and the Government last year; they are anxious to find out if the Government has done anything; and the statement of the Finance Minister is that he will bring down the papers. We want to know if the Government have done their duty. What is that duty as stated by the First Minister last year?

"Meanwhile, all we can do is to be constantly on the watch; to be vigilant. We are vigilant; we believe we have done everything we could do; and we will continue to watch every opportunity of pressing for a treaty."

Mr. McLELAN.

We want to know what direction their vigilance has taken; we want to know what they have done. Surely the House is entitled to something more than the bald statement of the Minister that they will bring down the papers. It appears that we are in equally as bad or a worse position than we were in last year; and so far as one can judge, there does not appear to be any kind of desire on the part of the Administration to remove the disadvantages under which we labor. I think the hon. member for Halifax does not discharge his duty by simply expressing to the House his belief that if we had freer trade relations with Cuba and Porto Rico, it would be a great advantage. It is his duty to press upon the Government to take such action as is in their power. The hon. gentleman says we cannot force Spain into a treaty. Who is asking them to do so? We want to know if the proper representations have been made; we want to know whether anything has been done, or whether another year has been allowed to drag along without anything having been done either by the Government or by our representative at the Court of St. James. We have an ambassador there who has been instructed to exercise vigilance, which the leader of the Government last year stated should be exercised in this matter. Has he opened up any negotiations since the new treaty with the United States has been refused sanction by the Senate? Have the Government attempted to re-open the old negotiations which have been closed—negotiations, the object of which was to put us on the same basis as that which the United States occupies under the flag treaty? That is what I understand my hon. friend to have asked for, and it is something which, if obtainable, would be a great boon to the country, especially to the Maritime Provinces who are particularly interested in the matter. Now that our fish is excluded to some extent from the United States; it becomes doubly the duty of the Government to try and open to us the ports of other countries for the admission of our products. I am sorry that the Minister of Finance is not in a position to be more explicit; I am sorry he is not in a position to make a satisfactory statement instead of simply stating that the papers would be brought down without giving the slightest intimation of the nature of the business done if any, or about anything pertaining to an object the achievement of which would be a most desirable consummation.

Mr. VAIL. I have not, as the hon. member for Halifax seems to think, desired to cast reflections on the Government for not having managed this business better, but I desired to have some statements from the Government as to what has been done, especially as I have brought this matter before the House twice, and that already two years have elapsed since I first brought it under their notice. I am much disappointed to-day to find that the Government are not in a position to tell the House they have done something. I am aware that any negotiations on our part must be carried on through the British Government, but I think, as the hon. member for Queen's (Mr. Davies) has said, as we have an ambassador to the Court of St. James and as he seems to be in close communication with the higher powers there, he ought certainly to have been instructed by our Government to have brought the matter before the Government of Great Britain and been able and have had an answer from them of some kind. I think the Minister of Finance should have been able to tell the House that the Government had given instructions which were carried out, and had the assurance of the British Government they were doing their best to get the restrictions we complain of removed. I have no desire to say a word against the Government as to their action in a matter of this kind, but we must presume they have taken some action, and I would like to know what is its nature. I know how they are hampered, and I am willing to make every allowance, but I think they

should be in a position to give some information in reference to this matter. I know a little about it, more, perhaps, than I have stated to the House. When I spoke before, I did not mention the fact, which is a very important fact, that both France and Germany are placed in the same position as the United States with regard to the entry of goods in Porto Rico and Cuba. What excuse is there for any arrangements of this kind going on without the Government keeping itself cognisant of them, and calling the attention of the British Government to the fact that here are three other nations which enjoy the privilege from which the British people and colonists are shut out? A long correspondence has taken place between the British Government and the Government of Spain with regard to the trade relations between the two countries. The reason given by Spain for making a special arrangement with the United States was that the United States people are near neighbors of the islands in question. I think our commissioner should have told the British Government, if the British Government did not know it, that the people of the Dominion of Canada are also near neighbors of those islands as well as the people of the United States, and if Spain saw good reasons for giving advantages to the United States on that ground, they had certainly good reason on the same ground for giving our people the same advantages. Our people have been laboring under this disadvantage and our trade has been suffering in consequence, when, I am satisfied, if the Dominion Government had done their duty in pointing this out to the British Government, there is no reason why this restriction should have remained to operate against us. Because the United States Government charged goods from Porto Rico and Cuba 10 per cent. more than they charged other goods, and agreed to remove this extra charge on condition that they should have these advantages, there is no reason why Spain should refuse to cede this right to the people of the Dominion or to the British people, because it is well known that England is a free trade country and goods are admitted to England at a much lower rate of duty than they are admitted into the United States. The leader of the Government last year in answer to the leader of the Opposition said:

"I think Canada will have more than a fair chance of making an advantageous treaty. I can only assure the hon. gentleman that there will be no neglect, but that there will be continual watchfulness and pressure on the part of the Canadian Government upon the Government of Spain; in the first place, directly through our own officers, and then constantly, every day, through the intervention of Her Majesty's Ambassador."

Is it then unreasonable for any hon. gentleman in this House to ask the Government whether their reticence and apparent want of action is in accordance with the statements made by the leader of the Government last year that this subject had been pressed every day on the Spanish Government. What is the result of that constant pressure? The Government should say whether they have had any answer from the British and Spanish Governments, through the ambassador spoken of in the remarks, which I have quoted, by the leader of the Government. If so, let us have it. Do not let three years pass, after having led the people to suppose something would be done within a given time, without telling us what has been done. I must say the Government have been neglectful of their duties in this matter, when they are not in a position to state that some progress has been made, and that within a given time we will have the restriction that bears so heavily on our commerce removed.

Motion agreed to.

MEMORIAL OF THE NORTH-WEST COUNCIL.

Mr. WATSON moved for:

Address to His Excellency the Governor-General for a copy of the memorial of the North-West Council presented to the Government by

Messrs. Wilson and Ross, members of said Council, and of any answer made to said memorial and of any correspondence between the Government and the Lieutenant-Governor of the North-West Territories or other parties in reference thereto.

He said: This memorandum ought to be laid on the Table and the House made acquainted with the facts and statements it contains. The North-West has no power to send representatives to this House, so that the only means we have of acquiring knowledge of the local requirements of the people of that section is the representations made through the North-West Council. As a member of this House I feel that the Government ought to make provision, at the earliest possible moment, for local representation from those Territories, so that representatives would be elected there so that they would have part in making the laws that govern the country. The Government will find they are making a great mistake, if they think they will govern that country successfully by appointing a number of men from Ottawa to act as the representatives of that section, to make laws to govern its people. The North-West Territories to-day have as large a population as the Province of Manitoba had when it was granted responsible Local Government, and I do not see any reason why the Territories should not be granted as many privileges as are possessed by any other portion of the Dominion. The Government must have correspondence from the Lieutenant-Governor of the North-West with reference to the last Session of the Council, as we are aware, from what has appeared in the press, that they had a very lively time, and that the Lieutenant-Governor and his following, if I may call them so, the members of the Council who are appointed by the Government, were defeated by the voice of the people, notwithstanding all the patronage of the Government in that section of the country. The result was that a very strong memorial was drafted, setting forth the grievances and the requirements of that section of the country against the Government at Ottawa, and that a deputation was appointed, as stated in this resolution. As I hope that this memorial will be laid before the House in time to be considered before the close of the Session, I shall not at present detain the House any further.

Motion agreed to.

LIFE-SAVING SERVICE AT PORT ROWAN.

Mr. JACKSON moved for:

Copies of correspondence, not already brought down, between the Government and the captain of any of the crew of the life-saving service at Port Rowan, Province of Ontario.

He said: I called the attention of the hon. the Minister of Marine to the inefficiency of the life-saving service at Port Rowan in 1884 and again in 1885. On those occasions I pointed out to the Minister that that was one of the most exposed points on the whole of the inland waters; I pointed out that there had been more loss of life and property in the vicinity of Long Point than at any other place on the chain of lakes; I stated that the service was not properly provided for, that the men were only provided with a second or third-class boat, that they were not provided with life jackets or even with common life preservers, that they had no lines nor mortars, which are essential on some occasions, as in 1883, when the brig *Siberia* was wrecked there, and the crew had to remain in the rigging for twenty hours or more, because the men of the Life-saving Service were not provided with proper apparatus to rescue them. In order to show what the press of that day had to say on the subject, I will quote from the *Spirit of the Age*, published at Port Rowan, dated 1st November, 1883. It reads as follows:—

"On Tuesday morning, about 8 o'clock, a large three-masted schooner was seen above this port going down the lake. From the erratic course of the boat it seemed that something was wrong with her. This obser-

vation was soon verified by her striking heavily on the bar, south of the west light, on Long Point. As soon as it was seen she had struck, preparations were made to man the lifeboat and start to the rescue of the crew. About 9 o'clock she started with the following crew: Wm. Woodward, captain, John Woodward, R. Gifford, A. Nisely, C. Glover, W. Glover and F. Pelton. The *Hanlan* followed with the crew who had rescued the men off the *Vanderbilt* a couple of weeks ago. On arriving at the beach it was found too rough to attempt to reach the stranded vessel."

This was early in the morning of a certain day; and because the service was not provided with proper material to give the crew sufficient energy and courage to attempt to get to that vessel, these poor people had to remain there for twenty hours, till the next morning.

"Early on Wednesday morning Mr. Woodward, captain of the lifeboat, offered to give place to any one who was more competent than himself, and allow such to select his own crew. Mr. Crooker was selected, who took with him the captain, pulling stroke, Thos. Gordon, bow, Jas. Hill, John Baker, W. Glover and C. Glover. Five out of the seven selected were men who assisted in the former rescue. They manned the boat and started for the wreck, which they reached, and, as before, succeeded in saving every one on board, and brought them safe to shore, where they were well cared for by the light-keeper and his wife. The captain, first mate and a couple of the crew arrived at this place at 12 o'clock, the remainder of the crew remaining at the Point. The following is the captain's statement:—

"She is named the *Siberia*, of Kingston, from Toledo to Kingston, loaded with square timber, and owned by Calvin & Son, of Garden Island. There were eight of a crew and a woman, cook, two horses, one of which was drowned. She lost her topsail, four other sails and three jibs. The vessel became waterlogged about 41 miles above Long Point.

"Again has the metal of our brave boys been tried, and again they have proven themselves heroes. All honor to them.

"The captain desires to thank them, on behalf of himself and crew."

This was not the only occasion that this crew had to risk their lives without proper implements to protect themselves. They had to take their lives in their hands, and go to the rescue of these unfortunates without anything to protect themselves against accidents. In 1884 another accident occurred there. I read from the *Port Dover Maple Leaf* of 31st October, 1884, one year later. This is from the *Port Rowan News* published in that paper:

"The lifeboat stationed at this place was the means of saving a lot of sailors from being drowned last week. The *Fortune*, a steam barge from Buffalo, was wrecked off Port Royal on the evening of 23rd October. On Friday morning, she was seen from Port Rowan, and the following crew nobly volunteered to rescue the sailors at the risk of their own lives:—J. C. McCall, R. Crooker, J. Hill, W. Smith, D. Benedict, J. Baker, W. Glover and A. Becker. They reached the barge after a hard struggle, and the whole crew of nine men and a woman were safely brought back to the village. While giving the boys all the credit they deserve for their skill and bravery, we think they were a little slow in getting started. Two hours does not seem long in a warm house, eating a hearty breakfast, but it must have seemed an age to men out on the cabin of a vessel for ten or twelve hours, exposed to the wind, with the water splashing over them and expecting every moment to be cast into the lake. Suppose the boat had gone to pieces while the lifeboat was being made ready, and some of the crew drowned, would not some one have been guilty of a crime? Just here let us note a remarkable fact."

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

After Recess.

IN COMMITTEE—THIRD READINGS.

Bill (No. 52) to reduce the capital stock of the Union Bank of Halifax.—(Mr. Stairs.)

Bill (No. 55) to amend the several Acts relating to the Board of Trade of the city of Toronto.—(Mr. Small.)

Bill (No. 41) to reduce the capital stock of the Union Bank of Lower Canada and to change the corporate name thereof to the "Union Bank of Canada."—(Mr. Bossé.)

SECOND READINGS.

Bill (No. 86) to incorporate the "North American Telegraph Company."—(Mr. Taylor.)

Bill (No. 87) to incorporate the Columbia Valley Railway Company.—(Mr. Tupper.)

Mr. JACKSON.

Bill (No. 89) to incorporate the Kootenay Railway Company of British Columbia.—(Mr. Small.)

Bill (No. 91) to incorporate the Yarmouth Steamship Company (Limited).—(Mr. Kinney.)

Bill (No. 97) An Act respecting the London and Ontario Investment Company (Limited) (from the Senate).—(Mr. Beatty.)

Bill (No. 98) to consolidate the borrowing powers of the Canada Permanent Loan and Savings Company, and to authorise the said company to issue debenture stock (from the Senate).—(Mr. Small.)

CANADIAN PACIFIC RAILWAY BONDS.

Mr. GAULT. I desire to call the attention of the Government to a notice that appears in the *Free Press* this evening, saying that the Canadian Pacific Railway Company have received applications for over \$60,000,000 of their bonds, and that \$20,000,000 have been accepted, and that too at a premium. I should like to know if the Government have any information on the subject, as this is one of the most important matters that has been before the country for a long time.

Sir HECTOR LANGEVIN. I should be very happy to answer that question in the affirmative, but I am not in a position to do so. We have no official information in regard to the matter.

PROTECTION OF WOMEN AND GIRLS.

House resolved itself into Committee on Bill (No. 20) to punish seduction and like offences, and to make further provision for the protection of women and girls.—(Mr. Charlton.)

(In the Committee.)

Mr. CAMERON (Huron.) I desire to draw the attention of the Minister of Justice to the second clause of this Bill. The hon. gentleman will observe it provides that any person who has carnal connection with a female under promise of marriage shall be guilty of misdemeanor. If there was no other punishment and no other remedy against the offender I should have no objection to it, although I think it might be open to objection. But the hon. gentleman will observe that under this clause an accused person is liable to three different punishments. First, he is liable to be punished under this clause and to be imprisoned for a period of two years. Under the local law he is liable to an action for breach of promise of marriage, and he is liable to another action for the result of the carnal connection. So that in reality a man is being punished three times for the same offence. That is contrary to the policy of the law and ought not to be. If we had control over civil actions we could very easily provide for that by inserting a clause in the Bill that, in case of any prosecution under this Bill, the right to bring a civil action should cease and be at an end. But we have no power over that here, I apprehend, as it is a matter of civil rights which belong to the Local Legislature. As the Bill stands it leaves a man liable to pay three times over for one offence, which appears contrary to the rule of law and should not prevail.

Mr. CHARLTON. I believe it is a recognised principle of the law that a person cannot be tried twice for the same offence, so that I doubt if any provision would be necessary to prevent a second trial for the same offence. However, in the 10th clause an amendment is proposed after the word "prosecution," which I think will meet the difficulty. It is proposed to add the words "provided always that proceedings under this Statute shall be a bar to all other remedies."

Mr. CURRAN. The difficulty mentioned by the hon. member for Huron (Mr. Cameron), would not arise in the Province of Quebec, as there the promise has to be proved by what we call commencement of proof in writing. Last year when the same section of law was introduced, I gave my reasons for opposing it, and I have not changed my mind as to the value of the authorities which I cited then. I feel now as I did then with regard to the great risk we are running of encouraging blackmail by introducing such legislation as this. That has been proved beyond controversy by the experience of all countries that have introduced this system. I was under the impression that the committee—from the meeting of which I was unfortunately absent—would introduce into the section a provision requiring that there should be a commencement of proof in writing so far as the promise of marriage was concerned. However, I understand that certain amendments have been made as to the nature of the proof, and that would meet to a great extent the objection I have made to the law as it now stands.

Mr. THOMPSON (Antigonish). I was in the same position as my hon. friend who has just spoken, in not being able to be present at the meetings of the committee. As to the question raised by the hon. member for West Huron (Mr. Cameron), I think that is purely a question of policy for this House, if the House thinks that the offence is one which we should legislate against, as a criminal offence we should pass the section, but we cannot make the criminal proceedings a bar to the civil proceedings, even to the extent of providing that the civil proceedings may be suspended until after the criminal proceedings have been taken, because I take it that the function of this Legislature in dealing with offences of this kind, is purely in relation to the criminal law. We should leave to the Local Legislatures the question of the curtailment of the civil remedies, if they are found to be too severe, after this House has attached the penalty under the criminal law.

Mr. CHARLTON. I would ask the Minister of Justice if he would advise the dropping of this clause?

Mr. THOMPSON (Antigonish). Not at all. My view is that it must be accepted as it stands in the Bill, if at all, as attaching the penalties of a misdemeanor to the offence, notwithstanding the existence of the civil penalty to the injured party. If it is thought to be too severe, I do not think it can be mitigated by any remedy on our part with reference to the civil penalties.

Mr. CHARLTON. In the United States and in other nations where this crime or misdemeanor is dealt with at all, the crime of seduction under promise of marriage is treated with greater severity than that of any other offence under this law. In New York the penalty for seduction under promise of marriage is a fine of \$5,000 and five years imprisonment—one or both in the discretion of the court. In Michigan the fine is heavy and the period of imprisonment may be ten years in the discretion of the court. Under these circumstances, and believing that the betrayal of a woman under promise of marriage is one of the basest acts a man can commit, I should be very reluctant to drop this clause of the Bill.

On section 4,

Mr. CAMERON (Huron). By this section the Bill interferes with the right of the owner of premises to rent. I wish to draw the attention of the Minister of Justice to it, as it is doubtful in my mind whether this is not an interference with property and civil rights, and whether under pretence of making this offence criminal it is within the competence of this Parliament to pass a provision like this.

Mr. THOMPSON (Antigonish). I think it is within the power of Parliament. The subject with which we are

dealing is the criminal law, and I think Parliament has power to deal with that subject, even if it does interfere with the civil rights of a landlord.

Mr. CHARLTON. I move that section 4 stand as it was originally printed, as it was copied from the Imperial law, except that the age be changed from twelve to ten years, in conformity with our law as it exists at present.

Amendment agreed to.

On section 5,

Mr. CHARLTON. The first and second sub-sections of this section were struck out by the committee, as they were held to conflict with the laws of the Provinces with respect to seduction.

Mr. THOMPSON (Antigonish). It seems to me it would have been better left alone. As it is now you define what shall be the offence of detaining, but you have not made it an offence, because you have struck out the passages that make it an offence,

Mr. CHARLTON. That difficulty would be met by restoring the section to its original form. I move, in conformity with the suggestion of the Minister of Justice, that section 5 stand as section 6 in the original Bill copied from the English Statute and compiled from section 8 of that Statute.

Mr. CAMERON (Huron). That clause can be passed by making it a proviso or amendment to section 54 of our own Statute, which makes it a felony to allure or detain any woman under twenty-one for the purpose of having carnal connection.

Mr. DAVIES. This is not for the purpose of carnal connection?

Mr. CAMERON (Huron). Yes, it is.

Mr. THOMPSON (Antigonish). If it is intended to make this an amendment to the existing law, that ought to appear on its face, otherwise it would appear to be a clause relating to the Bill itself. It had better be amended, or be stated that these words shall be appended to that section.

Mr. CAMERON (Huron). I opposed that portion of the Bill entirely in committee, for the reason that in our Province there exists a provision in our local law covering it. I was not aware of the condition of the law in the other Provinces, but in our local and municipal laws we have ample power. If passed at all, it should be made a proviso to section 54 of our Statute, which I partly read: "Whoever fraudulently allures or takes away or detains, a woman under twenty-one years of age, out of the possession or against the will of her father or any other person who has care of her, etc., is guilty of felony." The penalty is much more severe than under the provision of the hon. member for Norfolk. If, therefore, this clause is to remain in the Bill, it ought to be a proviso to the one I have read, or it will come into collision with it.

Mr. THOMPSON (Antigonish). This provision does not seem to be necessary. I presume the offence is almost unknown in this country, as regards young persons who might be made victims, and the provisions are sufficient as regards older persons.

Mr. CHARLTON. There is one point contained in this clause which I think is of importance. That is as regards females detained against their will in brothels, and detained very often because they are in possession of wearing apparel which has been loaned them, and for the possession of which criminal proceedings will be taken against them, should they leave against the will of the proprietor. This clause is intended to meet that hardship:

Where a woman or girl is in or upon any premises for the purpose of having any unlawful carnal connection, or is in any brothel, a person shall be deemed to detain such woman or girl in or upon such premises, or in such brothel, if with intent to compel or induce her to remain in or upon such premises, or in such brothel, such person withholds from such woman or girl any wearing apparel or other property belonging to her, or, where wearing apparel has been lent or otherwise supplied to such woman or girl by or with the direction of such person, such person threatens such woman or girl with legal proceedings if she takes away with her the wearing apparel so lent or supplied; no legal proceedings, whether civil or criminal shall be instituted against her under such circumstances.

Mr. THOMPSON (Antigonish). The object may be accomplished this way, if necessary to pass the section at all: In line 45, omit the words "a person shall be deemed" and say it shall be a misdemeanor; again, on page 3, strike out the words "whether civil or criminal."

Mr. CAMERON (Huron). This clause of the Bill is simply an interpretation of our Statute, and our law is sufficiently explicit on that point. It makes no difference how or for what reason a person is detained, and Mr. Justice Taschereau, commenting on this, says it means the mere detention against the will. What necessity is there then to put an interpretation on the word "detained." It will simply complicate the law unnecessarily. I think it would be better to strike out the clause altogether.

Mr. CHARLTON. It may be true that Mr. Justice Taschereau referred to detention, and the law covers that. But this makes a definite provision with regard to an indefinite abuse, and a woman would not find it necessary to go to a lawyer to have it explained to her that she might escape and still use any wearing apparel she has, whether her own or lent to her.

Mr. THOMPSON (Antigonish). The section my hon. friend refers to, and on which Mr. Taschereau has commented, is in the English Act, but in England it has been deemed necessary to describe that the artifice of keeping clothing shall be a detention.

Mr. DAVIES. I read the Act differently from the hon. member from Huron. The Act says a person who "fraudulently" allures or detains. But this section goes further than is provided by the Statute at all: "detention against her will, whether by fraud or not."

Mr. CAMERON (Huron). There are three classes of offences under this Statute. There is one of fraudulently alluring, and another for taking the woman out by force or in any other way. That would appear to be the interpretation put upon it by Taschereau and also by Russell. Then section fifty-six also provides that whoever unlawfully takes or causes to be taken any unmarried girl under the age of sixteen for any purpose shall be guilty of a misdemeanor. I think these clauses cover the case.

Mr. THOMPSON (Antigonish). As far as I know, the provision of the Bill is not requisite, but the object of the introducer of the Bill is to define, or to enlarge the definition of, the word "detain," and to make it an offence to detain, not only by fraud or by force, but by using the artifice of concealing the clothing. Whether it is necessary or not is another question, but it has been found necessary in England. I do not know that it will interfere with the existing law. It will be an enlargement of it.

Mr. CHARLTON. This is not a matter that we are theorising about here. This clause is part of the English Statute passed last year, and I think we may assume that the Imperial Parliament, in dealing with this question, knew something about what they were doing. I think I see very clearly the necessity for this provision. I think it is an important practical provision, more important, perhaps, than anything else bearing on that class of cases, so I should be very loath to see it struck out of the Bill. However, I will bow to the wish of the Committee if it is thought to

Mr. CHARLTON.

encumber the Bill, and if it is desired to strike it out, let that be done.

Mr. DAVIES. My hon. friend will remember that the English Statute was passed under an exceptional state of things which, fortunately, does not exist in this country. I agree with the Minister of Justice that there are no cases of which we are aware which call for our interference in this matter, and I think my hon. friend would be well advised to drop this clause.

Mr. CHARLTON. Perhaps my hon. friend from Queen's (Mr. Davies), is not aware that the Statute in England passed the House of Lords twice, and that it was only the favorable action of the House of Commons that was necessary to make it law. It was not merely the excitement which existed last Session which caused its passage, but the growing public sentiment which had for some time been surely making its way.

Mr. DAVIES. My only ground is that a new criminal offence ought not to be created by Parliament without its having some facts to justify it. We have already on the Statute book a law which sufficiently provides for fraudulent detention.

Mr. CHARLTON. I have frequently heard of cases of of this kind, where females were detained in brothels because they were unable to leave without making use of clothing which did not belong to them, and feared they would make themselves liable to criminal proceedings. These poor creatures were detained in worse than dungeons, because this threat of criminal proceedings was held over them *in terrorem* by those merciless wretches in whose power they were, and it is for that reason that I am anxious that this feature of the Bill should be adopted.

Mr. THOMPSON (Antigonish). I think the object of the legislation in England was not so much the purpose which would be met by this clause, as the protection of young persons, and we have left out those portions of the clause. As regards criminal proceedings, there would be no danger of the conviction of a person under such circumstances, and in regard to civil proceedings, we have no power to legislate.

Section 5 struck out.

On section 6,

Mr. CHARLTON. Here the objection raised by my hon. friend from Montreal (Mr. Curran) has been met by the committee, I think, pretty fully. The section now requires corroborative evidence to the seduction, as well as the promise of marriage, and the next clause makes the accused a competent witness in his own behalf. I do not know of any provision in any law in the world that so protects the individual against blackmail as this does. In fact, I fear that the provisions made for his safety are so great that they render it almost impossible to procure a conviction.

Mr. DAVIES. I think the effect of the amendment of this clause by the committee will be simply to nullify the Bill altogether. The amendment requiring supplementary evidence in regard to the promise of marriage is very good, but the other amendment requires additional evidence to corroborate in some material point the evidence as to seduction, will render the Bill inoperative. If that is to be inserted, the committee might as well rise without doing anything more. We had better either legislate to some effect or not legislate at all. It is useless to introduce words into the Bill which are going to nullify the Bill altogether. We know that practically it would be impossible to get this corroborative evidence in ninety-nine cases out of a hundred, in reference to seduction, whatever may be the case as to promise of marriage. I think, as to promise of marriage, it would be just as well to require some corroborative evidence, but as to the other it seems to me

monstrous, and I hope the promoter of the Bill will not consent to it.

Mr. CHARLTON. If the committee would accept the clause standing 8 in the Bill as it is printed, and which is an exact copy of the English Statute, section 3, chap. 69, 48 and 49 Vic., it would suit my views better, of course. Then it will read as follows:

No person shall be convicted of any offence under this Act on the evidence of one witness unless such evidence be corroborated in some material particular by evidence implicating the accused.

Then, in addition to this safeguard, we have in the next clause, the provision that in every case arising under this Act the defendant shall be a competent witness in his own behalf, which provision does not exist in the English Bill; so that we give a double safeguard, even if we strike out these words as regards both seduction and the promise of marriage. If the committee will permit the provision to stand as it is in the English Statute, with this added safeguard, that the accused shall be a competent witness in his own behalf, I think the Bill will be better than with the other provision left in, which I fear will nullify the Bill entirely.

The CHAIRMAN. The motion before the committee now is that the words which were added by the special committee to whom the Bill was referred, namely: "Both as to seduction and as to promise of marriage" be struck out, which would leave the clause as it was originally.

Motion agreed to; yeas 42, nays 23.

On section 6 (section 9 in original Bill),

Mr. CHARLTON. I move that the words added by the special committee, which are now rendered unnecessary by dropping the clause to which they refer, be struck out.

Motion agreed to, and Bill reported.

Amendments read and concurred in, and Bill read the third time.

HOLES IN THE ICE.

Mr. ROBERTSON (Hamilton) moved the second reading of Bill (No. 2) to amend the criminal law and to declare it a misdemeanor to leave unguarded exposed holes cut in the ice on any navigable or frequented waters. He said: I do not think I need occupy the time of the House in pointing out the different provisions of this measure. It has now been before Parliament several Sessions, and no doubt has been well considered by every hon. member. The Bill as now introduced is the same as that reported by a special committee to which the Bill of last Session was referred. It was entered on the paper but not reached. This Session I have re-introduced the Bill as reported by the committee, and I hope the House will consider that it is a measure which should receive its sanction. One of the principal reasons for the Bill is that experience has shown that great carelessness is practiced by parties who are engaged in harvesting ice in and about cities and towns, and the consequence is that very serious loss of life has occurred on many occasions. Only the winter before I introduced this Bill, some three years ago now, a valuable member of society in Hamilton had occasion to cross over the bay in his cutter, and it being dark he unfortunately drove into an ice hole, and was drowned. His death was a matter of very great grief, and the public were very much excited and considered that some legislation should take place to compel parties who were making money out of harvesting ice, to protect the holes they made.

Motion agreed to, and Bill read the second time.

CARRIERS BY LAND.

Mr. McCARTHY moved the second reading of Bill (No. 7) respecting carriers by land.

Mr. THOMPSON (Antigonish). In regard to this Bill I may say that the Minister of Railways thinks it very desirable that the commission which he proposes having appointed should take up this subject and deal with it in connection with the whole question.

Mr. McCARTHY. On the understanding that it is to be dealt with in that way during the recess, I shall ask that the order be discharged.

Order discharged, and Bill withdrawn.

CONSOLIDATED RAILWAY ACT, 1879.

Mr. McCARTHY moved the second reading of Bill (No. 8) to amend the Consolidated Railway Act, 1879.

Motion agreed to, and Bill read the second time.

LAW OF EVIDENCE IN CRIMINAL CASES.

Mr. CAMERON (Huron) moved the second reading of Bill (No. 23) further to amend the law of evidence in criminal cases.

Mr. THOMPSON (Antigonish). I think I should say a word or two on this Bill although in discussing it I am addressing hon. members who have already debated the subject on two or three occasions. I shall confine myself to giving my personal views upon the question and I therefore speak altogether for myself. I am in favor of the principle of the Bill and concur, generally speaking, in the arguments by which it is supported. But I am opposed to its being passed at present simply for the reason that it makes a most important change in the criminal law, one that has not yet been adopted in the Mother Country, but which is likely to be adopted either at the present Session of Parliament or at the next Session. It is, no doubt, quite true that this Bill is framed on the Bill which is likely to be passed in Great Britain. It may be, however, that the enactment there will receive important modifications as it goes through Parliament. I understand the probabilities are much more in favor of its passage during the present Session of the Imperial Parliament than they have been heretofore; but I think, in respect of the criminal law, much more than in respect of any other branch of the law, it is desirable to follow the beaten track of legislation and judicial decision. It is very desirable, at all events, not to adopt so fundamental a change as this is in the whole system of criminal procedure without either the sanction which such a change would receive from its adoption in the Mother Country or the advantage of the decisions of the tribunals of the Mother Country, which we know are almost implicitly followed in matters of criminal jurisprudence, and are the safest guides we have in administering that jurisprudence. While, therefore, I am in accordance with the hon. gentleman as to the principle of this Bill, I think, for many reasons, it would be inexpedient to adopt it, and perhaps more inexpedient just now, in view of the probability of its being adopted in the Mother Country in some modified form. I think it would be undesirable, and I think that next Session we would probably regret having adopted a measure which was found in its passage through the Imperial Parliament to have undergone important modifications.

Mr. CAMERON (Huron). I must confess that I cannot follow very well the logic of the Minister of Justice—it may be from my obtuseness, but at any rate I cannot follow him. He says he is in favor of the principle of the Bill; he thinks it is a good Bill; he thinks it ought to become

law, but because the Imperial Parliament have seen fit not to pass it yet, we ought not to adopt it here. I do not believe in that doctrine. I do not think we should always follow the lead of English lawyers or the leading strings of the Mother Country in matters of this kind. If the principle is a sound one and the Bill is a good one, it should become law. It has received the sanction of the English Parliament several times; it passed the English House of Lords in 1885 without a dissenting voice, or rather a Bill of which this one is an exact transcript. It passed the second reading during the present Session of the present Parliament in England, I believe without a dissenting voice, and with the almost unanimous assent of the English Law Lords, all of whom, with few exceptions, pronounced strongly in its favor. The principle of the Bill has been assented to in this Parliament on four different occasions, and on each occasion with the assent of the First Minister. It passed through every stage of this House during last Session; it passed the second reading by a majority of 32, and it was finally passed in this House and sent to the Senate, but owing to the late period at which it was sent there and the pressure of other important business, it did not receive very much consideration at their hands and the Bill was dropped without a division. After having already received the sanction of this Parliament, I do not see upon what ground it should not again receive the sanction of this House. If the principle is a sound one, and the Bill ought to become law, why should we wait another year—what does the Minister of Justice expect to gain by waiting another year? I will only refer to some of the observations made by several of the English law lords when this Bill was before the English House of Lords for the third time. It was introduced during the present Session of the Imperial Parliament by Lord Bramwell, and a similar Bill was introduced in the House of Commons. The Bill introduced by Lord Bramwell received its second reading on the 10th of March last, and on pressing it on the House of Lords Lord Bramwell made use of the following words:

"Of all persons in the world the man who knew best whether an accused person was guilty or not was the man who was charged with an offence, and yet under the present law that was precisely the man whose mouth was closely shut. It must be a most grievous thing to an accused person that when he could prove his innocence he was not allowed to give evidence. Already steps in the direction of allowing an accused person to give evidence in his own behalf have been taken to a limited extent, and this Bill merely proposed to go further in that path. The principle of the measure had been recognised in the Criminal Law Amendment Act which was passed in the last Session of Parliament. The part of the law of evidence which he proposed to repeal was the last remnant of the very unreasonable condition of that law which existed some fifty years ago."

Why, Sir, it is the law of England now—not to the full extent it is true, but in many cases of felony and misdemeanor. We know that in 1871 the principle was recognised by the English Parliament in the Plimsol Act which made it an offence to send an unseaworthy ship to sea, and for such an offence the accused person could give evidence on his own behalf. Under the English election law a person accused of an offence under that law may give evidence on his own behalf. On an indictment under the English Explosives' Act the person accused can give evidence on his own behalf. Under the law passed last Session by the Imperial Parliament for the better protection of women and girls, a law which created new offences, some misdemeanors, and some felonies, the person accused is a competent witness in his own behalf. The principle has been recognised in Canada. In 1868, I think it was, a Bill was passed by the Parliament of Canada making a person indicted for assault a competent witness in his own behalf. A year or two subsequently the provisions of that Bill were extended to men indicted for assault and battery, and they can now give evidence in their own behalf. Under our election law a man can give evidence on his own behalf, and to-night a

Mr. CAMERON (Huron).

Bill has passed this House of Commons, with the assent of the Minister of Justice, creating new offences, some misdemeanors and some felonies, and on an indictment for any one of these offences, the defendant can be a witness on his own behalf. Now, I say it is an extraordinary proposition that having recognised this principle in cases of felony and misdemeanor in England and in Canada as well, we should not now make it the law of the land. Upon that discussion in the House of Lords on the 10th of March last, Viscount Cranbrook said:

"He felt bound to say that it was by a gradual growth in his own mind that he had come to the conclusion that what had already been done in that direction it was almost inevitable that they should go still further. The principle of that Bill had been partially introduced already in some cases. The precedent of the Explosives' Act had been mentioned. It was introduced into a measure which was carried in the House last year; and if it were accepted to meet the difficulty of getting evidence in some instances they could hardly reject it in others."

Lord Fitzgerald said:

"He believed that there was no noble and learned lord present who had a larger experience of the criminal law than he had. The result of his long experience had induced him to believe that the present state of the law inflicted a good deal of hardship, and not infrequently much injustice. In many cases where a prisoner had been tried on a serious charge the accused might have been able to dispose of the whole case against him if the state of the law had allowed him to go into the witness box and be subjected to examination. Many convictions indeed, were passed because the accused person was not allowed to give evidence. The Bill being intended to remedy this state of things, he would give it his support. If a prisoner was competent to be heard as a witness they ought to get rid of all those hindrances which at present prevented his going into the witness box, and which sometimes led to the accused being unjustly convicted."

The Lord Chancellor of England pronounced strongly in its favor, and the late Lord Chancellor in the Session of 1885 gave his opinion very strongly in favor of this measure. The Lord Chancellor in the late Conservative Government also pronounced in favor of the principle of the Bill; and with the almost unanimous opinion of the first lawyers practising at the English bar, the first judges on the English bench, and nearly all the Law Lords of the House of Lords in favor of the Bill. It does appear to me extraordinary that it should be opposed now. The hon. Minister of Justice also pronounces in favor of the principle of the Bill. And yet, as I understand, the hon. gentleman intends to oppose its second reading. I have heard no reasons from the hon. gentleman why it should not receive a second reading. If the Government undertake to deal with the question, I would gladly give it up to them. I believe the principle of this Bill is a sound one, and ought to have formed part of our legislation long ago. Every year it is left off our Statute-book, a great injustice is done. Suppose before Parliament meets again some unfortunate should be improperly convicted because he could not tell his own story—and we know from the testimony of some of the first men in England that that has taken place over and over again—it would not be a very pleasant or agreeable reflection for the Minister of Justice or any other hon. member that that injustice was simply due to our refusal to pass a Bill which a large majority in this House admit is based on a sound principle. If any amendments can be made to perfect the Bill, I would be glad to receive them; but in the meantime I desire to press the second reading of the Bill.

House divided.

YEAH:

Messieurs

Allen,
Armstrong,
Auger,
Bain (Wenworth),
Beaty,
Béchar, d,
Burnham,
Burpee,
Cameron (Huron),

Glen,
Guay,
Gunn,
Harley,
Hilliard,
Holton,
Innes,
Irvine,
Kilvert,

McNeill,
Mills,
O'Brien,
Paterson (Brant),
Platt,
Ray,
Rinfret,
Robertson (Shelburne),
Scriver,

Campbell (Renfrew), Asgrain, Charlton, Cockburn, Cook, Davies, Fleming, Forbes, Geoffrion, Gillmor,	King, Kinney, Kranz, Landerkin, Langelier, Lister, McCarthy, McOraney, McIntyre, McMullen,	Somerville (Brant), Somerville (Bruce), Springer, Trow, Vail, Wallace (York), Watson, Wells, Wilson, Woodworth.—57.
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NAYS:

Messieurs

Amiot, Bain (Soulanges), Baker (Victoria), Bell, Bergin, Billy, Blondeau, Bourbeau, Bowell, Bryson, Cameron (Inverness), Campbell (Victoria), Carling, Caron (Sir Adolphe), Chapleau, Cimon, Cochrane, Colby, Coughlin, Coursol, Urran, Daoust, Dawson, Desaulniers (St Maurice), Dugas, Dundas, Dupont,	Farrow, Ferguson (Leeds & Gren), Ferguson (Welland), Gault, Gigault, Gordon, Grandbois, Guillet, Hackett, Hall, Hesson, Hickey, Homer, Jamieson, Jenkins, Kaulbach, Landry (Kent), Landry (Montmagay), Langevin (Sir Hector), Mackintosh, Macmaster, Macmillan (Middlesex), McMillan (Vaudreuil), McCallum, McDougald (Pictou), McDougald (C. Breton), McGreedy,	McLelan, Massue, Orton, Ouimet, Paint, Pope, Pruyn, Reid, Riopel, Robertson (Hamilton), Scott, Shakespeare, Shanly, Small, Sproule, Stairs, Taschereau, Taylor, Temple, Thompson (Antigonish), Tyrwhitt, Valin, White (Cardwell), White (Hastings), Wood (Brockville), Wood (Westm'd).—80.
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Motion for second reading negatived.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to; and House adjourned at 10:15 p.m.

HOUSE OF COMMONS.

THURSDAY, 18th April, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

VISITS OF MILITIA REGIMENTS TO GREAT BRITAIN.

Mr. GAULT asked, Have any of the militia regiments of the Dominion made application for permission to visit Great Britain this summer, on the occasion of the celebration of Her Most Gracious Majesty's 50th anniversary of her coronation, and is it the intention of the Government to grant their request, when willing to go at their own expense?

Sir ADOLPHE CARON. The 5th Battalion of Royal Scots, Lieut. Col. Caverhill, have made application to visit Great Britain this summer. As the Militia Act has no force outside of Canada, the men of the battalion would not be subject to its provisions if taken outside of the country. It was thought advisable, in consequence, not to grant the request.

THE NATURALISATION ACT.

Mr. LANDERKIN asked, Is it the intention of the Government during the present Session to amend the Naturalisation Act, so that those Germans and other aliens who settle in Canada may be enabled to become citizens

by a more simple, cheap and expeditious method than they have under existing laws?

Mr. THOMPSON (Antigonish). I think it is not the intention.

MAIL SERVICE IN LOTBINIÈRE.

Mr. RINFRET asked, Whether it is the intention of the Government to extend a daily mail service to the parish of St. Narcisse, Newbois Post Office, in the county of Lotbinière?

Sir HECTOR LANGEVIN. This matter is still under the consideration of the Government. The Postmaster-General was informed that the service would cost \$40, while it now appears that it would cost at least \$200. Therefore, the Postmaster-General has not decided whether he will extend the service or not.

FRAUDS UPON THE REVENUE.

Mr. GAULT asked, Is it true that extensive frauds have been committed upon the Revenue by a Montreal firm of dry goods importers; and, if so, is it true that a compromise has been effected by the acceptance of a sum of money and a guarantee given that no further proceeding is to be taken by the Government, and what was the amount paid?

Mr. BOWELL. There have been frauds discovered on the part of certain dry goods importers in the city of Montreal. A settlement was effected by one of the officers, who agreed, upon the payment of a certain sum, not to prosecute beyond that. As soon as the report was shown to me after its arrival, I at once repudiated, on behalf of the Government, the terms of the settlement, and returned the papers to the officer in Montreal, instructing him to so inform the importers. The amount paid and deposited was between \$36,200 and \$36,300.

CANADIAN PACIFIC RAILWAY—BRITISH COLUMBIA CONTRACTS.

Mr. TROW (for Mr. CASEY) asked, 1. Have sections A, B, C and D of the Canadian Pacific Railway in British Columbia been fully completed according to the specifications, and has a final estimate been made by the engineer-in-charge? Has the work been accepted by the Government, and taken over from the contractors? Has it been accepted by the Canadian Pacific Railway Company? Has it been completed within the amount of the original estimate? 2. Why was Mr. Marcus Smith removed from the position of engineer-in-charge and placed in an inferior position? 3. Has the Port Moody contract been completed within the time limit named in the contract, and according to the schedule of prices in the contract? If not, what are the variations from such time limit and schedule? 4. Who is now operating the Canadian Pacific Railway in British Columbia? Does the Government pay anything towards the maintenance of that portion of the railway? If so, how much, and for what purposes?

Mr. POPE. Sections A, B, C and D of the Canadian Pacific Railway in British Columbia have been fully completed according to specifications. A final estimate has not been made by the engineer-in-charge; engineers-in-charge do not issue final estimates, the chief engineer issues such estimates; he has not yet done so in this case. The work has not been formally taken over in its entirety. It has not been accepted by the Canadian Pacific Railway Company; it has been completed within the amount of the original estimate. Marcus Smith was in charge of the Emery-Port Moody section, and when the work was drawing near completion he was appointed to oversee the work being done by the Canadian Pacific Railway

Company, east from Savona to Eagle Pass, a very important position, not inferior to that he occupied before, and where his services would be of greater value. The Port Moody contract has been completed within the time limit named in the contract. The contract is for a lump sum, and not a schedule contract. The lump sum was not exceeded. Mr. Onderdonk is now running trains over the Canadian Pacific Railway in British Columbia for the conveyance of mails.

TERMS OF UNION WITH PRINCE EDWARD ISLAND.

Mr. CHAPLEAU. I wish to supplement the answer I made yesterday to the hon. member for King's, P.E.I. (Mr. McIntyre), concerning the deputation of the Prince Edward Island Government to England on the subject of the conveyance of mails between Prince Edward Island and the Dominion mainland. My answer was correct, that no communication has been received from the Imperial Government; but on arriving at the Department I made further enquiries, and I find a despatch has been received from the High Commissioner, Sir Charles Tupper, transmitting a letter of the Colonial Office to him, asking him to be party to a conference to be held between the Colonial Secretary and the Prince Edward Island delegation. That despatch includes also a copy of his answer to the Colonial Office, the memorial of the delegates, and the answer of Sir Charles Tupper to their memorial, to be submitted at the conference. These papers are being copied, and will be brought down when the Address, notice of which appears on the Notice Paper in the name of the hon. member for King's, P.E.I., is voted.

STEAMBOAT INSPECTION ACT, 1882.

Mr. FOSTER moved that the House resolve itself into Committee of the Whole to consider the following resolution:—

That it is expedient further to amend the Steamboat Inspection Act, 1882.

He said: Since 1870, masters and mates who were granted certificates by the Marine Department of Canada, have been allowed equal privileges in the United Kingdom with masters and mates certificated by the Board of Trade. The same privilege has now, upon the recommendation of the Board of Trade, been extended by Order in Council to include engineers of first and second class. The object of the resolution is to prepare the way for introducing a Bill to make the necessary legislation to give effect to that. Other amendments are introduced into the Steamboat Inspection Act. The principal one provides for the separation of the certificates granted by hull and boiler inspectors. Under the present law, the hull inspectors did their duty and gave their certificates, but their work had to be revised by the inspector of boilers. It is proposed now to make the certificate of inspection of hulls sufficient without that revision. It is proposed also to make the certificates granted to engineers equal to those granted to masters and mates in point of continuance, as under the present Act they have to be renewed yearly. Under the amendment proposed, these certificates, once granted, are held by the engineers during good behaviour, or while they fulfil the conditions proposed. This will reduce the expenses of examination, and remove a grievance long complained of by the engineers. To obviate danger from fire on certain passenger steamers carrying between decks hay and other combustible material, coal oil lamps cannot be used. This with some minor particulars make up the resolution.

Mr. POPE.

Mr. COCKBURN. It is high time some Bill was introduced to amend this Act, and I hope this one will be sufficiently comprehensive. Otherwise, I will deem it my duty to offer amendments which will have the effect of removing any anomalies that the hon. gentleman's Bill may not deal with. I hope the Bill will apply to all our navigation interests, including the minor waters. In the latter a hardship arises through the fact that fourth-class engineers cannot get out of that class, and are not allowed to take charge of a passenger vessel, no matter how small, although well qualified to do so. I addressed a letter on that subject to the Department; and if I find the difficulty is not remedied in the new measure, I will have to propose an amendment, and test the sense of the House on the matter. But I am in hopes that the present Minister of Marine will be more practical than his predecessors, and enquire into the matter. Hitherto the Steamboat Inspection Act has been the laughing-stock of practical men. They have laughed at the Ministers and at some of the steamboat inspectors, and have ridiculed the absurdities and the impracticable regulations in regard both to masters and engineers. I cast no reflection. We must judge the measure on its merits when it comes; but I throw this out as a note of warning that past legislation has been anomalous and defective.

Resolution considered in Committee, reported and concurred in.

Mr. FOSTER introduced Bill (No. 103) further to amend the Steamboat Inspection Act of 1882.

Bill read the first time.

CANADA TEMPERANCE ACT AMENDMENT.

Mr. ORTON. I ask the indulgence of the House to allow me to introduce Bill (No. 104) to amend the Canada Temperance Act of 1878. As one of the reasons which constrain me to introduce this Bill, I have received from the town of Orangeville, in my county, in which the Act has been in operation for twelve months, the following resolution, a copy of which I have transmitted to the Secretary of State:

"Mr. Foster moved, seconded by Mr. Booth, that whereas the Scott Act has been in force from 1st of May last without furthering the cause of temperance or morality, and at the same time a large monetary loss to this town; that we believe an Act of Parliament cannot be properly enforced where a large number of the people are opposed to its working, and only tends to educate the people to be law-breakers rather than good citizens; that we believe the only successful course for temperance people to pursue is moral suasion, and that a well-regulated licence Act is far superior as a temperance measure than any Act of total prohibition: Therefore, be it resolved by this council, that the wise course of the Federal Parliament to pursue at the present Session would be to amend the Scott Act by allowing the issue of wine and beer licenses; that the clerk forward this resolution to Dr. Orton to present to the Government."

I move the first reading without further remarks at this stage.

Mr. BLAKE. What is the object of the Act?

Mr. ORTON. The object of the Act is to amend the Canadian Temperance Act of 1878 by allowing the sale of beer, wine and cider, not containing more than 15 per cent. of alcohol; and to allow, in counties where the Scott Act is in operation, the privilege to the people, by a similar petition of a similar number of the electors in a similar manner, to have an election to decide whether the people shall agree to have beer, wine and cider exempted from the operation of the Scott Act after a certain time has elapsed.

Motion agreed to, and Bill read the first time.

POST OFFICE ACT AMENDMENT.

Sir HECTOR LANGEVIN. As I desire to strike out one word in the second sub-section of the first section of

Bill (No. 77) further to amend the Post Office Act, 1875, I suppose it will have to go back to Committee of the Whole. This portion of the section is as follows:—

And if such acknowledgment has not been received by the depositor through the post within such ten or such eighteen days respectively, and before or upon the expiry thereof he demands such acknowledgment from the Postmaster-General, by registered letter addressed to him at Ottawa.

Instead of "registered letter" it should be "letter." The reason is that, if the man complains of the postmaster, and has to register the letter, the attention of the postmaster is called to the fact that he is writing to the Postmaster General, so I wish to strike out the word "registered."

Order for third reading discharged, and Bill referred back to Committee of the Whole.

(In the Committee.)

Mr. BLAKE. I cannot understand the reason which the hon. gentleman has given, namely, that in all cases in which the acknowledgment has not come back by reason of some default on the part of the local postmaster, this is giving that local postmaster a notice that complaint is being made. But, on the other hand, the neglect to send a certificate may have arisen from several other causes, and very great difficulties will, I am afraid, be created if a conclusive title is to inure to the depositor, capable of being continued, simply by the statement that he has sent a letter and not a registered letter. There will be disputes as to whether he did send a letter or not. How is that fact to be proved? It is clear that the object in the original Act, saying "by registered letter," was in order that there might be a means of proof satisfactory for the party. But now you say if he sends a letter it shall be conclusive evidence during a term of eighteen days. Now, supposing the letter does not reach its destination. At a small country office the postmaster knows a good many letters that are sent besides those which are registered; he may know the handwriting of the depositor, for instance. There is no security, then, that it will go, and there is no proof, either, to the Department, that such a letter was actually sent. While we are incurring very considerable liability in the convenience that we are affording to the public by these deposits, we are incurring a liability for the honesty and good management of a large number of officers all over the country, and the prudent precaution which, up to this moment, has existed, that the title shall inure only on condition of a registered letter being sent, is now proposed to be dropped. I think there are reasons on both sides.

Sir HECTOR LANGEVIN. Perhaps so. But the party who has to send the letter, if he wishes to have a guarantee, may register it if he pleases. He might do so if he thinks that will be an additional guarantee to him. But if you make it an obligation by the Act that he must write a letter and have it registered, and if he has reason to believe that the acknowledgment has not been received, and that it is the fault of the postmaster, then he will not register the letter. At all events, it will be for him to decide whether he should register it or not. The section now reads:

And if such acknowledgment has not been received by the depositor through the post within such ten or such eighteen days respectively, and before or upon the expiry thereof he demands such acknowledgment from the Postmaster-General, by letter addressed to him at Ottawa."

But you put here "by registered letter," and compel him to have the letter registered, and if he sends a non-registered letter he will not have complied with the law. Then the entry in his book will not be conclusive evidence of title during another term of ten or eighteen days. So that I really believe, if you do not make it a necessity for him to register his letter it will be better,

because you leave it to him to select the one course or the other.

Mr. BLAKE. This provision has not been inserted for the security of the depositor at all; this provision as to registration is a condition imposed by Parliament upon the depositor for the security, not of the depositor, but of the Department and the Government. I quite admit that the depositor is entitled to register if he chooses, although he be not obliged to register; but it was in order to make a security to the Department that he shall perform this duty, which is the condition of a continuing of the liability on the part of the Government for money that it may never have received. The condition of registering it is a means of being quite certain that there shall not be a trumped-up sending of letters. If no registration takes place, then, after an interval of two or three months, the depositor comes forward and says: I want my money. The Department replies: But you never received an acknowledgment from us within the ten or eighteen days. He answers: True, but I have sent you a letter. How is it going to be proved; what sort of proof are you going to admit of that fact having taken place, which, under the law as it has been ever since the system was introduced, was provided for, and it was provided for by the registration that it is now proposed to alter.

Sir HECTOR LANGEVIN. Of course the hon. gentleman knows this is not my Department, but I am informed by the Postmaster-General that the registration of the letters was not in the previous law.

Mr. BLAKE. Oh, yes.

Sir HECTOR LANGEVIN. So I am informed, and it is at his special request that I am moving to strike out this word, because the Post Office authorities believe that the word "registered" should not be there, and they think they will have a better guarantee by leaving it to the party to do so if he chooses. Of course I admit what the hon. gentleman says about the guarantee being in favor of the Department; but, on the other hand, if the postmaster is dishonest enough not to send the money forward, he would also take care that the registered letter did not reach its destination.

Mr. BLAKE. I assumed that the law was the same in this particular, upon the statement the hon. gentleman made when he took the first stage in the Bill, because he then informed us that the only change he was making was to apply to the North-West Territory and Manitoba. There is a further change, I see. Upon looking at the Bill I find that the depositor may demand the acknowledgment of the Postmaster-General, and if the acknowledgment shall not have been received by the depositor within ten days, he shall then demand a further acknowledgment from the Postmaster-General. The law up to this time made a still greater precaution to the Department than even the Bill as it now stands; because it was necessary that he should make a demand through the Postmaster-General, but it was not necessary it should reach the Postmaster-General. The demand might be good provided it reached, but if it did not reach it would not be a good demand. Then there is a proposed acknowledgment which he is to demand by registered letter addressed to Ottawa, which is a still further extension of time. There is a very considerable extension of time even as to the older Provinces, because, whereas by the existing law you would have to make your demand on the Postmaster-General within ten days, now you have only to commence the demand within ten days, so there is an extension of the time and there is also a relaxation of the method. As the hon. gentleman now proposes, the party will make a demand by letter without registration, and the result may be the Department may know nothing about it, and yet it becomes liable. This is a matter, however, to be largely disposed of according to the practice and experience of the Department. I do not

know in how many cases it has been found that there have been defaults through accidental delay, or mistake or fraud—because I daresay the first causes are more common than fraud—or how far the Department has found the law unsatisfactory in other respects. But in the first instance when the Bill was presented to the House, it was supposed only to alter the practice by giving an extension of time—it was simply provided that the time should be enlarged in the remote districts of the North-West Territory and British Columbia. We have, therefore, had no opportunity of obtaining statistics and information as to the practical working of the plan, so as to show us that there is an evil to be remedied. What I fear is that claims will be made by persons who have not received acknowledgments, on the plea that a letter had been posted by a man's children or his wife at a certain time, and in that way inconclusive evidence after a lapse of months would be presented in regard to claims pressed against the Department; whereas that is at present impossible.

Sir HECTOR LANGEVIN. The hon. gentleman may be correct in what he states that the clause goes a little further than was stated when the Bill was read the first time. I understood, however, at the time, and the memorandum I had was to that effect, that this clause was an extension of the time from ten days to eighteen days as regards the North-West and British Columbia. Now, as to the registration of the letter: The Department is of the opinion, and it is at their instance that the motion is now made, that there is a better guarantee that the letter would reach than if the letter was registered, because if complaint is made, and the district postmaster is actually dishonest, he would be likely to tamper with a registered letter. His attention would be called to it, because he would see that it was registered and addressed to the Postmaster-General. If the letter was dropped in the post office with others in the usual way, it would have a better chance of reaching the Postmaster-General, as the attention of the local postmaster might not have been called to it. There may be good reasons on both sides. The registered letter may reach in very many instances; but, on the other hand, the Department, which has had experience in this matter, believes the plan will work much better in the public interest if the letter is not registered. I, therefore, move to strike out the word "registered" in the 42nd line.

Amendment agreed to.

Bill reported as amended, and read the third time and passed on a division.

CHIGNECTO MARINE TRANSPORT RAILWAY.

Resolutions (p. 513) respecting the subsidy to the Chignecto Marine Transport Railway Company concurred in.

Mr. POPE introduced Bill (No. 105) to amend the Act to provide for the granting of a subsidy to the Chignecto Marine Transport Railway Company, Limited.

Bill read the first time.

THE INTERPRETATION ACT.

House resolved itself into Committee on Bill (No. 80) further to amend the Interpretation Act (from the Senate).—(Sir Hector Langevin.)

(In the Committee.)

Mr. MILLS. How does the Minister propose to confer by this first section, power upon a Minister to discharge the duties that pertain to an office, when no Minister is appointed under the Great Seal?

Mr. THOMPSON (Antigonish). We propose to do so by Order in Council; and I would move the insertion of the words "by authority of an Order in Council" after the word "Minister" in the 11th line.

Mr. BLAKE.

Mr. MILLS. That might serve very well in the case of a Minister acting for another who may be absent, but not in the case of a Minister discharging the duties of an office which is vacant.

Mr. THOMPSON (Antigonish). Of course it is necessary to make provision for temporary vacancies, and though the Bill does not designate such a case as that suggested by the hon. gentleman, yet it seems reasonable to regard such a vacancy as a temporary vacancy.

Mr. BLAKE. It sometimes happens under the present regime that they are far from temporary. In one case, I think the vacancy lasted more than a year.

Mr. THOMPSON (Antigonish). The hon. gentleman must have hope for the future.

Mr. BLAKE. I did hope for a long time, but after long experience of hon. gentlemen opposite I have ceased to hope.

Mr. MILLS. There is besides the question of public policy. The Government have submitted a measure to Parliament to provide for a certain number of offices. They told us, for instance, that the office of Minister of Railways was a necessary office, and they provided for it by law. But now the hon. gentleman proposes to make provision for the discharge of the duties of a Department to which no Minister has been appointed, and under the conditions of this Bill the office may continue vacant during the whole period of the existence of a Parliament, although the law itself requires that the Minister shall be appointed. Now, while it may be important, and I think it is important, that some means should be devised for the discharge of the duties pertaining to any particular Department of the Government during a vacancy, it does seem to me that it is also necessary that Parliament should take care that that vacancy should not be indefinitely continued, as it might be under the provisions of this Bill.

Mr. THOMPSON (Antigonish). I do not think the Bill will effect a change of policy in that respect. There was necessarily a chance under the existing law of an office becoming vacant, and it is reasonable that we should take steps to prevent that vacancy operating to the public disadvantage. I do not think that making provision for a contingency of that kind, implies at all a change of policy or invites the Ministry to hold the position vacant.

Amendment agreed to.

On section 2,

Mr. MILLS. Will the hon. gentleman explain this clause?

Mr. THOMPSON (Antigonish). There may have been a great variety of acts performed by one Minister through the absence or illness of another Minister, and some, of course, during the vacancy of the office. As to none of these, I am informed, has any question arisen by which litigation might be caused; but as the doubt has been suggested, it seems proper to remove any question on the matter, and I think it is apparent to the House that such legislation is proper. For instance, it has been found necessary in many cases during the absence of the Secretary of State, that some other Minister should sign public documents for him; in other cases contracts have been signed, performed and executed, and no question has been raised by the party interested as to the validity of these acts. However, it seems advisable to remove any doubt on the subject, and hence this clause.

Mr. MILLS. Can the hon. gentleman say how long the office of Minister of Railways was vacant?

Mr. THOMPSON (Antigonish). I think from twelve to sixteen months.

On section 3,

Mr. THOMPSON (Antigonish). This has been inserted because the issue of public Statutes and private Statutes has been very much increased since the Act of 1867, and it has been considered reasonable that a larger share of the expense of printing should be borne by persons who have obtained private Acts.

Bill reported as amended, read the third time, and passed.

APPLICATION OF CERTAIN FINES AND FORFEITURES.

House resolved itself into Committee on Bill (No. 82) respecting the application of certain fines and forfeitures.—(Mr. Thompson, Antigonish.)

(In the Committee.)

Mr. THOMPSON (Antigonish). As some members of the House are here who were not present when I explained the provisions of this Bill, I may state that it is found necessary to make some further provision for the application of fines, penalties and forfeitures imposed for the violation of some of the Statutes of Canada. This has been made the more necessary by a decision of the Supreme Court of Canada, in 1885, in the cause of Fitzgerald vs. McKinlay, which is not yet reported. I stated the substance of that decision the other day, and I think the interpretation put upon it by my learned friend from Prince Edward Island (Mr. Davies) was not substantially different from mine. It was to the effect that the clause of the Interpretation Act which makes provision for the disposition of fines, penalties and forfeitures does not provide for the imposition of these fines or forfeitures, when imposed in course of criminal proceedings. Therefore, the first clause of this Bill provides that they shall belong to the Crown and be for the public uses of Canada, and the second clause provides that the Governor in Council may from time to time direct in what way they shall be applied. One class of cases was mentioned the other day, the cases arising under the Canada Temperance Act; and I understand that the suit under which the decision of the Supreme Court was given was a cause under that Statute. But there are various other Statutes in respect of which the same difficulty arises. An instance occurred a little while ago in which the intervention of the Minister of Justice was asked for the enforcement of justice. The Minister of Justice did intervene, in deference to the public sentiment of the place, and the evident necessity that public order should be enforced more strictly than it would be if the prosecution were left to the private authorities. The result was that the supposed offender was made to give sureties for his appearance; he subsequently became a defaulter in respect of his sureties, and there was no legislation indicating to what destination the sum forfeited should go. I mention that as one of a class of cases different from the cases mentioned the other day. The hon. member for South Huron (Sir Richard Cartwright) suggested to me that it would be desirable that a return should be made to the public Treasury of the fines and forfeitures. On looking into that matter, it appears to me that the present enactments on the subject are sufficient. The present Statute requires that the convicting magistrate shall make his return to the Clerk of the Peace for the county; for it seems to have been the policy at the time of Confederation to make use of the existing municipal officers, and since that time the returns have been made to them. A subsequent clause provides that the Clerk of the Peace or other officer of each district or county, within twenty days after the end of each General Sessions of the Peace, shall transmit to the Minister of Finance, or the Receiver-General, a true copy of all such returns made within his district or county. On page 54 of the last Auditor-General's

report, will be found a statement of a considerable amount of the fines and forfeitures which have come into the Dominion Treasury under these provisions. It is true, most of these fines and forfeitures have been returned by Federal officers, and the returns, which have been heretofore made by the convicting justices, have been comparatively few. Some returns, however, have been made, and the returns can be enforced under this provision. I admit that it seems desirable to have a more efficient machinery, and I propose, as early as possible, to present to the consideration of the House a Bill for the simplification of proceedings and the recovering of fines and penalties. I think, however, that a leading principle such as that in this Bill, may be adopted, by which we shall avoid considerable confusion which now exists for the recovery of fines and forfeitures under the existing Acts.

Mr. BLAKE. It seems to me that the proposal the hon. gentleman makes is open to some objections. It, in fact, throws into the hands of the Governor in Council the whole disposal of this important question. I think it would have been well if the hon. gentleman had some scheme for the disposition of fines and forfeitures which he thought proper in the public interest, and submitted that to the judgment of Parliament. We are really more and more, session after session, becoming a mere machinery for handing over additional powers to the Governor in Council; and now this important power is proposed to be added. The hon. gentleman will agree, I think, that this is a matter which, for very obvious reasons, ought to be dealt with upon large and general principles. To give a power of this kind enables the Governor in Council practically to deal according to his discretion with individual cases—to make a disposition of a fine or a fee according to one principle in one case, and according to another principle in another case, which does not seem to me to be correct. Of course, I am not now discussing the application of the prerogative with reference to a remission; I am discussing the disposition of the exacted fine or penalty. The hon. gentleman made an observation which, I think, calls for a remark. He mentioned an instance in which, in deference to the public sentiment of a particular locality, and in order to secure a more efficient result than would have been secured if the matter had been left to the private authorities, the Dominion Government had intervened. Of course, I do not know the particular case the hon. gentleman refers to; but it seems to me that between a class of cases, as, for example, prosecutions in reference to the revenue, and so forth, in which the Government occupies rather the position of a private prosecutor, and cases under the general administration of justice, there is a very clear line of distinction; and it would be an unfortunate thing if, upon an application from a locality, and in deference to what the hon. gentleman calls the public sentiment of a locality, the Dominion Government should interfere to do that which is after all the duty of the local authorities. With the local authorities rests, under the Confederation Act, the administration of justice. If the arrangements for the administration of justice are ineffective, then public opinion ought to direct itself to the remedying of whatever defects there may be. If the arrangements are sufficiently effective, and are not properly carried out, then public opinion ought to act on the officers whose duty it is to carry them out; but I think it would be unfortunate if either such arrangements, or the action taken upon such arrangements, should result in proceedings being taken in Ottawa with reference to the administration of justice. I suppose the hon. gentleman's difficulty was that after he had deferred to the public sentiment and taken proceedings, he found himself put to some expense, and would be willing to pay the expenses out of such fines and fees as he could collect. This would involve confusion and complications undesirable in the extreme.

Mr. THOMPSON (Antigonish). The particular instance I mentioned has no special relevancy to this Bill, otherwise than as a mere illustration. No facilities will be given by this Bill for doing what the hon. gentleman thinks is unwise. If I were quite at liberty to mention all the particulars of this individual case, I think the action of the Department in that respect would meet with his approbation. It was not a case, as he seems to think, of personal difficulty of my own, because it occurred a long time before I became connected with the Department, but there was some ground for asking the intervention of the agent of the Dominion Government to prosecute. I quite acquiesce in the general principle stated by the hon. member, that the administration of criminal law should be left to the Provincial authorities. It is not the desire of anybody to have the Orders in Council deal with individual cases, but the hon. gentleman will see that the Statutes which will be affected by a Bill of the kind suggested are numerous and of great variety. Some involve for their execution expense on the local authorities, and it seems fair that in respect of those, the local authorities should be entitled to the advantage of the penalty imposed, to recoup them for the cost of prosecution; others are at the expense of the Provincial authorities, and these authorities should receive consideration for that expense. I expect this Bill to be a temporary measure, and I hope to relieve all apprehensions that this matter is to be left to the Governor in Council, by presenting a Bill which will deal comprehensively with the whole subject. There are cases in various parts of the country which urgently call for some provision like this, as otherwise the enforcement of the penalty will be at an end.

Mr. BLAKE. If the difficulty is pressing and urgent, and the hon. gentleman is not able to deal with it in the way he deems preferable, that will be reason for temporary legislation; but it must be understood that this is avowedly temporary legislation, and that we are not to place on the Statute-book as permanent that which the hon. gentleman agrees should only be temporary. The hon. gentleman cannot bring down a measure at present, he states, on account of the numerous and varied Statutes which have to be considered, and which he has not time at present to collate, and therefore this Bill, on his own statement, is to be but a temporary measure, to remain in force not later than the end of next Session. But there is a class of fines and fees with respect to which the hon. gentleman might act on the other view. I refer to those in connection with the administration of the Temperance Act. Under that Act a good deal of difficulty has been created and a good deal of public feeling aroused, and the local authorities, who are called on to enforce it, are under special difficulties by reason of the existing state of the law. I do not see why the Government should not, with reference to that Act, at any rate, state what the principle is upon which they propose to deal with it, and legislate in that direction. If there be numerous other Statutes which the hon. gentleman has not time to collate, so as to give a particular consideration to the precise method in which the fines and fees should be dealt with, that might be a reason for temporary legislation; but there can be no difficulty in dealing with the case to which I allude, and the case is urgent. I presume the hon. gentleman intends to deal with it, and I would prefer he would do so by proposing it as a measure of legislation, rather than ask authority to deal with it by Order in Council. Representations have been made already by the Provincial authorities to the Central Government as to the difficulties existing in connection with the Temperance Act, and these representations may have alluded to the proposed disposition of fines and fees which, in the view of the Provincial authorities, would be most desirable. Will the hon. gentleman state how that is? The last paragraph

Mr. BLAKE.

of section 2 reads, "or that the same be applied in any other manner deemed best adapted to attain the object of such a law, and to secure its due administration." So that I do not think, irrespective of what the hon. gentleman said as to the particular instance he referred to, the clause itself is wholly free from the observation that it is an indication of the intention—I am glad to see now, of no very marked intention—to interfere with the administration of the law.

Mr. THOMPSON (Antigonish). It would be practically impossible for me to decide now in what way it is proposed to deal with the class of cases mentioned. The difficulties which have arisen are different in almost every Province. In different localities in the one Province, there are different arrangements. In some places, the municipal authorities carry out the law, in others purely local authorities within the Province, and in others voluntary associations. The circumstances are not so fixed and uniform in the different Provinces as would enable us to deal satisfactorily with the whole subject. I can illustrate this matter no better than by informing the hon. gentleman that while representations have come from Prince Edward Island on the subject within the last few weeks and have been pressed on my attention by members of the House, on the other hand, representations of a different character have come from Ontario this afternoon; and as respects the condition of affairs in Ontario and the wishes of the Government, I have not yet seen the communication which has come, but I have been informed that it has come stating the wish that the disposal of the penalties be placed at the disposal of the Provincial Government. Instead of making now a hard-and-fast rule, these powers should be entrusted to the Government until opportunity is given us to ascertain the wants of the country, and to consider the different Statutes.

Bill reported.

Mr. THOMPSON (Antigonish) moved the third reading of the Bill.

Mr. BLAKE moved in amendment:

That the Bill be not now read the third time, but be referred back to Committee of the Whole to amend the Bill by defining the application of the fines, penalties and forfeitures.

Amendment negatived on a division.

Mr. BLAKE moved in amendment:

That the Bill be not now read the third time, but that it be referred back to Committee of the Whole to amend the same by providing that the Bill shall have force only until the end of the next Session of Parliament.

House divided on the amendment.

YEAS:

Messieurs

Allen,	Fisher,	Lister,
Auger,	Forbes,	McIntyre,
Bain (Wentworth),	Geoffrion,	McMullen,
Bécharé,	Gillmor,	Mills,
Bernier,	Glen,	Paterson (Brant),
Blake,	Guay,	Ray,
Burpee,	Gunn,	Rinfret,
Cameron (Huron),	Harley,	Robertson (Shelburne),
Cameron (Middlesex),	Holton,	Scriver,
Campbell (Renfrew),	Irvine,	Somerville (Brant),
Cartwright (Sir Richard),	Jackson,	Somerville (Bruce),
Charlton,	King,	Trow,
Cochrane,	Kirk,	Vail,
Cook,	Landerkin,	Watson,
Davies,	Langelier,	Wilson,—47.
Edgar,	Laurier,	

NAYS:

Messieurs

Abbott,	Fortin,	Montplaisir,
Allison,	Foster,	O'Brien,
Amyot,	Gaudet,	Orton,
Bain (Soulanges),	Gault,	Painé,
Baker (Missisquoi),	Gigault,	Patterson (Essex),

Baker (Victoria),	Girouard,	Pinsonneault,
Barker,	Gordon,	Pope,
Bell,	Grandbois,	Pruyn,
Benoit,	Guilbault,	Reid,
Bergin,	Guillet,	Robertson (Hamilton),
Blondeau,	Hackett,	Robertson (Hastings),
Bowell,	Haggart,	Ross,
Bryson,	Hay,	Royal,
Burnham,	Hickey,	Shakespeare,
Burns,	Hilliard,	Small,
Cameron (Victoria),	Homer,	Sproule,
Campbell (Victoria),	Hurteau,	Stairs,
Carling,	Jamieson,	Taschereau,
Caron (Sir Adolphe),	Kilvert,	Tassé,
Chapleau,	Kinney,	Taylor,
Cochrane,	Kranz,	Temple,
Colby,	Landry (Montmagny),	Thompson (Antigonish),
Costigan,	Langevin (Sir Hector),	Townshend,
Coughlin,	Lesage,	Tupper,
Cuthbert,	Macdonald (King's),	Tyrwhitt,
Daly,	Mackintosh,	Valin,
Dawson,	Macmillan (Middlesex),	Wallace (Albert),
Desaulniers (Maskin'è),	McMillan (Vaudreuil),	Wallace (York),
Desaulniers (St. Maurice),	McOallum,	Ward,
Dugas,	McCarthy,	White (Cardwell),
Dundas,	McDougald (Pictou),	White (Renfrew),
Dupont,	McDougall (O. Breton),	Wigle,
Everett,	McGreavy,	Wood (Brookville),
Farrow,	McLelan,	Wood (West'm'd),
Ferguson (Leeds & Gren),	McNeill,	Woodworth.—106.
Ferguson (Welland),		

Amendment negatived.

Bill read the third time, on a division, and passed.

SUMMARY PROCEEDINGS BEFORE MAGISTRATES

House resolved itself into Committee on Bill (No. 84) to make further provision respecting Summary Proceedings before Justices and other Magistrates.—(Mr. Thompson, Antigonish).

On section 1,

Mr. CAMERON (Huron). Is this exactly the Bill which was before the House last Session, and which did not become law, though it passed the other branch of the Legislature?

Mr. THOMPSON (Antigonish). It is substantially the same Bill.

Mr. CAMERON (Huron). There is no change?

Mr. THOMPSON (Antigonish). There are one or two changes. There is no change in the first clause. I will call attention to the changes when we reach them.

Mr. CAMERON (Huron). I opposed the passage of the Bill last year, and gave my reasons for doing so. I do not intend to oppose the passage of the Bill this Session. Upon reflection, I think the Bill is a good Bill. I am inclined to favor the principle of the Bill. I have no doubt that the Bill will become law, if not this Session, at some future Session of Parliament; but I think it has not passed the Imperial House of Commons or the House of Lords. I do not think there is a Bill on all fours with this that has received the sanction of Her Majesty the Queen, and I think, therefore, that it ought not to be carried here. I think the proper rule is that no legislation should pass this Parliament until it passes the Imperial Parliament; and therefore, though I am in favor of the principle of the Bill, I think it should not pass at this stage.

Mr. THOMPSON (Antigonish). I am glad to see that the hon. gentleman has changed his mind since last night, but I think the objection ought to have come at the second reading of the Bill, at least.

Mr. MILLS. If that is a proper rule, it ought to have been applied at an earlier stage. The hon. gentleman has laid down a rule, and has affirmed it again, that would practically render the existence of this Legislature unnecessary. If we are not to legislate on a subject of this sort

without its first being dealt with by the Imperial Parliament, then there is no particular reason why the Imperial legislation should not extend to this country and this Legislature be dismissed and sent about its business. It seems to me that we may exercise some discretion ourselves and investigate a subject on our own account. But this Bill certainly goes a long way in the way of rectifying every wrong that a magistrate may commit, and taking from the party, who may consider himself aggrieved by the action of the magistrate, all possibility of redress.

Mr. THOMPSON (Antigonish). I did not suppose the hon. member for West Huron (Mr. Cameron) was serious when he referred to what took place last night, as applicable to this Bill, as the hon. member for Bothwell (Mr. Mills) seems to be. He will excuse me, therefore, for saying that the two cases are not at all analogous. My objection to the Bill last evening was not merely that it should not be passed until passed by the British Parliament, but that inasmuch as our criminal code was framed very closely upon that of the Mother Country, and the Bill proposed to make extensive amendments in the procedure by which that code is worked, and inasmuch as that subject was under the consideration of the Imperial Parliament, it would be better to defer that Bill. I do not think this is quite in similar circumstances. The convictions have to be made in this country by a class of officers who are not as experienced or skilled in the technicalities of convictions as are the magistrates administering similar laws in England, and I think the necessity is much more apparent in this country for removing the chance of taking successfully purely technical objections to the proceedings of Justices who may happen not to be skilled in the practice or administration of the law. In the Bill of last year it was proposed to provide that the convictions should not be set aside if it appeared from the depositions "or other affidavits" that an offence had been committed. The words "or other affidavits" are omitted from this Bill.

Mr. DAVIES. I think it is very unfortunate that this matter should be dealt with in this way. Our Act relating to summary convictions was largely based upon the English Statute, and in all those cases where it deviated from English Statutes I think it made a mistake. I think, in the first place, that some of these sections go a great deal too far. In our Summary Jurisdictions Act we have discretion given to the Supreme Court where application is made to quash a conviction made by a magistrate, a very extensive discretion, indeed, where application is made to quash convictions on matters of mere form or any technicality, and even in matters going further than mere form. They have power to dismiss the conviction, or to maintain and amend all the proceedings, from the summons right down to the conviction. Then we had commissioners appointed to revise our Statutes, and they revised this Statute and made a re-draft of a number of sections of this Summary Jurisdictions Act. They were legal men drawn from all parts of the Dominion, assisted, I believe, to some extent, by members of the Government, and they gave a great deal of consideration to each of these sections, and the Act, as they amended it, is now before a special committee to whom the Consolidated Acts were referred, and I think they are a better tribunal to judge whether the amendments proposed by this Bill should be introduced. The result of the passage of this Bill, I fear, will be to create carelessness on the part of the magistrates. I agree with the Minister of Justice when he says that many of the magistrates in Canada are not as well educated, or as capable of drawing up legal forms, as English magistrates are, but I say the existing law provides fully for that state of things. My experience has not been that injustice has been done from want of sufficient power

vested in the Superior Court under the existing Statute. I think that injustice will be done, and may be done, if this Act passes, because, really, some of the powers given to magistrates are so great, and some of the errors which they commit are so great, that if they are to be cured in the manner proposed, no magistrate may pay any attention to the law. He may state the wrong offence, or he may state two or three offences, either in his summons or in his judgment, or do anything else, and you cannot take any advantage of it on application for a *certiorari*. I do not know whether the Minister of Justice has given that consideration to it that he ought to have given, nor whether he would not think it better to leave this matter in the hands of the committee to whom the consolidation of the Statutes was referred. The law, as it now stands, contains, at any rate, the opinion of the commissioners as to the extent to which changes should be made. I think, so far as I have been able to examine it, they have attempted to bring it as nearly as possible to the English Summary Convictions Act.

Mr. CAMERON (Huron). Will the Minister tell us what classes of cases are intended to be covered by section 2 of this Bill that are not already sufficiently covered by the law as it now stands? Under the law as it now stands no conviction can be quashed by reason of any defect, either in matters of form or substance, and the Court of Quarter Sessions is bound to hear an appeal upon the merits, quite irrespective of whether the conviction is defective in point of form, or in point of substance; and the court amends the conviction so as to make it conform to the evidence which has been given. I believe that is the practice that prevails, and I believe that it is justified by the law. I think the Minister will find, if he refers to the law as it now stands, that it is broad enough to cover almost every defect, whether it be a matter of form or of substance, so long as the magistrate has jurisdiction over the subject matter of complaint.

Mr. THOMPSON (Antigonish). The principal object of the clause is to enable the judge to say that the conviction shall be maintained. Although it has not been described by its technical name, there are many cases in which decisions have been recorded different from those which were rendered, and although the proceedings have been regular, the charge regular, the offence proved and verdict rendered, yet the magistrate has called the offence by its wrong name, and the prisoner appears to have been tried for one offence and convicted for another.

Mr. McCARTHY. It does not appear that the second clause was intended to meet the case mentioned by the hon. member for Huron (Mr. Cameron). On an appeal to the Court of Sessions the depositions are not referred to, but the case is re-tried. This clause will not affect cases at Quarter Sessions, but it will meet cases on *certiorari*.

Mr. CAMERON (Huron.) Before Quarter Sessions the presiding judge has power to amend a conviction then and there, either in matter of form or in substance.

Mr. McCARTHY. Under what Act?

Mr. CAMERON (Huron.) Under the Summary Jurisdiction Act, so that class of cases is covered by the present law and the 2nd clause of the Bill is therefore wholly unnecessary and would simply come into collision with the existing law. The hon. gentleman should send the Bill to a select committee.

Mr. THOMPSON (Antigonish). I have known many cases in which the existing provisions were held to be insufficient. I am not able to cite them from memory, but I have two on a memorandum here which will fully illustrate the operation of the law. One is that of a person charged with being a frequenter of a house of ill-fame. The offence was proved, but on the conviction it was stated that the

Mr. DAVIES.

defendant was an unlawful frequenter of such place, whereas the phrase should have been a habitual frequenter.

Mr. CAMERON (Huron). How was the matter disposed of? Was there a writ of *certiorari* to quash the conviction?

Mr. THOMPSON (Antigonish). Yes.

Mr. CAMERON (Huron). In that case there was no power to amend when an application was made by *certiorari*. But if there had been an appeal to Quarter Sessions the judge would have had power to amend the conviction either in form or in substance.

Mr. THOMPSON (Antigonish). Another case is one which was decided last year before Hon. Mr. Justice Rose in Ontario. The conviction was for unlawfully selling and disposing of intoxicating liquor to Indians. The conviction failed, because the magistrate stated that the offender was "charged" instead of saying he was "convicted."

Mr. CAMERON (Huron). I quite agree that if this clause is intended to apply to cases of writs of *certiorari* only it should pass. There is no reason why the judge in such cases should not have power to amend, such as is possessed by the judge at Quarter Sessions. But as regards proceedings in appeal at Quarter Sessions the law is ample, and is even greater than that of this section.

Mr. DAVIES. The point is worthy of consideration.

Mr. THOMPSON (Antigonish). In order to meet the objection, I propose to insert the words "on being removed by *certiorari*."

Mr. McCARTHY. I do not think there is the least danger of conflict between the proposed provision and the existing law. The depositions only are returned, and can only be perused by the Superior Court when the *certiorari* is issued. They are not before the court in the other proceedings.

Mr. DAVIES. They can come up as a matter of practice.

Mr. McCARTHY. I do not see how they can as they are officially before the court, and even if they do, where is the conflict? I do not see the slightest conflict, because these words, if they do apply to the Quarter Sessions, do not conflict with what we had before.

Mr. CAMERON (Huron). It is now introduced in different language and much more strongly. The convictions are all returned in the Quarter Sessions, and the first thing objected to is the validity of the conviction on the face of it, and then the judge refers to the depositions. Of course subsequently if the conviction is held to be good, they get in the evidence, and if the evidence does not sustain the conviction it may be amended. But the depositions are before the court and are constantly used.

Mr. McCARTHY. My recollection may be all wrong, but I should have said that the depositions were not returned. In summary convictions the conviction itself is returned, but the depositions remain in the hands of the magistrate.

Amendment agreed to.

On section 3,

Mr. THOMPSON (Antigonish). It sometimes happens that the magistrate uses the past tense instead of the present, in stating his conviction, putting it in the narrative form. Sub-section *a* refers to such cases as that. Sub-section *b* refers to the imposition of a less punishment than the one assigned by law to the offence stated in the conviction. Sub-section *c* is to prevent the conviction being defeated in consequence of the omission to negative circumstances.

On section 4,

Mr. THOMPSON (Antigonish). It sometimes happens that magistrates, in order to avoid the difficulty of giving a

technical description of the offence, describe it a second time, and many convictions have been set aside on this ground.

Mr. CAMERON (Huron). It seems to me that the tendency of this amendment will be to encourage carelessness and laxity among the magistrates, many of whom are not the best men in the world to deal with criminal cases. It is of great consequence that there should be certainty as far as possible in stating the offence. The same certainty ought to exist with respect to the conviction as to the indictment in order that a man may be able to understand exactly what he is charged with and could prepare to meet it. The law is very fair with respect to that matter now, as the magistrate can amend the information before the case is finally disposed of. Unless there is some grievance which is not met by the present law, I do not think this clause should pass in its present form.

Mr. THOMPSON (Antigonish). The difficulty is, as I have already stated, that the magistrate frequently describes the offence twice over, sometimes using technical language the first time and conventional language afterwards, and such convictions are almost always set aside.

Mr. CAMERON (Huron). That could not be the case under the Bill, because the judge could amend it.

Mr. THOMPSON (Antigonish). Yes, with reference to the conviction, but this is as to the summons and information as well.

Mr. McCARTHY. I do not think it should state the information or summons because that is always amendable. If any difficulty is found in the disjunctive or conjunctive statement of offences, the prosecutor should certainly have the right to amend, and the matter might be adjourned if necessary. Whatever force there might be in applying this amendment to convictions and orders, there seems to be no necessity for it so far as the information or summons is concerned.

Mr. THOMPSON (Antigonish). I do not think it is intended to take away the right of objecting and having the proceedings amended, but it is to prevent the proceedings after conviction being adjudicated invalid. That, I think, is the only case in which it would be desirable to make the change.

Mr. McCARTHY. Practically it takes away the necessity for amendment, because if the information is not had by reason of the double charge, the parties insist on going on as it is and therefore the proceedings would be valid.

Mr. DAVIES. I take it that applies to a case where a party is summoned and does not appear.

On section 5,

Mr. CAMERON (Huron). The magistrate is now amply protected under the law as it stands. It is almost impossible to bring an action successfully against the magistrate unless you can show that he has been actuated by corrupt motives or by malice. It appears to me that under this 6th clause, although a magistrate may be actuated by the most corrupt and malicious motives, the court may have power to protect him. Now, I do not believe that a magistrate actuated by such motives ought to receive the slightest protection at the hands of the court or anybody else. While he acts in good faith under what he considers the law to be, and happens to make a mistake unintentionally, I think the law ought to protect him, but we find that occasionally decisions have been given and have been sustained against magistrates who acted from bad motives. It may be said that a judge before whom the validity of a conviction is contested can decide whether the magistrate has acted from corrupt motives or not, but we know that is impossible,

because, when an application is made to a court to quash a conviction, the court will hear no evidence as to the motives by which the magistrate was actuated, and the result is that magistrates who do not deserve the protection of the court will probably receive its protection.

Mr. McCARTHY. I quite agree with what has fallen from the hon. member for West Huron. It appears to me that the section goes altogether too far. In fact, I cannot imagine that under any circumstances the section ought to be there. If the magistrate acts without having jurisdiction, and inflicts a wrong on a person, either by imprisonment or fine, I do not see why he should not be answerable as he is now, if, on the other hand, he acts maliciously, the reason is still stronger for the omission of the clause.

Mr. THOMPSON (Antigonish). It is not desired to give protection to a magistrate who acts maliciously, but it is intended to restrict actions against magistrates which are brought by reason of convictions made without jurisdiction. The judge who sets aside a conviction, it is true, cannot enter into the question of malice, but he can enter into the question of jurisdiction, to ascertain whether it was purely by mistake or otherwise that the magistrate acted. When he makes a mistake of that kind, he is liable to a civil action, and it is proper to protect the magistrate and to restrict the actions brought against him; and I propose to amend the clause in that particular. In cases connected with the liberty of the subject when the prisoner is discharged, it frequently happens that the persons who have had the prisoner in custody are protected against actions. I think it is more reasonable to protect a magistrate who has made a conviction through a mistake in jurisdiction. If that will meet the objection, I will amend the clause in that way.

Mr. CAMERON (Huron). I do not see any reason, as the hon. member for Simcoe states, why a magistrate who acts without the slightest power or jurisdiction should be protected. I will give the hon. gentleman an illustration within my own knowledge. I know a magistrate who within the last three years convicted a young man under the Masters and Servants Act because he did not pay the tailor who made a pair of trousers for him, fined him, and ordered that he should be sent to goal if the fine was not paid within thirty days. Now, I would ask if that magistrate ought to be protected, or if he ought not to have been removed from the bench. If actions were brought against a few magistrates who exceeded their duty in that way, they would teach them that they should not interfere with the administration of justice unless they know something about it. I quite agree with the hon. member for North Simcoe that the clause should disappear entirely from the Bill, as under the law as it stands there is the fullest protection.

Mr. THOMPSON (Antigonish). There is the fullest protection except where the magistrate exceeds his jurisdiction, and it may be that whether or not a magistrate exceeds his jurisdiction requires a great deal of consideration to determine. As the hon. gentleman knows, it has been decided by the superior courts sometimes by a majority of only one that a magistrate has exceeded his jurisdiction. I think in such cases he is entitled to protection, and I apprehend that the operation of the clause, amended as I propose, would be not so much to change the position of magistrates acting under the criminal law as to free them from what is now really a terror and a threat against them continually, at the instance of defendants who are arraigned before them. Magistrates are frequently induced, from fear of prosecution and from doubt as to their protection, to refrain from enforcing the law. I think it would be wise to let them know they are protected, first of all, in a class of cases in respect of which it is necessary to prove malice, and,

secondly, in a class in which they exceed jurisdiction but acted in good faith.

Mr. McCARTHY. In my experience I cannot recall any case in which a magistrate has been sued and damages recovered except where his conduct was deserving of the censure pronounced. It is imaginary to suppose the cases of magistrates who are victims improperly at the hands of defendants. We can imagine every thing. On the whole, I think it would be better for the magistrates not to interfere in a case of that kind, if the law be so doubtful that it invokes a different opinion in the final determination of the question of his jurisdiction. The amendment does not meet my view, and I will vote against the clause. We might insert after the word "peace" the words "on the ground that such justice has exceeded his jurisdiction."

Mr. CAMERON (Huron). The effect of the amendment is simply this. The magistrate has jurisdiction over a case, which jurisdiction gives him power to send a man to goal for 30 days. He sends him instead to goal for 6 months, and there is no remedy against the magistracy. I do not think any such amendment should be made. Magistrates must, like others, learn to know the law.

Mr. THOMPSON (Antigonish). The remedy is not taken away, but power is given to the court or judge adjudicating on the question to make an order taking away the remedy.

Mr. McMULLEN. I sympathise with the view expressed by the hon. Minister of Justice. I have sat on the bench for 20 years, and I know there are many cases in which magistrates are unwilling to act, owing to their fear of being put in for the costs. Every encouragement should be given to magistrates, when they undertake to discharge the duties of justice of the peace, to discharge those duties.

Amendment agreed to.

On section 6,

Mr. PATERSON (Brant). It has been suggested to me that in the 26th line of section 6, the words "justice or justices" should be struck out, and the words "clerk of the peace" substituted. It has been stated that instances have arisen in which "straw bail" was taken, and it would be much better to make the person named in the Act the clerk of the peace instead of justice of the peace.

Mr. THOMPSON (Antigonish). I would have no objection to that amendment, but I think it would entail great inconvenience in some places, where the applicant would have to travel a considerable distance to enter security.

Mr. CAMERON (Huron). I do not understand the intention to be to strike out the parties named in this section, but that the clerk of the peace shall also have the power. In some towns it is difficult to get a magistrate, but one can always get a commissioner, as every lawyer is a commissioner, and I would propose that the power be also given to commissioners.

Mr. PATERSON (Brant). I see the difficulty which the Minister of Justice suggests, namely, that the amendment might entail a good deal of expense, but his object seems to me to be to make the clerk of the peace, instead of the justice of the peace, act; the reason being that what is termed "straw bail" is sometimes taken, and that would be better avoided by taking away the power from the justice and giving it to the clerk of the peace.

Mr. THOMPSON (Antigonish). The difficulty can be met by adding the clerk of the peace.

Mr. McCARTHY. I do not know what object there is in having the clause. I thought you never could get a writ of *certiorari* without giving security.

Mr. THOMPSON (Antigonish). The law is not the same in all the Provinces. I would in line thirty-six have the

Mr. THOMPSON (Antigonish).

word "confirmed" altered to "affirmed." I understand the hon. member from Brant does not want the justice of the peace to be authorised to take the bail, but that the clerk of the peace should be substituted for the justice of the peace, as if both were left in it would only aggravate the difficulty which he states. We will leave the clause as it is, and discuss the point later on.

The Committee rose, and it being six o'clock, the Speaker left the Chair.

After Recess.

House again resolved itself into Committee.

(In the Committee.)

Mr. THOMPSON (Antigonish.) The clause which was under consideration at six o'clock is one taken from the Imperial Statute, 5 George II, and I should like to give the matter a little further attention. I therefore move that the Committee rise, report progress and ask leave to sit again.

Mr. McCARTHY. I would suggest to my hon. friend the Minister of Justice that the amendments made by the eleventh and twelfth sections ought to be printed in full. They are amendments of certain words in certain lines of certain Statutes, and it is difficult to understand them, and it will be difficult, when the Bill is passed, to construe them in their present form.

Committee rose and reported progress.

SUPPLY—INDIAN ADMINISTRATION IN THE NORTH-WEST.

Mr. McLELAN moved that the House again resolve itself into Committee of Supply.

Mr. CAMERON (Huron). I regret very much that the First Minister is not in his place to-night. I regret the occasion of his absence and I regret the fact of his absence, because I propose for a short time to discuss the administration of the Department over which the First Minister presides, and I always prefer discussing a question of that kind in the presence of the head of the Department. The First Minister, in his report for the year 1885, recently submitted to Parliament, states:

"That the Indians who revolted had no reason for so doing, in so far as their treatment was concerned, is sufficiently established by the concurrent testimony of all those connected with the management of the Indians in the North-West Territories.

I say that no statement could be further from the fact, and no allegation could be more at variance with the reports of the Department of Indian Affairs. But, even if that statement were true, it would not in any sense relieve the Department from the responsibility for the uneasy, dissatisfied and discontented state of the Indians, and for their ultimate outbreak in open revolt against the sovereign power of this Dominion. The officials of the Department are by no means reliable witnesses. Those who offended against the Indian; those who sinned against the Indian; those who robbed and cheated and swindled the Indian, as I shall establish before I sit down, and those who permitted the Indian of the North-West Territories to be frozen to death and starved to death, are not very reliable witnesses, are very unlikely to disclose their own misconduct and to admit their own criminality. The hon. gentleman ought to have fortified the statement he made in the report of his Department as to the conduct of the officials of that Department and the administration of Indian affairs by other and more reliable testimony than that of the officials incriminated. I shall, in discussing this question, pursue a different course. I shall establish the charges that I propose to make against this Government and the officials appointed by this Government by the reports of the honest, the few honest men that are connected with that ser-

vice in the North-West, and by a mass of independent testimony that in my judgment is simply startling. The reports of the Department for the last four or five years are eloquent with statements of wrongs done to the Indian, of promises broken, of violated treaties made with the Indian, of gross injustice done to the Indian, of shameful official misconduct on the part of those appointed to administer Indian affairs in the North-West, of lying, cheating, and robbing the Indian; and I propose to establish these propositions in their order by extracts from the reports of the Department and by the testimony of individuals thoroughly conversant with the situation of affairs in the North-West Territories. Let me then, first, deal with the kind of officials which this Government placed over the untamed, uneducated, uncivilised, unchristianised wards of the nation with whom this country was bound to deal honestly and fairly, because Canada induced the Indians of the North-West to surrender their possessory rights to what is practically an empire for the merest pittance. Writers upon the Indian question, and especially such writers as the authoress of "One hundred years of dishonor," speak of the Indians as easily managed, peaceable, quiet, inoffensive, docile, so long as he is fairly and honestly treated; but as faithless, turbulent, and rebellious when he is injured, when he is deceived, when he is wronged, when he is defrauded. In order to retain the confidence of the Indian, in order to educate, to elevate, to civilise and to christianise the Indians, it was of the first consequence that men of character, men of honesty, men of truthfulness, men of high moral standing, should have been selected to preside over and administer Indian affairs in the North-West Territories. I regret to say that, in so far as I have been able to gather the facts, such men have not been selected. Some of the men selected by the Government of this Dominion from the swarm of camp followers that usually surround this Administration, were men who were utterly unfit for the positions they were called upon to fill. Men who were unfit for positions in the public service in the older Provinces of the Dominion, were shipped off to Manitoba and the North-West Territories, and given charge over the Indians there, men who have proved themselves to be utterly unfit for their positions, who have proved themselves to be dishonest, careless, immoral. I say, Sir, that the conduct of the officials of the North-West Territories, more than anything else, created dissatisfaction and discontent among the Indians; I say that the misconduct and the mismanagement of the Administration in connection with the Indian affairs in the North-West Territories, as much as anything else, produced uneasiness, dissatisfaction and discontent among the Indians, which ultimately broke out into open rebellion. I charge, Mr. Speaker, that many of the officials appointed by this Administration, from Commissioner Dewdney down to the lowest official in the service of this Government in the North-West Territories, are wholly unfit to discharge the important duties that devolve upon them, and that these men ought to have been dismissed from their positions by this Government many, many years ago. The Indians, Sir, have no faith in Commissioner Dewdney, they have faith in but few of the officials in the North-West Territories, but none in Commissioner Dewdney, they know him too well, they have been deceived by him too often. He has been charged, and correctly charged, with being domineering, arrogant, tyrannical, unfair, untruthful in his dealings with the Indians. With such a commissioner, and with a similar class of officials, we could expect nothing else than uneasiness, dissatisfaction, discontent, and ultimately rebellion in the North-West Territories. The charges I have made against the Administration and the officials of the Administration in the North-West Territories, I propose to establish out of the blue books submitted to Parliament and by the testimony of independent men, and of journals supporting this Administration. The

Winnipeg Times, an organ of hon. gentlemen opposite, a Conservative paper, published in the city of Winnipeg, thus describes Lieutenant-Governor Dewdney:

"But the dross of gold is not Mr. Dewdney's god. He is eminently a philanthropist. His delight is to advance the interests of the savage and promote the welfare of the more wretched white man under his sceptre. For example, when Long Lodge, chief of the Assiniboines, who were camping last summer near Indian Head, complained that the contractor's bacon, costing the Canadian taxpayer's nineteen cents per pound, was not suitable to the Indian palate, the Indians feeding always on buffalo meat; when Long Lodge offered to accept half a pound of steer beef, costing a York shilling a pound dead weight, in place of a pound of bacon costing nineteen cents; when Long Lodge said the bacon was "hurting his people because it was not their food," Mr. Dewdney said "the Indians should eat the bacon or die, and be damned to them." This was not said in haste, but at his honor's leisure. He did not say it because his friend the contractor, who happened to be in a land syndicate with him, had 90,000 pounds of that bacon to dispose of, but because he wished to indoctrinate the savage with the tastes of the average white man. Mr. Dewdney, let Piapot witness, is the Indians' friend. To the white man also he sets a noble example. He teaches the raw settler a new code of morals. He shows him by precept and example that in these degenerated days it is not necessary for a man holding a trust not to abuse it. He illustrates in his own walk and life the modern principles that every man should fight for his own wallet. He is, in this great country, the most signal exemplar of the science of how to get along regardless of the means or methods of locomotion. Mr. Dewdney, therefore, deserves well at our hands and at the hands of the Indians of these Territories. It would hardly be appropriate to present him with a homestead, for he has several, also preemptions in abundance. Money would also be out of place, inasmuch as while Sir Leonard has a surplus and Sir John remains in power, he will not want. Could anything be more appropriate than to present him with a petition to leave, to get out, to go elsewhere and teach other Indians and other white men the ethics of grab, greed and shamelessness which he has introduced here?"

That extract, Sir, is from a paper published in the interests of the Government, and was published three years ago, and up to this hour this Indian Commissioner, so described by an organ of the Government, still retains his place as Commissioner of Indian Affairs in the North-West Territories. The Ottawa Sun, another paper not unfriendly to this Administration, speaking of the officials in the North-West, says:

"The country has been cursed with an unscrupulous and tyrannical officialdom, and to this cause may be traced the origin of the present trouble. Officials were selected purely from political reasons, without regard to fitness, or, in many cases, character. And the last thing to be considered has been the wishes or interests of the settlers, who have no representative in Parliament, and no recourse against the tyranny of these officials. Almost every official made it his business to get rich by speculating in the lands which the interests of the country required should be administered in the interest of the actual settler. Land agents have been in partnership with claim-jumpers, and used their advantages to rob honest settlers by treacherous technicalities for the benefit of the land sharks. Junius tells us something about public men who suddenly became rich, which may be properly applied to Lieutenant-Governor Dewdney. That gentleman, when he came to Ottawa in 1872, was practically a pauper. To-day he is a wealthy man. He did not save his wealth out of his salary. When he personally drove off the settlers from the county of Kent, who had gone in under very great difficulties and at great expense at a trying season of the year, built houses, and started to break land for cultivation—when he insulted men who went in mistaken confidence to him for protection against the outrage perpetrated by Major Bell—he was at the time, it is alleged, in receipt of a present of \$10,000 in the stock of the Bell Farming Company."

Now, you must bear in mind, Mr. Speaker, that this Commissioner Dewdney, so described by two organs of the Government, is the official who has charge of the Indians in the North-West Territory, and has had charge of them for a series of years. The attention of the Government has been drawn to the conduct of this man, to the actions of this man, yet up to this hour the first step has not been taken to remedy the wrong that is alleged to have been perpetrated by him. The Farmers' Union, a body of respectable men in the North-West, thus speaks of the character of the officials this Administration sent to the North-West to administer Indian affairs in that region:

"We point with a sorrowful pride to the fact that whilst we are trying to secure consideration and justice our sons and brothers have left their farms to grow to weeds while they are away in the North-West Territory, risking and laying down their lives like loyal sons of Canada to defend the supremacy of the flag of our forefathers from the contaminating touch of half-breeds and savages driven to despair by misgovernment, and by the acts of incompetent and dishonest Government officials."

Mr. Jackson, a member of the North-West Council, a life-long Conservative, a man who boasts that he has been an unswerving and faithful supporter of the First Minister of this Dominion for a period of twenty-five years, in a speech delivered by him at Qu'Appelle in January last, thus speaks of Lieutenant-Governor Dewdney and the officials of the North-West Territory:

"Everything is quiet, there is no danger. I say that if the Indian agents were not in a position then to tell what was the state of the Indian mind at that time, then they were unfit for the position they held; and a stronger argument that the chief of the Department was not fitted for his post I do not want than that he allowed his Indian agents to persuade him that everything was peaceable and quiet, while the whole thing was a seething volcano, ready to burst forth at any moment, and Mr. Dewdney was the only innocent man in the country. That shows that things in the Indian Department are rotten to the core, and should be weeded out (Hear, hear.) Had he exercised his proper functions, and done what was expected of him, the Government would have been induced, because of the gravity of the situation, to deal with the matter, and thus have averted this great rebellion. He failed to do that; and if the Government care anything at all for the feelings of the people of this country, they will sweep away that which is rotten and I despise, and place an honest man, who will fulfil his duties, in the position of Lieutenant-Governor. (Cheers.) I have shown you that he had neglected his duties, and prostituted his position as Indian Commissioner; that he has allowed people to starve to death. I can show you that he said at Qu'Appelle Station that the Indians of the north might give trouble, but that he felt sure the Indians of Treaty No. 4 would give no trouble to the Government. If that is the fact, and if he allowed men, women and children to go to their death without a warning, that man was accessory before the fact. (Loud cheers.) Gentlemen, these are all facts. At the Session of Parliament, I think 1883-83, or 1883-84, when Sir John Macdonald, whom I have followed for twenty-five years, and who has always found me an active supporter, got up in his place as Premier of the Dominion, and said that Mr. Dewdney was one of the best appointments he ever made, I confess it completely knocked the wind out of me. (Laughter.)"

I do not wonder that it knocked the wind out of this member of the North-West Council. The extracts I have read from the organs of the Government, and the revelations I shall make before I resume my seat, together with the statement made by the First Minister with respect to Lieutenant-Governor Dewdney, will prove enough to knock the wind out of anyone. The *Mail* newspaper of 2nd February, 1886, reports an interview which the correspondent of that paper had with a person by the name of Mr. James Grier, who lives in the neighborhood of Old Man's River, and was a former resident of the county of Grey and had been reeve of the township in which he resided for 15 years. Mr. James Grier says, on this subject:

"Another great grievance in the North-West is the importation of carpet-baggers to fill official positions. This is not, however, so seriously felt now as it has been. But on all sides but one opinion is expressed—that the North-West now has men capable of filling the offices, and that they should be chosen, all other things being equal, for the vacancies that occur."

Let me now give the opinion of clergymen:

"At the Presbytery meeting at Brandon, Manitoba, Rev. Mr. Cameron, who spent many years among the Indians about Battleford, contended that "Indian uprising was in a great measure due to the character of the instructors and agents appointed by the Government. If the Government officials had been the right kind of men the uprising would never have taken place. In many cases their treatment of the Indians was calculated to have a most injurious effect—some of them treating the Indians like dogs—never speaking to them without an oath, and paying no regard whatever to their word." The rev. gentleman remarked that it would spoil good Indians to make them like some of the Indian Department officials who are over them, and supposed to be civilising them. Mr. Cameron's statements were confirmed by Rev. Messrs. Robertson, Flett, and other Indian missionaries, who maintained that the Indian revolt was in a great measure due to the character of the Government officials sent amongst them."

I say that is an extraordinary condition of affairs. Those people are on the spot and know whereof they speak, and so knowing whereof they speak, they so described the officials sent by this Government to administer Indian affairs in the North-West. Mr. McDougall, one of the Methodist missionaries, who has devoted his life to the service of elevating, educating, civilising and christianising the Indians, thus speaks of the officials:

"Mr. McDougall points out the great difficulty of governing from Ottawa, and says that 'laws were enacted which could not be enforced'; Mr. CAMERON (Huron).

furthermore simply unfit men were appointed to office without any knowledge of the nature of the work expected of them, the Indians and the country, and Government having to run the risk in the meanwhile of being experimented upon."

Hon. Lawrence Clarke, at one time a member of the North-West Council thus speaks of the class of men who were sent by this Government to administer Indian affairs:

"Brutal ruffians were appointed as farm instructors over the Indians, who maltreated the poor people in the most brutal manner, answering them with kicks and blows, accompanied with showers of profanity and disgusting epithets; of the farm instructors killed by the Indians two were universally known to be brutal wretches such as I have mentioned, and the priests lost their lives in attempting to save them from the pent-up wrath of the savages."

Mr. MITCHELL. Whose report is that?

Mr. CAMERON (Huron). That of the Hon. Lawrence Clarke, formerly a member of the North-West Council. He proceeds:

"Let a commissioner be appointed or a Committee of Parliament, and I pledge myself to show to the people of this Dominion such a picture of the facts as will make them wonder how it is that rebellion did not break out years ago. Had not the Indians been restrained by the priests and ministers, the farm instructors and other paid politicians appointed over them, would have been killed long ago."

Archbishop Taché, in his manifesto, speaking of the Indian troubles, says:

"There were some well qualified men, but important posts were assigned to men totally unqualified for the position, while other persons perfectly apt have been dismissed or left aside because ten, fifteen, or twenty years before they were political opponents."

Mr. Jackson, in his speech at Qu'Appelle, from which I have just quoted, said:

"A white man never believes in him. The Indian thinks of him as a man who does not tell the truth to-day, but might to-morrow; but that to-morrow never comes. (Laughter.)"

The *Winnipeg Times*, speaking of Lieutenant-Governor Dewdney, said:

"For the first time in the history of the British nation the representative of the Queen is known to the savage as a liar."

Such are the opinions of the friends of hon. gentlemen opposite; such are the opinions of the press supporting hon. gentlemen opposite, as to the character of the officials appointed by this Government to administer Indian affairs in the North-West, from Lieutenant-Governor Dewdney down to the farm instructors appointed by this Administration. I say it is a marvel to me, not that the Indians took up arms against the sovereign power of this country, but the marvel to me is that long years ago the Indians did not protest in the only way known to them against the misconduct, maladministration, incapacity and culpable neglect of this Administration. I go still further. I say the Government and the officials appointed by this Government have not only broken faith with the Indians, but many of the officials in the North-West Territories have debased and degraded the Indian character, until now, Sir, there is nothing left but the bare memory of what was once the noble red man of the plains. An organ of the Government, three years ago, called public attention to the fact that one of the agents of this Administration was living on a reserve, beneath the shadow of the Methodist mission, in open adultery with two young squaws. The Government were aware of it, but the Government never moved, never enquired, never investigated, and up to this hour, this unworthy representative of Ottawa officialdom administers Indian affairs in that particular locality. A young Englishman, unfit to do anything in his native country, was shipped off to Canada, consigned to the care of the First Minister of this Dominion. He was provided for in the Indian service of the North-West Territories, and he has been living there for three or four years revelling in the sensual enjoyments of a western harem, plentifully supplied with select cullings from the western prairie flowers. We send missionaries of the Cross to the North-West to educate and elevate, to civilise and christianise

the Indians. We send missionaries, official missionaries, to the North-West Territories to humiliate, to lower, to degrade and debase the virgin daughters of the wards of the nation, and yet we find people expressing their surprise and astonishment that the Indians do not take kindly to the ways of modern civilisation, and that after the munificent donations which Parliament votes every year to feed, clothe and keep in comfort the wild Indians of the plains, they are still dissatisfied, still discontented, still rebellious. I say again that to my mind the marvel is that years ago the Indians did not use the tomahawk and scalping knife and clean out of the North-West Territories the lazy, indolent, incompetent and immoral class of officials who have been appointed by this Administration to administer Indian affairs in the North-West Territories. The statements I make may be considered somewhat extravagant, but I shall prove every one of them before I resume my seat by official documents submitted by this Government to this Parliament, and a mass of independent testimony that, to my mind, is simply overwhelming. If you refer to one of the reports of one of the Departments brought down last year, you will find that 45 per. cent of one class of officials in the North-West were under medical treatment for a peculiar kind of disease in one year. That you will admit, is an extraordinary showing for a class of men paid by the people of this country to control, manage and set an example to the Indians of the North-West Territories. Sir, that report speaks in unmistakable terms of the condition of those guardians of public peace and public morals. At one station it points out that there were fifty-eight cases in one year; at another station there were forty-seven cases under medical treatment in ten months; at a third station there were in eleven months seventy-four cases under medical treatment; at a fourth station in 1884 there were sixty cases under medical treatment. In a division of the force in eleven months there were twenty-one cases, and the aggregate shows that there were at least 45 per cent. of this class of officials in the North-West Territories who were suffering from this class of disease. The *Mail* newspaper, to which I suppose hon. gentlemen will not object as a witness in this part of the discussion—the *Mail* newspaper of the 30th of January, 1886, publishes an interview with one of the missionaries employed by one of the leading churches of the Dominion, to civilise and christianise the Indians. That missionary said :

“But what we want in our reserves are married men as employees, and a few hundred dollars expended in putting up houses for them would pay in the end. And, let me say, get Christian men: thank God there are such to be found; and don't employ a man because some influential man down east wants to get a situation for him. Again, put a stop to white men living with Indian women unless they are lawfully married to them. Where are the young girls of 13 to 16 that have been partly taught in our schools; and others before them? Sold to white men for from \$10 to \$20! Where are their children? Running about the reserves wearing rags! Where are the women themselves? They are prostitutes hanging around the towns. Stop the sale of Indian girls to white men and another great step is taken.”

Now, Sir, I say that every calm, thoughtful, thinking man will conclude that this is an extraordinary condition of affairs. This missionary tells us that the very children from the mission schools are absorbed into this population for the vilest and most unholy purposes. Mr. McDougall, who is the missionary to whom I have alluded, in the same interview when asked to explain the true condition of affairs, said :

“He urges a change, and the Indians given a fair chance; he wants the Government's Indian policy—to make the Indian a responsible citizen—carried out in its true spirit. To do this he asks for employees of the Indian Department who will be true to their country if not to their God, who will refrain from licentiousness, blasphemy, drunkenness, and laziness, who will have force of character enough to command general respect, and who will by precept and example teach the Indians industry, thrift and obedience to the law.”

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The *Mail* newspaper of the 2nd of February, 1886, publishes an interview with Mr. James Grier, to whom I have already alluded, in which the following occurs:—

“Then the conversation drifted back to the Indians, and I asked him if he knew of any frauds that had been committed on them. He answered: ‘I know any amount of corruption exists in the Indian Department, and I know that many of the officials have one squaw or two. This is a matter of public notoriety.’”

I ask you, after having heard this evidence, whether I am not amply justified in the charge I have made against this Government, that they appointed to positions of public trust in the North-West Territories, from among their army of carpet-baggers and camp followers, some of the most unfit men that ever occupied public positions. I say this condition of affairs is well known to the Government, and has been well known to the Government for a number of years. I say that it is a scandalous condition of affairs to exist in any country, and a disgrace to the Government that would tolerate it for one hour. I say that they have not only been guilty of sending this class of people to the North-West Territories, but they have been guilty of breaking faith with the Indians. The solemn covenants entered into with the Indians have been shamefully, openly, persistently and systematically broken by this Government. The confidence which the Indian usually has in the Sovereign of this Dominion, has been shaken. He can no longer rely on the faith of the Crown, and the result has been a rebellion in the North-West Territories, in which the Indians took no unimportant part, and the result is that to-day I solemnly believe, from the testimony that comes from the North-West, that this Dominion is standing on the brink of a volcano, which may burst forth at any moment. The evidence upon this point of broken faith, violated treaties, unfulfilled obligations is so clear that it is almost unnecessary to discuss it. But in order that the matter may be put beyond peradventure, I propose to establish it out of the blue-books submitted to this Parliament during the last four or five years; I propose to prove it by the testimony of the organs and friends of hon. gentlemen opposite. The *Mail* newspaper of the 13th January, 1886, publishes another interview with the Rev. Mr. McDougall, the missionary from the Methodist Church to the Stoney Indians near Calgary. In that interview Mr. McDougall says :

“The ‘Government is false to the treaty, the white men have lied to us, we are deceived,’ the Indians said, and it required the services of loyal old-timers to point out to them why, through unavoidable delays, lack of speedy transport, &c., the obligations of the Government were sometimes unfulfilled. But Mr. McDougall says: ‘We could not find, nor did we try to find, any excuse for the promises made but not fulfilled, for the cut-throat policy often exhibited and sometimes enforced by officials of the Indian Department, for the shameful and immoral lives of many of the employees of the same. Some of these were a disgrace to the lowest barbarism, let alone civilisation. Nor how could we, when earnestly trying to teach Indians habits of industry and thrift, be expected to excuse the laziness and incompetency of many sent into the country to teach the wards of the Government those lessons we have been working for them to acquire for so many years. Moreover, could we be blamed when we felt strongly that something was wrong in the system which allowed such men in its branch of the service. The inconsistency has oftentimes appeared to us very glaring when we looked at a department claiming to have a certain object in view, set aside by the country at large, whose servant it is, to attain this object, and yet within its own grasp and power doing those things and adopting those methods which are defeating their object.’”

The Rev. Father Scollen, a missionary priest for twenty-four years among the Indians of the North-West Territories, and now, or at all events recently, in the service of this Administration, speaks as follows of the treatment of the Indians by the Government:—

“That the half-breed rising had not necessarily been the cause of the Indian rising, from the fact that the Indians had been prepared to rise long before the half-breeds had made any movement at all. They had been prepared to take the first opportunity no matter what it was. If any other parties had got into trouble with the Government or caused the Government trouble, the Indians would have taken advantage of that just as they did the half-breed rising. They had known, and they know to-day that they could not fight the white man, hence they had

been watching an opportunity. One cause for dissatisfaction among the Indians had been the fact that the treaties had not been carried out on the part of the Government agents."

Such is the testimony of two men whose evidence cannot be controverted in this Parliament or elsewhere. I go further. I say that the reports of the Department establish still more clearly that broken promises and violated treaties have characterised the dealings of the Government with the Indians for a long number of years. A. McKay, an Indian agent at Grand Rapids, in his report states that the inspector of Indian agencies promised to supply them with all they might require, and that they were urged by that gentleman to make their demands on the Department for the same, which they did, but they were not complied with. Mr. McColl, inspector of Indian agencies in the North-West, writing of the Swan Lake bands, says that waggons were promised them, and that he is apprehensive of serious consequences unless their claims are recognised. Mr. McDonald, an Indian agent under Treaty No. 4, publishes a letter from Poundmaker, in which Poundmaker uses the following language:—

"It is Poundmaker who takes the liberty of sending you a few lines. We entreat Your Honor to send him the grist mill with horse-power you kindly presented him at Cypress. We expected it last summer, but in vain."

These had been promised to the Indian chief by Commissioner Dewdney, twelve months before this complaint was made; but up to that hour the pledges of the Crown, made by Commissioner Dewdney, had not been fulfilled. Poundmaker says further:

"Let me have the 22 oxen you promised for my band."

J. McRae, an Indian agent at Carleton, speaking of the Okenasis band—and Mr. Tompkins corroborates the statement—says that Inspector Wadsworth promised him a large lumber waggon last fall, but he did not get it. G. McPherson, Indian agent, says:

"The clothing for the chiefs and councillors was good, except the trousers and shirts, which were inferior and worn out in three or four days."

Now, I ask you, Mr. Speaker, is not that an extraordinary condition of affairs? If you refer to the accounts of the contractors for supplies to the Indians, you will find that they were bound to supply articles of a reasonably fair quality. Instead of so doing they supplied the Indian chiefs and the Indian councillors with an article that lasted them but three days; and yet we are surprised that the Indians are dissatisfied and discontented, and that they have broken out into revolt, as they may break out into revolt again. J. W. Herchmer, Indian agent, speaking of the Salteaux band under South Quill, says:

"Hunting having failed in their neighborhood, the band have been obliged to sell most of their horses to buy supplies, and are now miserably poor."

Miserably poor! With the munificent donation voted by Parliament, and expended last year, of some \$1,109,000. Miserably poor! And why? Because this Government negligently and carelessly permit their contractors to supply these Indians with an article of wearing apparel that lasts the Indians only three days. A. McKay, Indian agent, says of the Indians on Che-ma-wha-win reserve:

"The harrows and ploughs were lying partly buried in mud and weeds in different places. Some of them have never been used or put together yet, and are spoiling for want of care."

We have an army of officials in the North-West; we have Indian agents, sub-Indian agents, farm instructors, all kinds and classes of men there to look after the interests of the Indians; and yet we find that so little attention was paid to those supplies that they were dumped off in the mud and filth and left there to rot. And we are surprised and astounded that the Indian is not satisfied with the attention he receives. Mr. McColl, the Inspector of Agencies, says:

Mr. CAMERON (Huron).

"I also notice in the same records that nearly all the bands within this agency have received more axes than they were entitled to under the treaty, and that only two or three bands have received their complement of hoes, spades and scythes, notwithstanding the representation made to the contrary to the Department as well as to the Indians in reference to this matter."

Notwithstanding the representations made to the contrary, to the Department as well as to the Indians, in reference to this matter. In other words, our agents in the North-West, in charge of the Indian Department, were so indolent, so lazy, so indifferent and so careless, that they delivered to some bands of Indians far more of one class of tools and implements than were required, while to other bands they gave none at all. The same inspector further reports:

"The potatoes and barley received last spring were half rotten."

Now, I ask the Acting Minister of Indian Affairs if his attention was ever drawn to that report? Is that the kind of treatment we ought to mete out to the wards of the nation, to the men with whom, above all others, we are in honor bound to deal fairly and honestly? We pay for these things, and we supply them, but when they reach the Indians they are wholly unfit for use. The same inspector again says:

"That the councillor complains that the quality of the hats, trousers and shoes received by him were inferior."

He further reports that John Harcus, one of the councillors of the Cumberland band, complains that the agricultural implements forwarded by the Department for their use, were refused to them. We were under obligations, we were in honor bound to give the Indians these things; they were bought and paid for, yet when they reached their destination, some wise agent of the Administration would not hand them over to the Indians. Was any enquiry made into this? In so far as I am able to gather from the reports, none was made. C. E. Denny, another Indian agent, speaking of the breach of contract by the contractor, says:

"I sent a messenger to Fort Benton, to I. G. Baker & Co., informing them that flour was needed, and to ship at once. I had, on two occasions, to purchase cattle from others than the contractors, as they failed to keep me supplied, and beef would have run out on the Black-foot and other reserves had I not done so. I had to pay half prices, and notified the contractors before taking this step."

There you see how a portion of the fund which Parliament voted was expended. The contractors either did not supply the articles at all, or supplied it of an inferior quality; yet, no investigation was made, no enquiry made, and nothing was done. Mr. Herchmer, speaking of the Sioux bands, says:

"A great deal of sickness has visited them lately caused by the want of fresh meat."

W. Pocklington, speaking of Stoney Indians, says:

"During last winter there was a great deal of distress among them for want of clothing, many of them not having a blanket to cover their nakedness."

T. P. Wadsworth, speaking of the Day Star band, says that:

"They complained that they did not get their treaty pigs, and they asked for more oxen, tool chests, moccasins and milk pans."

He reports as to Mistowasis band:

"They complained that they did not get treaty pigs, and Wadsworth recommends that Mistowasis and Ahtahkakoops get them."

Mr. Wadsworth says of the Bobtail band:

"They complain that still due them, under treaty, a cow and bull."

And further:

"The Ermine Skin's band complain of want of a mower and some carts."

These are not the only complaints that the Indians have been making for a number of years. We promised, and were under obligations to supply the Indians, just fresh from the plains, from which the buffalo had disappeared, with fresh beef. But instead of fresh beef, we supplied them

with salt pork, though we could get fresh beef at from 8 to 15 cents per lb., and had to pay for the pork, some of which was rusted at that, from 20 to 25 cents per lb. The table I submit, culled from the vouchers in the Indian Department, shows the following rates:—

“At Fort Macleod, in 1882-3, beef was worth per lb. 8½ cents and bacon 20 cents; in 1883-4, beef was worth per lb. 14½ cents and bacon 23½ cents; in 1884-5 beef 15 cents and bacon 18 cent per lb. In the Saskatchewan District, in 1882-3, beef was worth 15 cents and bacon 25 cents; in 1883-4, beef 20 cents, and bacon 22½ cents per lb. At Battleford, in 1882-3, beef was worth 12½ cents per lb., and bacon 23 cents; and 1883-4, beef 17 cents, and bacon 20 cents. In Calgary, in 1882-3, beef was worth 8½, and bacon 21½ cents; and in 1883-4, beef 14½, and bacon 24½ cents per lb.”

And this, although the Department was made aware of the fact, by its agent Mr. Herchmer in his report for 1883. Mr. Herchmer there says :

“A great deal of sickness has visited them lately caused by the want of fresh meat.” The Indians, under treaty 4, received in 1884-5, \$15,290.92 worth of pork, and \$1,288.45 worth of beef, although it is known that beef is life to the Indian, while salt pork is disease and death to him.”

This bountiful, humane and attentive Government, whose duty it was to look after the interest of the Indians, supplied them with twelve pounds of disease and death to one pound of life. And this, although the reports of the Department are literally teeming with warnings to and remonstrances against the Government for the inhuman treatment the Indians received at their hands, by supplying them with pork instead of with fresh meat. Agent Herchmer, in his report dated the 24th July, 1885, speaking of the types of disease among the Indians says :

“To these might be added I think the sudden change from fresh meat on the Prairies to flour and bacon in comparative confinement.”

And again at page 61 he says :

“At Oak River, eleven men have died out of 88 heads of families, and seventeen children under three years old. This is very distressing and is hard to account for—the change of diet, owing to the failure of hunting and scrofula, being probably the cause.”

It is very distressing, the agent pathetically says, while all the time these very agents were doing what they knew they ought not to have done; namely, supplying these men with salt pork at 20 to 25 cents per pound when they could have got fresh beef at from 8½ to 15 cents per pound. Mr. Magnus Begg, Indian agent, in his report dated 28th July, 1885, says :

“During the month of April there was considerable sickness on the Stoney reserve; and it was thought favorable to issue beef, which was done and with satisfactory results.”

In other words, we fed the Indians on salt pork until they became sick unto death, and then we fed them on fresh beef to restore them to health again. Has the Government of this country, has the Commissioner of Indian Affairs in the North-West Territory not considered that an ounce of prevention is worth a pound of cure, that it would be better to feed the Indian on fresh beef to prevent disease rather than to feed him on fresh beef to effect a cure, especially as fresh beef can be purchased at a much lower figure in the market than salt pork. The reports, with few exceptions, of the agents of the Department for the last four or five years show that there have been constant complaints made to the head of this Department of the inhuman treatment received by the Indians at the hands of the officials of this Government. Those complaints have been renewed from year to year; those complaints have not been investigated. I charge that this Government, although these complaints have been made by their own agents, have not investigated them, and, where the truth of the charges was brought home to the agents of the Department, these agents have not been dismissed as they should have been. Mr. Wadsworth, the Superintendent of Indian affairs, in his report for 1882, speaking of the Rivière qui Barre Indians, says :

“The flour and bacon received as supplies was bad, and the flour received by the Indians at Battleford, had become lumpy.”

Mr. Wadsworth, in his report for 1883, speaking of the Indians in the Sekaskoots reserve, says :

“I could get no account of the supplies sent in by the contractors or the Government.”

He further says :

“The flour received by those Indians only averaged 93 pounds per sack.”

And again, speaking of Poundmaker's band, he says :

“The flour was inferior and of light weight.”

A. McKay, Indian agent, in his report for 1884, says that the Inspector of Indian agencies promised to supply them with all they might require, and that they were urged by that agent to make their demands on the Department for the same; that they did do so, but the supplies were not sent. E. McColl, in his report for 1882, says :

“Waggons were promised these Indians, and that he was apprehensive of serious consequences, unless their claims were recognised.”

Mr. T. P. Wadsworth, in his report for 1883, speaking of Day Star's band says :

“The chief complained that he could not get his treaty pigs, and that he wanted more oxen, a tool chest and milk pans.”

Also that :

“Mistowasis' band and Ah-tah-ka-koop's band did not get their treaty pigs, and he recommends that they get them.”

He further reports that :

“Bobtail's band complained that there was still due them under the treaty a cow and a bull.”

He further reports that :

“Ermine Skin's band complained that there was due them under the treaty a mower and some carts.”

Francis Ogiltree, Indian agent, in his report dated 14th October, 1884, says, in speaking of the Sandy Bay band :

“They are very anxious to get the cattle they are entitled to as well as some of the tools.”

John McIntyre, Indian agent, in his report dated 6th October, 1884, says in reference to the Lac des Mille Lacs band :

“This band is still entitled to three cows.”

And of the Wobegan and Eagle Lake bands :

“I took an inventory of all their tools and implements and find they are short of a good many for which I have made requisition.”

And of the Mattawa and English Rivers band :

“This band asks for one plough and one harrow, twenty grubbers, one morticing pick, one single yoke, and two cows still are due them.”

And of the Fish River reserve :

“They again ask for a steel grist mill. They also request to be supplied with two brush breaking ploughs, two iron harrows, and four sets of strong chain traces as those previously furnished were worthless.”

I have shown not only that we have sent bad agents to administer Indian affairs in the North-West Territories, but that we have broken faith with the Indians in many respects. I now propose to prove that we have by our negligence and misconduct allowed the Indians, in the midst of plenty, to be frozen to death and starved to death. I have shown that we have allowed them to be robbed, swindled and cheated out of what they were entitled to, by the agents and the middlemen, that we gave them little or no clothing, and, to cap the climax of our criminality, we have allowed them to be frozen and starved to death. Let us see how far this is proved by the records submitted to Parliament:—Mr. McDonald, Indian agent, under Treaty No. 4, published a letter from Poundmaker, dated 10th November, 1882, in which the old chief says :

“There is to-day a great distress in my band. Their rations are suspended now for 41 days and, of course, everybody is busy roving about and hunting. It is impossible to work on an empty stomach.”

C. E. Denny, Indian agent, in his report for 1882, says :

“I found the Blackfeet willing to work had they received assistance, but they had been badly neglected and, in consequence, were wild and unsettled.”

Commissioner McLeod, in his report for 1879, says :

" I have experienced great difficulty (with the distress and suffering) applications for relief being constantly made to me by the starving bands of Indians "

Again the commissioner says :

" A Stoney Indian and his family had been without food for many days."

Superintendent Walsh, in his report for 1880, says :

" Hunger and suffering prevailed. In some places persons became so reduced as to be unable to help themselves. The want of food followed by disease caused an epidemic, which marked its results by the many graves now to be seen in Wood Mountain."

Was there ever such a picture as this painted by the most skilful artist? Was there ever such an indictment preferred against any Government? Was there ever such an indictment preferred against this incompetent Government as that framed in this report of one of their own agents in the North-West? Nothing but the weakness, the incompetency of this Administration would have permitted this condition of affairs to have existed one hour after it was made known to the Government, but, with a full knowledge of all these facts, with a full knowledge on their own part, on the part of the Superintendent-General and of Commissioner Dewdney, not the first step was taken to rectify the wrong done to the Indians. The breach of faith, the violated promises, the broken pledges, the fraud and misconduct of the officials, the robbing and cheating all around, the negligence and incompetency of this Administration, are all marked by the graves of the Indians on the side of Wood Mountain. Still the Government never moved, never stirred, never investigated. The Commissioner of Indian Affairs in the North-West Territories never moved, never stirred, never investigated. No, he luxuriated in his comfortable quarters in Regina, and the Indians whom we are bound to protect might starve to death and freeze to death as far as he was concerned. Let me establish this statement by a mass of testimony that cannot be successfully assailed. The *Moose Jaw News*, a paper by no means unfavorable to the Administration, on the 14th March, 1884, writing of the condition of the Indians in that neighborhood, speaks as follows:—

" In this connection the case of several Indian families in this vicinity may be cited. A friend driving by one, a few days ago, was given to understand that death had been in their midst. On entering the tepee a pitiable sight was discovered. Starvation was visible in their countenances, and a glance sufficed to show the cause of the warrior's death. One can hardly imagine how they had lived at all. The canvass of the tent was old and torn. Not a vestige of anything edible was to be seen, but a few rabbit-skins lying around showed what had composed their last meal. Everything in the way of blankets was under or over the dead braves. Around a cheerless fire were huddled an Indian and three or four squaws. They stated that they had been without food for two days, and appearances would go to prove the truth of their assertion. Can we in this enlightened age, allow scenes like this to take place in our midst without uttering an indignant protest to the proper authorities? Would these Indians have left their reserves, and run the risk of starvation, if they were sure of being supplied with the necessities of life there? "

The same paper, on the 13th June, 1884, discussing the injury inflicted by the Government upon chief Pi-a-pot, says :

" But even this will be utterly insufficient to wipe out the past. Its record will remain a foul blot in our history. The sufferings of the Indians in the Assinibioia reserves during the past winter are a burning shame to us, a lasting reproach to our Government. What would be thought of us in England, or in any other Christian country, were it clearly understood that for weeks large bands of Indians, the wards of the nation, poor, wretched creatures, whose primitive sources of supply had been cut off by our invasion, and whom we were bound by solemn treaty, as well as by every consideration of justice and humanity, to feed and care for, were dying by scores, partly from semi-starvation and partly from disease resulting from the bad quality of the food supplied by the agents! It is no excuse to say that the facts were not known. Why were they not known? Were there not high officials whose first duty it was to know the facts? If it should prove that the want of knowledge, or to the fearful ravages of scurvy, were due in any degree to a petty economy which dispensed with the services of a competent medical inspector in order to save his fees, this would be an aggravation of the guilt of those responsible for it.

Mr. CAMERON (Huron).

" We write thus strongly because we feel strongly on this subject. It is a subject on which every Canadian and every settler in the North-West in particular, is in duty bound to feel strongly. As we have before pointed out, the gravest issues, involving not only the paramount claims of humanity and right, but also the security of life and property, are wrapped up in the maintenance of friendly relations and good faith with the aborigines.

" We do not remember to have met with a settler from the neighborhood in which those events occurred, who has not sympathized with Pi-a-pot and admitted that, however wrong-headed and cantankerous the chief may have shown himself on other occasions, he is, in this instance, the injured party. We have returned to the matter because it is of the first importance that the record of last winter's treatment of the Indians should be thoroughly examined, and such measures taken as will render the recurrence of such scenes impossible."

Commissioner Irvine in his report of 1882, says :

" For a considerable time they made no demand for aid from the Government, but as the cold weather came on being very poorly clad and insufficiently supplied with food, they experienced much hardship from exposure and starvation."

Mr. Jackson, in his speech to which I have already referred, said :

" Now, I charge that at Indian Head, in the winter of 1883, several of the Indians died of starvation. When I stated that fact, I knew it to be a fact. The Lieutenant-Governor in his reply to me, brings a lot of documents, and the report of Dr. Edwards says that five men starved to death. Mr. Dewdney said there was so much provisions at Indian Head. I know they were there; but his fiat had gone forth not to feed them so much, that Pi-a-pot was a bad piece of muslin, and that they must cut down the rations. And now, instead of five dying, it is a matter of my own knowledge, a matter I can prove on oath, that instead of five dying there, 10 per cent. of all the Indians on the Indian Head reserve died through starvation in six months (that is 20 per cent. per annum). He became very anxious about the File Hill Indians. What has he done with them because of their turbulency, because they showed a disposition, perhaps, to rise up and join the Indians of the north in fighting? He has reduced them at the present time to that state that in the case of one Indian (I am prepared to prove this and to give the name of the man too), within two months seven of his children died because they had not the necessaries of life. I tell you what I know to be a fact. The Indians on the File Hills reserve believe that if one of their number falls sick there is no use in trying to make him get well, they have not sufficient nourishing food and they must let him die."

This policy of starvation was adopted by the Agent General of Indian Affairs six years ago. It is a cruel and atrocious policy, it is a policy that ought not to prevail in any civilised country. Six years ago the Agent General of Indian Affairs openly and deliberately adopted this policy in the following language:—

" I must say, however, that it was a dangerous thing to commence the system of feeding the Indians. So long as they know they can rely, or believe they can rely, on any source whatever for their food they make no effort to support themselves. We have to guard against that, and the only way to guard against it is by being rigid, even stingy in the distribution of food, and require absolute proof of starvation before distributing it "

Sir, this policy was adopted six years ago, and it has been persisted in ever since. During the last four or five years this policy has proved to be a failure, but its failure taught the Government no lesson. The experience of the past, the reports of their own agents in the North-West Territories, taught hon. gentlemen opposite no lesson; the reports of the best of their officials transmitted to this Administration fell upon deaf ears. They neither opened their eyes nor unscaled their ears. They slumbered on from year to year, and even the unmistakable signs of the coming storm in the North-West Territory did not arouse hon. gentlemen opposite to a sense of the danger in which the country was placed. Last Session the Agent General of Indian Affairs used the following language:—

" When Louis Riel was sent for last summer he was sent for by these poor people suffering from hunger; because, while we went to a large expenditure in keeping them, we did not give them such a quantity of food as would make them hang around the different stations and become habitual beggars. We kept them on short rations, on short allowances, and we tried to force them—I am speaking now of the Indians—and we have forced them upon their reserves."

Sir, let me give you another piece of testimony upon this subject. Mr. Jackson says this :

"The Indians on the File Hill reserve believe that if one of their number fall sick there is no use in trying to make him get well, they have not sufficient nourishing food and they must let him die. The man I speak of came down to the fort the other day absolutely in rags, with his two squaws, and said to a man in Fort Qu'Appelle (I do not mention his name now, but at the proper time, if necessary, I can produce this man):—'What can I do for anything to eat? We are dying of starvation.' He was told:—'You had better go to Regina, and the Lieutenant-Governor may be able to do something for you.' ('Oh, oh.') The old squaw had an old piece of tea-chest wrapping, which you could throw hailstones through, to serve as a blanket. These are the wards of the Government! The man was so thinly clad that he was frozen below his knees, and yet he was going to Regina to try and move the heart of that man whose heart is stone—to move the heart of that man to give something to keep life in him. ('Shame.') Is such the proper conduct of the man who has charge of the wards of the Government? Why, he deserves to be hooted and hissed and driven out of the country (Loud cheers)."

One of the agents, Mr. Herchmer, writing upon this subject, says in his report for last year:

"During the winter I visited the Pas reserves a number of times and witnessed the actual condition of the Indians. For three months—January to March—many of those in the Pas Birch River and Pas Mountains suffered keenly. It was impossible to supply food as it was actually needed, for there was not sufficient in the district. Undoubtedly the amount of relief given last winter, though unprecedentedly large, has been the means of preserving numbers of these Indians alive."

They were suffering keenly, he says; there was no food in the district, simply because the policy of this Administration was a policy of reducing the Indians to submission by a policy of starvation. In the same report Mr. Herchmer says:

"About the same time an Indian came from the Pas Mountain, telling me of the privation from which the band were suffering and asking for relief, and further, that the Mountain Indians were suffering from want."

Mr. Pocklington, in his report, says:

"In January, while visiting the Piegan Reserve, I received a letter from Lieut.-Col. McLeod that 75 Stonies were in Pincher Creek in a starving condition. I started for their camp at once, and found them in reality starving, except for assistance given them by Col. McLeod and other residents."

Now, Sir, I submit that I have established beyond all controversy the charge I have made against this Government, that the Indians of the North-West Territories have been subjected to the greatest possible suffering, that the Government have permitted them to freeze to death and starve to death, and that in the midst of plenty, and with the bountiful donations of this Parliament for feeding and clothing the Indians. I go further than that, Mr. Speaker, I charge that last winter many of the Indians on the reserve at Indian Head were starved to death. I charge that Dr. Edwards, an employee of this Government, so reported to Commissioner Dewdney, and so scandalous and outrageous was the nature of that report, that Lieutenant-Governor Dewdney suppressed the original report, and it has not seen the light of day to this hour. I charge that this scandalous state of affairs was well known to this Administration, and that this is true is beyond peradventure, because I hold in my hands part of a speech made by Lieutenant-Governor Dewdney to the North-West Council during its last Session, as reported in the *Regina Leader* of the 10th December, 1884, in which he says:

"Shortly after they had taken up their residence on the reserve, hearing that there was a great deal of sickness in their band, we instructed Doctor Edwards, who was then in our employ, to make an inspection of Pi-a-Pot's people. In his report which I now have before me he states in these words, 'some of these Indians have died of starvation this winter. They were ill and could not eat the bacon and flour.'"

I ask you, Mr. Speaker, I ask this House of Commons, I ask the people of this country, if it is not a scandalous outrage that, right under the shadow of the vice-regal establishment at Regina, at Indian Head, on the borders of the Canadian Pacific Railway, the Indians should have been allowed to starve to death during last winter, and that in the midst of plenty, with the enormous sums voted by this Parliament for the purpose of feeding and clothing the Indians. And yet we have it out of the mouth of Governor

Dewdney, and from the report of Dr. Edwards, employed by him to examine into the condition of the Indians, that many of the Indians on that reservation died of starvation last winter. I charge still further: That many of the Indians on the File Hills died of starvation last winter; that seven children of these Indians died of starvation within two months last winter; that those facts were made known to Commissioner Dewdney, and that he instructed the agent to go to the reserve and warn the Indians that if they disclosed to the public their misery, hunger and starvation their rations would be stopped. I challenge this Administration now to issue a commission to investigate the matter, to appoint a commission of sensible and honest men to investigate this whole question, and I believe that every statement I have made upon this subject is capable of the clearest possible proof. I say a Government which has so neglected the first duties of a Government towards its wards deserves condemnation, deserves the severest condemnation at the hands of the people of this country. That is not all. I say further, that the Indians, as I have shown, have been robbed, defrauded and swindled, frozen to death and starved to death, and yet we expect them to be peaceful, submissive, faithful and loyal subjects of the Queen. And that in the face of the statement of the Agent-General for Indian Affairs made in 1880 and re-affirmed in 1885 that the policy of this Administration was a policy of submission by a policy of starvation; and that in the face of the report of Agent Herchmer sent to the Department that a little starvation would do the Indians good; and that in the face of the declaration of Governor Dewdney that if they did not eat salt pork they might die and be damned to them. With this cruel and brutal treatment of the Indians, with this cruel and brutal report of agent Herchmer, and with the admission of Lieut.-Governor Dewdney, need anyone wonder that the Indians are dissatisfied and discontented. I should like to see the experiment tried on the officials of the Government; from the commissioner down to agent Herchmer, and from agent Herchmer down to the lower officials, and a little starvation might teach them common sense. A policy of fraud; a policy of violated treaties and broken promises has been tried in the neighboring republic for 100 years, and without success. It has been tried in this country for a number of years also without success, and it will be tried without success to the end of the chapter. The authoress of "One hundred years of dishonor," speaking of the practical results of this policy in the United States, says:

"The history of the Government's connections with the Indians is a shameful record of broken treaties and unfulfilled promises."

And then the authoress points out the result:

"Under all these conditions it is not a matter of wonder that the frontier was a scene of perpetual devastation and bloodshed; and that year by year there grew stronger in the minds of the whites a terror and hatred of Indians, and in the minds of the Indians a stronger and stronger distrust and hatred of the whites."

Then the authoress points out the true policy that ought to be pursued by a Christian Government:

"The reports are filled with eloquent statements of wrongs done to the Indians, of perfidies on the part of the Government; they counsel, as earnestly as words can, a trial of the simple and unperplexing expedients of telling the truth, keeping promises, making fair bargains, dealing justly in all ways and in all things."

Such have been the results of the policy pursued by the Administration. Hon. gentlemen have sown the wind and they must expect to reap the whirlwind. Nothing but discontent and dissatisfaction and rebellion could be expected from the course pursued by hon. gentlemen opposite. This statement I propose still further to confirm by the evidence of Mr. McDougall, from whose statement I have already largely quoted. He says:

"I have thrown down the gauntlet," he replied. "If my letter is challenged I am prepared to substantiate every word of it, but not before it is contradicted. We have reached a certain crisis in the Indian question. There have been in the past grave irregularities in the Department, for exposing which I was denounced as a traitor and a liar, and brought twice before the conference of my church, but the verdict of the investigating committee always supported me. The Indians have been defrauded by the contracts not being carried out as specified in the treaty; and the Indian is being defrauded, and so is the Government, which is made to believe that the Indians receive a certain amount when they don't. But of course the Indian is the greatest loser."

Mr. Grier from whom I have already quoted says:

"That corruption exists is commonly reported and commonly believed. The fraud comes in by arrangement between the contractors and officials on different reserves. I can't give particulars. I know it exists. The money thus lost if expended on educating the young Indians would do a great deal of good. There is no use trying to teach the old, they won't learn."

This being the condition of affairs, one would naturally like to enquire into the expenditure of the enormous sums voted by Parliament to feed and clothe the Indians. It can be accounted for; a large portion of it can easily be accounted for. The Indian is charged with what he never gets; he is charged two prices for the articles he gets. He is charged with articles that ought not to be charged to him at all; he is robbed right and left by the officials and by the middle men, and that I propose to prove beyond possibility of dispute. The Indians, under Treaty No. 1, in 1833, 1834, 1835, according to the Sessional Papers, are charged with agricultural implements and tools, to the amount of \$863.50; Indians under Treaty No. 2, \$504.23; Indians under Treaty No. 3, \$1,178.71; Indians under Treaty No. 4, \$27,441; Indians under Treaty No. 5, \$2,346; Indians under Treaty No. 6, \$37,420.13; Indians under Treaty No. 7, \$22,581.99. The Indians under those seven treaties are charged in those accounts, in three years, with agricultural implements and tools to the amount of \$92,337.13. Now, Sir, according to the reports for 1886, the Indian population, resident on the reserves under Treaties Nos. 4, 6 and 7 was 12,102, and they had under cultivation 4,614 acres. It does appear to me extraordinary that an Indian population of 12,102 souls with 4,614 acres under cultivation would require agricultural implements and tools in three years amounting to the sum of \$87,444. And you must recollect, Mr. Speaker, that this was not all, because they are charged with large sums in the year 1882. I say there is something rotten here. It is simply incredible, it is simply impossible, that these Indians ever required or utilised implements costing so much in so short a period of time. Now, let us take Treaty No. 4. According to the Sessional Papers for 1884, the Indians under that treaty numbered, in 1883, 6,886, little and big, old and young, men and women, and yet in three years they are charged with agricultural implements and tools amounting to \$27,441. Did the Indians ever get those implements? I say they did not, or that if they did get them this expenditure was nothing more nor less than a scandalous and wilful waste of public money, voted by this Parliament to clothe and feed the Indian and keep him from starving or freezing to death. According to the reports, so far as I can discover, they had under cultivation, in 1883, 554 acres; in 1884, about 1,000 acres; in 1885, 1,590 acres, or an average of 1,000 acres in the three years; and yet, in these three years, for half cultivating 1,000 acres, they are charged with the sum of \$27,441 worth of implements and tools. Take Treaty No. 6. It appears from the Sessional Papers of 1885 that the Indians under this treaty in 1884 numbered 6,673. Under this treaty the Government paid for implements and tools in three years for these Indians \$37,420. There are not more than 500 able-bodied agriculturists in this band, and yet they are charged with this enormous sum. I say that 500 of the best farmers of Ontario who farm from 100 to 150 acres each, do not spend as much money in three years on farming implements and tools as we spent on this band of

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Indians. Now, according to the Indian Report for 1886, the Indian population of the North-West Territories resident on the reserves, numbered 12,102, and they had under cultivation 4,614 acres, and to half cultivate this land the Government charge the Indian account in three years with \$87,444 worth of agricultural implements and tools. All I can say, all that any man can say, on a subject of the kind is that these charges on the face of them bear the clearest possible evidence of fraud on the part of somebody. The Indians are charged with this sum; it is paid out of Indian moneys voted by Parliament, but I challenge hon. gentlemen opposite to show that half these articles ever reached the Indians. Is it not the fact—I charge that it is the fact, and I challenge them to a scrutiny; I challenge them to appoint a commission or a committee of this House to enquire into the matter—is it not a fact that in one of the bands numbering 1,150 families, they are charged in one year with 1,160 hoes, and the very next year this same band is charged with 1,014 additional hoes. Is it not the fact—I charge that it is the fact—that one band received in one year 50 ploughs, 320 scythes, 320 hay forks, and the very next year this same band are charged with 63 ploughs, 63 harrows, 140 scythes and 140 hay forks; and the following year this same band is charged with \$2,209 worth of ploughs, besides more scythes and hay forks, and \$5,490 of implements under contract. Will any man tell me that these articles ever reached the Indians? I say it is an outrage on common sense and decency; I say it is quite impossible that they ever reached the Indians, and I say further that if they did receive them, it was a wilful misapplication of the money voted by Parliament for the purpose of supplying the Indians with the absolute necessaries for the cultivation of the soil. The Indian was robbed and the country was robbed, and the only men who profited by it were the agents and the middlemen. I say still further: In the Sessional Papers for 1884, No. 4, as showing the extraordinary kind of items that this Government charge to the Indian account, I find that K. D. Graham is paid the sum of \$1,984 for medicines supplied to the Indians. That is not all, for there are several other men whose accounts are charged to the Indians for supplying medicine. I say that is enough to physic every Indian in the North-West twice over, and keep them physicked nearly all the year round. That is not all. In 1883 the Indian account is charged with \$3,630 for commission paid to those pets of the Government, I. G. Baker and others, as commission for advances made to the Indians. I ask you, Sir, and I ask this House, when the Parliament of this country liberally donated \$1,109,000 to feed, clothe and support the Indians, why we should pay the sum of \$3,630 as commission to I. G. Baker and others for advances made by them. The Government had the money, Parliament voted the money, it was in their hands, and it was their business to supply the necessary funds to purchase supplies; it was their business to have bought the articles for cash, and to have paid for them instead of having the Indian account charged with this sum in one year as commission for advances. This is not all. In the account for 1883, the enormous sum of \$26,312 is charged to the Indian account for the travelling expenses of the agents appointed by this Government over the Indians in the North-West Territories. And recollect, we supply these men with horses, buckboards, sleighs, and camping outfits and everything required for travelling; and yet there is this enormous sum of \$26,312 charged in one year for travelling expenses. I tell you, Sir, and I say it without fear of successful contradiction, that every agent in the service, from the Lieutenant-Governor down to the humblest farm instructor, can travel in the North-West Territories from the 1st January to the 31st December, all the year round, and not spend \$26,000. It is the cheapest country in the world to travel in. All you require is a

few Indian ponies and a buckboard, and in the case of these agents these things are supplied. Out of this sum the Commissioner of Indian Affairs got nearly \$2,000. In addition to that the Commissioner of Indian Affairs gets his camp outfit, his tent, his horses and harness, and everything that human skill and human ingenuity can devise as necessary for travelling on the prairie; and yet he draws nearly \$2,000 for travelling expenses in one year. I say again, it is a gross injustice to the Indians that these sums, voted by Parliament to clothe and feed the Indians, should be wasted and frittered away. It is a still greater injustice that the men placed over the Indians should supplement their handsome salaries by all these casual advantages stolen out of the funds voted by Parliament to maintain and support the Indians. Let us see how much further this system is acted on to the injury of the Indian. The same scandalous expenditure is not for one year only; it continues from year to year. In the Sessional Papers of 1884, I find that the Indian account is charged with \$2,836 for travelling expenses. By the same Sessional Papers, I find that I. G. Baker and others obtained \$1,417 for commission on advances, which is charged to the Indian account. I find further, by the Sessional Papers of 1884, that the number of Indians in Treaty No. 6, in the year 1883 amounted to 6,639, and the Indian account is charged with having paid that number of Indians. I find by the Sessional Papers of the following year that the Indians in Treaty No. 6 were then said to number 8,157. In 1883 the Indian account is charged with a payment to 6,639 Indians, including chiefs and headmen. In the following year the Indian account is charged with a payment to 8,157 Indians, or an increase of 1,518 Indians, although it is clear that instead of there being an increase in that band, there was a decrease, and the concurrent testimony of all who know anything about it is that there was a decrease. There is evidently something wrong here which requires investigation, but which never was investigated. I find in the Sessional Papers of 1885 that all the items making up the sum of \$17,670 are entered twice, I do not know whether they have been paid twice; all I know is that they are entered twice in the blue-books submitted to Parliament. Some of the items are worthy of the consideration of Parliament and the people of this country. I find that the Indian account of last year is charged with \$10 paid to the South-West Stock Association as Mr. McHugh's membership fee. Will any one tell me why the Indian account should be charged with the cost of making Mr. McHugh a member of the South-West Stock Association? I find that Mr. P. G. Hallam was paid \$5 for taking an affidavit. The fee in the Province of Ontario is only 25 cents. I find that \$85 is charged for taking a threshing machine to Poundmaker's reserve, which is about half the value of the machine. It should not have cost more than \$12 or \$15. I find that P. J. Paterson is paid \$5 for 50 pounds of flour. Everybody knows that in the markets of the North-West flour can be got for \$5 a barrel. I find that the Indians are charged with \$5,676 as one-third of the cost of the mail service. I ask why the Indian account should be charged with that? The mail service is necessary for the convenience of the white settlers, and ought to be charged to the ordinary fund, and not to the Indian account. It looks to me, on examining this account, as if the object of the Government was simply to spend the Indian funds in the interests of their friends. Last year the expenditure on Indian account was \$1,109,604. Mr. Dewdney, in his report, says it cost \$454,000 to feed and clothe the Indians. Will the hon. Minister explain to the House and the country what became of the other \$645,000? If not, I will give some explanation. We paid Commissioner Dewdney a salary of \$3,200, and if he were a good man, I would not object to that charge. We paid an army of officials of

all kinds over \$90,000. We paid the Tory press from the Ottawa Citizen down to the Montreal Gazette, \$8,028, which is charged to the Indian account. We paid for agricultural implements and tools in three years, half of which the Indians never received, \$92,337. The Indian account is charged with sums paid to Indians who were not in the band; it is charged with sums paid to Indians who never were in the band; it is charged with sums paid to Indians after they were dead and before they were born, as the following statement made by Mr. McColl in his report shows:

"One of the councillors having two wives is represented on the May sheet as receiving annuity in 1881, for a family of 11 including 2 infant children, whereas at the date of payment, only one of these children was born."

We pay for travelling expenses of the employees of the Government in the North-West in many cases more than their salaries amount to, and that in a country where all a man requires for travelling is an Indian pony and a buckboard. Some of the items that make up the accounts are curious, and deserve the consideration of Parliament. In one of the accounts I find that we paid J. Creighton for a silk handkerchief, 90 cents. Why should the Indian account be charged with the price of a silk handkerchief? If the Indians are starving to death, they do not require silk handkerchiefs. We paid Wm Williams for repairing boots, \$7.75. We paid Mr. Laurie for football, \$5. If they want to play football, let them buy their own football, and not charge the Indian account with it. We paid for a magic lantern, \$81.15. We paid Louisier & Morin, for superintending Indians' fishing, \$135.76. Will any man tell me why we should pay this sum for this service? I think the Indians know more about fishing than the Government or their officials do. The account was also charged last year with a payment of \$453 for venetian blinds for the Regina Office. A more scandalous charge was never made than that. \$153 for venetian blinds for a little office in Regina! I venture to say that there is not a gentleman's house in Ottawa where the venetian blinds cost \$453. Let me refer to some other items that bear on their face indications of fraud on the Indian. Take the Indians under Treaty No. 4. They are charged with seventy-one yoke of oxen in three years. The Indians under Treaty No. 6 are charged, in 1883, with forty-five yoke of oxen; in 1884, forty-two; and in 1885, forty-two, or 130 yoke of oxen in three years. Now, Mr. Speaker, I ask you to tell me why the Indian account should be charged in three years with 130 yoke of oxen under this treaty, although this band of Indians had not, so far I am able to judge, a thousand acres under cultivation? It is nothing less than a wilful waste of money. These 130 yoke of oxen cost the people of Canada \$26,470; and many of the oxen were aged, crippled and unfit for work of any kind when delivered, so that in a year or so many of them died from old age, and such of them as did not die had to be sold or killed, as they were unfit for work. Francis Ogiltree, Indian agent, writing of the oxen supplied the Swan Lake band, says:

"The two oxen owned by this band are of very little use, as one of them is blind and the other one is very old."

A. Mackay, Indian Agent, speaking of the Berens River Band says:

"There are only one ox and one cow alive out of the seven supplied by the Department."

E. McColl, Inspector of Agencies, speaking of the Long Plain band, says:

"As the oxen are useless, one blind and one very old, they want the agent to be allowed to exchange them for others."

Thus two agents report the same thing. The truth of the matter is that the oxen, for which we paid this enormous

sum, were so useless that they had to be disposed of within the year. The whole thing is an outrage Parliament should not tolerate. The Government should be held to a strict account, and I propose to hold them to a strict account, for this wasteful expenditure of public money. I find further that the Indian account is charged with payments to Mr. Baker of \$95 each for three waggons, although I find that the Government could and did buy from other contractors better waggons at \$57.50 each. In other words, the people had to pay, \$37.50 more for each waggon than they were worth. There are still some items to which I would draw, Mr. Speaker, your particular attention. The Indian account was charged a year or two ago with still more curious items. Among them are a table cloth and a napkin for His Grace the Commissioner of Indian Affairs in the North-West, \$6.70; for washing his blankets, \$6.50; 150 yards of cotton, \$21.20; 109 yards of cotton, \$13.62; painting, varnishing and cleaning Government house carriage, \$10; kitchen utensils, \$37. Now, we pay Lieutenant-Governor Dewdney, as Lieutenant-Governor, \$4,000 a year; we pay him further, as commissioner, \$3,200 a year; and we pay him yearly for travelling expenses nearly \$2,000; we supply him with other contingencies required for travelling, such as horses, sleighs, buckboards, &c., and surely he ought to wash his own blankets and varnish his own carriage, instead of charging these things to the Indian account. In 1882 the Indian account is charged for a horse for the commissioner, \$160; repairs to harness, \$18.25; sundry articles, of which the items are not given, \$146.45; sundries again, \$57.50; two other horses, \$375; two other horses for the commissioner's interpreter, \$165; two horses again for commissioner, \$340; two horses for Mr. Wadsworth, \$110. So that Mr. Dewdney, in that year, got from the Indian Department five horses for his own use that cost \$775, every one of which was charged to the Indian account. Why, in the name of common sense, should Commissioner Dewdney get out of the Indian fund five horses in one year, costing the people no less a sum than \$775. Mr. Wadsworth, who does a great deal more travelling and ten times the work that Mr. Dewdney does, got a span of horses for \$110 or \$55 each, while Mr. Dewdney's cost as high in one case as \$170 each. In 1883, the Indian account is charged with another horse for Mr. Dewdney at \$100, and again in the same year with a buckboard at \$150. Now, I state here that there is not a gentleman in this House, who knows anything about the North-West Territories, but who will declare that a buckboard, fit for any gentleman to travel in, can be obtained there at from \$40 to \$60; yet the country is charged \$150 for this one. Mr. Dewdney also got another buckboard, in that year, at \$80, making two buckboards costing \$230, which were paid for out of the Indian fund, and which were charged to the Indian account. In the following year, I find charged to that account, one set of harness for the commissioner, \$35; another horse for the commissioner, \$150; washing the towels of the commissioner, \$6; 2 waggons and harness for the two inspectors, \$528. I would like to know what kind of waggons were those two that cost \$528? In that year again, there is charged to Indian account, one buckboard, \$117; one waggon and harness, \$100; and another buckboard, \$115. In 1885, another buckboard is charged to Indian account at \$125. In the report for 1886, the same account is charged with one mare for commissioner, \$125; one pair of horses for Mr. McRae, \$365; one buckboard for Mr. McRae, \$90; one horse for Mr. McRae, \$166; one sleigh for commissioner, \$40. Why, every single thing is charged to the Indian account; yet Mr. Dewdney draws nearly \$2,000 a year for travelling expenses. In the same year, we paid \$1,192 to Baker & Co., and others, for advances made, and this same year \$20,150 was charged to Indian account for travelling expenses. Among some of the items not open to discussion are the following: P. G. Williams, paid for travelling expenses

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from Piegan Reserve to Crooked Lake, \$183; J. A. Hargrave, \$125 for one desk for Winnipeg office. Can you imagine, Sir, the kind of desk that would cost \$125 for an Indian office? My knowledge is too limited to enable me to grasp that great subject. Mr. Wadsworth was allowed \$100 for a buckboard—\$40 is the average price. I now come to a couple of other items, which will be found interesting. Three thousand nine hundred and forty-eight dollars is charged as spent on potatoes for one band of Indians, the Indians under Treaty No. 4. The Indians under Treaty No. 6, are charged with \$473.87 for garden seeds in 1883; in 1884 the same Indians are charged with \$742.89 for garden seeds; and in 1885, the same Indians are charged again with \$310.78 for garden seeds, so that, in the three years I have given, these Indians were charged with \$2,027 worth of garden seeds. I mean to say that the Indians never got these seeds to this extent, or if they did it was a scandalous waste of the public, or rather Indian, money. I mean to say, Sir, that \$2,000 worth of garden seeds would seed every garden in the whole North West, from the western boundary of Manitoba to the foot of the Rocky Mountains, and then leave enough to seed part of the Province of Ontario. And yet these Indians were charged with \$2,027 for garden seeds during the past three years. This item alone exhibits an extravagance, recklessness and waste on the part of the Administration, which is simply incredible. It is simply disgraceful that any Government should tolerate this condition of affairs for a single year, and the fact that this Government has tolerated it reflects no credit upon them. I have thus shown by evidence which cannot be contradicted that the Indian service in the North-West is filled with carpet-baggers and camp followers, with men incompetent to fulfil the duties they are called upon to discharge, with men of bad habits and worse morals, with men who minimise the truth, with men who yet have not been able to distinguish between *meum* and *tuum*. I have shown you that we have dealt harshly and cruelly with the Indians, that we have broken our solemn promises, that we have violated every line of every treaty that we made with the Indians, that we have permitted our agents and middlemen to rob and steal from the Indians, that our agents have allowed those Indians to be frozen to death and starved to death, and that in the midst of plenty. Sensible men, reasonable men foresaw long ago what would be the inevitable result of the foolish and mad policy pursued by this Administration towards the Indians, the policy of submission by a policy of starvation. Sensible men could see that the only ending would be that which was shown in the terrible outbreak of last year. Sensible men can see now that the condition of the Indians there requires the earnest attention of this Parliament. Is it possible to open the eyes of hon. gentlemen opposite? I have almost despaired of it. The Superintendent General of Indian Affairs, in his report for 1886, says:

"The Indians who rebelled do not plead grievances in extenuation of their having done so."

I know that the supporters of the Government, in Parliament and out of Parliament, and the press supporting hon. gentlemen opposite, and all those who clamored for the blood of Louis Riel, in order if possible to increase his criminality, have declared that, had it not been for him, the Indians of the North-West would not have taken up arms. That is true in a sense and it is not true. It is true that the action of Louis Riel was the spark which fired the train, but I say the combustible material was there all the same. It slumbered for seven years, but it only slumbered. It is not true that the action of Louis Riel was the only or the main cause of the Indians joining their kindred, the half-breeds, in the recent insurrection in the North-West Territory. The Indian on the whole is a quiet, peaceable, law-abiding, loyal subject of Her Majesty the Queen, and it

required a good deal more than the mad freaks of a lunatic to induce the Indians to take up arms against the sovereign power of this Dominion. I say that every man not blinded by party prejudice, every man whose eyes are open, or who is willing to have his eyes opened and his ears unstopped, must see that the policy, the avowed policy of the Administration and of their officials in the North-West had a great deal to do, had everything to do, with the outbreak of the Indians, and that that policy would sooner or later eventuate in an armed insurrection. The way to maintain the loyalty of the Indian is not by violating solemn engagements, not by breaking every treaty entered into with the Indian, not by unfulfilled promises made by the Government, not by cheating, robbing and swindling the Indians, not by cruel and harsh treatment, not by death from cold and starvation; and of all these things I charge that this Government through their agents have been guilty. I propose to read one or two other extracts to establish the proposition I have laid down. The Rev. John McLean, Methodist missionary to the Blood Indians near Fort Macleod, discussed the half-breed and Indian question in the August number of *The Canadian Methodist Magazine*. He says:

"The causes of the present discontent among the Indians are legion. Some of the men employed by the Department on the reservations have been granted their positions through political influence, even though they have been utterly incompetent for the respective duties of their office. They receive good salaries, and yet the Indians derive very little benefit from their services. Promises have been made to the Indians by Government officials that have never been kept. The Department has professed to give these people food enough to sustain them, yet at different times their rations have been cut down. They have been told that they were to remain on their reservations, but it was impossible for them to do so on their daily allowance. About a million dollars a year is now granted by the Dominion Parliament for the Indian service, but a high official in the North-West has stated that not one-fourth of this sum, or the equivalent of one-fourth, ever reaches the Indians. The money is filtered through the hands of jobbers, supply men, agents, and other speculators until the Indian's share is reduced to very little, indeed."

Archbishop Taché says:

"The Indians, who should have been cared for and protected by the Government, were 'left a prey to the seductions of men revoltingly immoral, and when this was pointed out the friends of humanity had another regret to register.' He alleges that in other cases 'the Indians were deprived of the pittance assigned to them, or it was given to them as if they were dogs!' They were too often deceived. At the risk of creating great surprise, I affirm that the massacres were not committed without previous provocation. I here invoke the testimony of one of the victims himself. The Rev. Father Fafard said, in conversation with another missionary, who in turn related it to me:—'Such a one (naming an official) acts with shameful brutality towards the Indians. He will be killed some day.' The person alluded to was killed, and two devoted missionaries increased the number of victims they were striving to protect. A gentleman whose veracity I cannot question assured me that some Indians had told him in 1884 that an individual, whom he mentioned, 'treated them like dogs,' and the same individual was killed by the Indians who had lodged the complaint against him."

Rev. Mr. McDougall says:

"We could not find, nor did we try to find, any excuse for the promises made but not fulfilled, for the cut-throat policy often exhibited and sometimes enforced by officials of the Indian Department, for the shameful and immoral lives of many of the employees of the same. Some of these were a disgrace to the lowest barbarism, let alone civilization. Nor how could we, when earnestly trying to teach Indians habits of industry and thrift, be expected to excuse the laziness and incompetency of many sent into the country to teach the wards of the Government those lessons we have been working for them to acquire for so many years. Moreover could we be blamed when we felt strongly that something was wrong in the system which allowed such men in its branch of the service. The inconsistency has oftentimes appeared to us very glaring when we looked at a department claiming to have a certain object in view, set aside by the country at large, whose servant it is, to attain this object, and yet within its own grasp and power doing those things and adopting those methods which are defeating their object. Very little rebellion in these men ten or fifteen years ago, and had the conduct of Government officials of every department sent into this country been such as to command the respect of the natives there would have been no rebellion on the part of the Indians last spring, nor would the smouldering influences thereof still rankle in the hearts of many. The same system is being continued without change. Not one of the officials complained of has been removed or interfered with. The Government have refused to accept advice from any quarter."

Mr. Jackson, in the speech from which we have already quoted, says:

"I heard some of the men say, who took up arms against the police to protect themselves (it was said before some responsible citizens of Fort Qu'Appelle): 'We had to do it or starve to death, and we preferred to die by the police bullets rather than die by starvation.'"

Instead of dealing fairly and honestly by the Indian, as we ought to have done; instead of maintaining unbroken our treaty obligations with the Indian, we pursued, and we still pursue that mad and reckless and inhuman policy of sub-mission by starvation. The Indian agent, in his report of 1883, speaking of Way-way-se-Cappo's and Gambler's bands, says:

"They have become particularly independent, and have undertaken to compel me to give them what they required. Gambler's band were also very independent, and did not sow much, as I refused to give seed wheat to those who received it last year and kept none for seed; consequently most of the others refused to take seed. However, both these bands can get work if they want it, and a little starvation will do them good."

I say it is worse than folly for the First Minister to say that the Indians who rebelled did not plead grievances in extenuation of their having done so. It is stopping one's ears; it is closing one's eyes; it is being wilfully blind to the evidence that is submitted to Parliament in almost every page of the reports of the Department of Indian Affairs and of the North-West Mounted Police. The hon. gentleman knew, the Administration ought to have known, the terrible experience of the neighboring republic with just such a policy; we ourselves knew from our experience and the reports of our agents in the North-West, what the effect of such a policy would be. But the Government may not be satisfied with the evidence I have given that broken promises, violated treaties, fraud and peaculation, starvation bordering on death, drove the Indians into the arms of the rebellious. I shall now submit a piece of evidence, the weight and authority of which even this Government will not question. The First Minister of this Dominion has over and over again declared in Parliament that Governor Dewdney was the best official in the whole North-West to deal with the Indians. I took, and still take, issue with the First Minister on that question. I say he is the most dangerous official that ever this incompetent and reckless Government appointed to fulfil any position of trust in the North-West Territories. But let us see what Governor Dewdney says of the Indians of the plains in connection with the insurrection. In his report for the present year he makes use of the following language:—

"The bands implicated in the rebellion were those of One Arrow, Beardy, Okemasia, and part of Petequakeys, in the Carleton district, and the whole of the Indians in the Battleford and Fort Pitt districts, excepting Moosomin's and part of Thunder Child's, the latter refusing to approach the rebel camps until starvation drove him and his followers to do so."

So, Sir, you have here, out of the mouth of the Lieutenant-Governor himself, the statement that these Indians refused to join the rebel camp until starvation compelled them to do so. You have the statement out of the mouth of the commissioner that starvation compelled the chief of this band, and the whole of his followers, to join the armed insurrection. The Minister of Justice told us not long ago, in his speech in Parliament, that:

"The man who undertakes in the North-West to incite the Indians to rise and commit war and depredations on the settlers, takes his life in his hand, and if he appeals to me for mercy he will get justice."

That sentiment was vociferously cheered by hon. gentlemen on the other side of the House. I agree with that sentiment. It commends itself to my judgment; but I tell the Minister of Justice that if he is disposed to mete out merited justice to those who, by their misconduct, by their maladministration, by their incompetency and by their criminal neglect, provoked the Indian uprising, the hon. gentle-

man will sit alone upon the Treasury benches. There is nothing that hon. gentlemen so much fear as justice, that justice they will receive at the hands of the people of this country, if not at the hands of this Parliament. Sir, believing, as I honestly do, that the Administration of Indian Affairs in the North-West Territories has been harsh and cruel; believing, as I honestly do, that many of the officials appointed by this Government to administer Indian affairs are not only unfit for their position, but are men of bad character, and of worse morals; believing, as I honestly do, that the Indians have been robbed for years in the interest of the officials of this Government and the middlemen; believing, as I do, that the Government have, year after year, persistently refrained from investigating the complaints made by the Indians, and submitted to them by their own agents in the North-West Territory, and have kept incompetent and immoral men in the public service for a long series of years; believing that the Indians have been persistently robbed, cheated and swindled, and in many cases frozen and starved to death; believing, as I do, that the recent uprising of the Indians was the direct result of the maladministration and the incompetency of this Administration; that, in fact, the whole policy and the whole conduct of this Government, in the administration of Indian affairs in the North-West Territories, has proved disastrous in the past and is fraught with danger in the future, I beg to move the following amendment:

That all the words after the word "that" be left out, and the following inserted instead thereof:—the administration of Indian Affairs in Manitoba and the North-West Territories under the present Government has been characterised by extravagance, mismanagement, incapacity and culpable neglect.

Sir HECTOR LANGEVIN. I must congratulate the hon. gentleman who has just taken his seat on the generosity he has shown this evening in bringing this motion on in the absence of the First Minister. The hon. gentleman knows that the First Minister has been kept away from this House several weeks by a severe illness. But he knows also, and was rejoiced to hear, that the First Minister had recovered somewhat from his illness, that he could already leave his house, and that there was a hope and a certainty that he would take his seat in this House in a few days. It would not have damaged the statements of the hon. gentleman had he waited for a few days until he could have made his charges against the First Minister in his presence. He knew perfectly well that the First Minister, being the head of that Department, was really the Minister who knew most about the figures and could answer all the charges in respect to the financial statements he made, and which, of course, the hon. gentleman thinks this House will take for granted. Well, Sir, I do not suppose that the large majority of this House will agree with the hon. gentleman in his statements, or that they will support him in these charges, when they know fully how the Department, presided over by the First Minister, has administered the affairs of this country. The hon. gentleman complains that the Government have expended too large sums of money in support of the Indians, in providing them with implements and provisions, and in supplying their wants. But I wonder what has happened to the hon. gentleman since last year. Last year he was in a different mood. Then, we did too much for the Indians, we fed them too much, they were spoiled children of the Government, and the Government were censured by him for taking such good care of them. These lazy Indians, as he called them, should be put to work, and the Government should cease to feed them out of the revenues of this country. The hon. gentleman, to day, has changed his mind altogether. He thinks that because he can pick up in the newspapers and in the reports of certain officials some complaints and individual charges he may make a charge against the

Mr. CAMERON (Huron).

Government and its policy. He may accuse the Government of all the charges he has brought this evening. He may make against the First Minister all those charges; but the country will never believe and the House will never admit or believe that the First Minister of this Government and his colleagues have shown cruel treatment to the Indians. They will never believe that this Government, which has had the support of the country for the last eight years and has the support of the people to-day—

Some hon. MEMBERS. No, no.

Sir HECTOR LANGEVIN. Hon. gentlemen may say "no"; but at the bye-elections during the last three years what has been the fate of hon. gentlemen and their party? Have hon. gentlemen opposite recruited their ranks at the bye-elections? On the contrary, have they not lost seats at those elections; and if they had the support of the country, as they claim, why would the people elect members to sit on this side of the House? No, the people of the country are in favor of this Government, and when the general elections take place they will demonstrate that fact, as they have done again and again. It is all very well for hon. gentlemen opposite to say that they are anxious to have a general election. That is said to keep up the courage of the rank and file of the party. They know perfectly well the answer the people have given at the bye-elections and that the same answer will be given when we again go to the people. We are not afraid to go to the people. We have shown that we are not afraid, and when we appeal to the country our conduct will be endorsed by an overwhelming majority in support of the Government.

An hon. MEMBER. Drummond and Arthabaska.

Sir HECTOR LANGEVIN. Hon. gentlemen dare not defend that election. Let it be scrutinised, and it will be made clear how they obtained a majority of the votes in that district. But at the general elections hon. gentlemen opposite will see whether Drummond and Arthabaska will give them a member to sit on their side of the House. The mover of the resolution has said that we have allowed Indians to be frozen to death or starved to death. If certain Indians have been frozen to death or starved to death, those were accidents such as have occurred in all parts of the world when food has been wanting. They were not the fault of the Government or the officials of the Government.

Some hon. MEMBERS. Oh, oh.

Sir HECTOR LANGEVIN. Hon. gentlemen opposite may laugh; but the time will come when they will not laugh so much as they laugh to-day. The provisions that were sent to those Indians were handed to them; but hon. gentlemen opposite know that you may give provisions to Indians to-day sufficient for two days, and within twenty-four hours they will all be gone. We do not propose to expend large sums of money to give them food from the first day of the year to the last. We must give them enough to keep them alive; but the Indians must, under the regulations that have been sanctioned by Parliament, go to their reserves and cultivate their land. They must provide partially for their wants. And therefore, if, by accident, an Indian should starve, it is not the fault of the Government nor the wish of the Government. The Government do not desire there should be starvation. On the contrary, every time when starvation has been feared we have taken means to give them fresh supplies; and the other day when the half-breeds were on the point of starvation, or in great want, the Government immediately issued an order to come to their relief. And if we do this for the half-breeds, and it is the proper thing to do, we will never refuse it to the Indians. The Indians of this country have been treated with the greatest possible care; they have been treated a great deal better than the Indians of the United States,

though a much larger sum of money is annually expended there than in Canada. The hon. gentleman says that the Indians have been cheated and robbed. It is quite possible that Indians may have been cheated and robbed, but every time complaints have been made or complaints have come to the notice of the Government there has been an investigation into the matter in order that justice might be done. If an officer has acted badly he has been discharged.

An hon. MEMBER. How about Governor Dewdney?

Sir HECTOR LANGEVIN. It is all very well to make charges against a man, as the hon. gentleman has made charges against the First Minister, behind his back when he cannot answer for himself. The hon. gentleman had no doubt in his pocket or his friends have in their possession other motions to propose, and why did they not take some other motion and give time to the First Minister to be here? No, it is much more convenient to attack the First Minister when he is away; but I hope there is a spirit of justice in this House that will show hon. gentlemen opposite that they selected their time badly, and that a large majority of the members will not allow the First Minister of the Crown to be accused of all crimes, except that of murder—but even as regards that the hon. gentleman said that the First Minister allowed Indians to be starved to death, and so the whole calendar has been traversed and even murder is charged against the First Minister. The hon. gentleman has gone further and said that the Indians have no faith in Governor Dewdney. This has been said by several persons in the North-West and elsewhere. I do not think they were very friendly to the Lieutenant-Governor of the North-West. The Lieutenant-Governor may have his faults—every man has his faults—but to say that the Indians have no faith in him is a sweeping charge that could not be sustained on an investigation. I have seen the Lieutenant-Governor of the North-West with the Indians, and while the First Minister was away in England I had an opportunity of seeing the reports that came from the North-West, and I found that whenever the Lieutenant-Governor visited the Indians he was well received by them and they showed they had confidence in him. The hon. gentleman brings here charges made by Mr. Jackson, a member of the North-West Council, against Governor Dewdney. Well, I do not suppose we should go into all those charges made by Mr. Jackson, but Mr. Jackson had the opportunity of meeting Mr. Dewdney face to face in the North-West Council, and Mr. Dewdney answered the charges made by him, and I think the explanations given by Mr. Dewdney were satisfactory, and that they proved that Mr. Jackson had gone too far or had been misinformed. But the hon. member read only the charges. He took great care not to read the defence of Mr. Dewdney. It would have been only fair to Mr. Dewdney that the answer should have been read. The hon. gentleman then goes on and he speaks of the charges made by the Rev. Mr. McDougall. He says that those charges were very grave, and that there has been no investigation. Well, Sir, these charges were made by Mr. McDougall, and if I am well informed, when Mr. McDougall was asked to particularise those charges, he declined to do so. If I am rightly informed the Government have taken care to have an investigation made so that the charges made by Mr. McDougall may be sifted. The hon. gentleman quoted from the *Mail*, of Toronto, and he will not, therefore, find fault with me if I quote from the same authority. The *Mail* says:

"It will be remembered that a special correspondent of the *Mail*, who took a tour during the winter amongst the Indians living south of the Canadian Pacific Railway, made public certain grave charges preferred against officials of the Indian Department and others by Rev. John McDougall, of Morley, the well-known Methodist missionary, and Rev. Mr. Trivett, a Church of England missionary amongst the blackfeet. The Indian Department at once instituted an enquiry."

Now, the hon. gentleman said the Government never enquired about any of these charges, that the Department remained silent, that they allowed these charges to be made and did not investigate them or take any steps to protect their officers against those charges. That statement is disproved; it is not the fact. Every time a charge was made which was not a mere vague assertion but a charge in which facts were advanced, the Department took care to have an investigation made. The *Mail* goes on to say:

"The Indian Department at once instituted an enquiry. Assistant Commissioner Reed being despatched to take evidence from the reverend gentlemen who made the accusations and from all who could throw light upon the subject. The Fort Macleod *Gazette* says Mr. Reed has 'gone straight to those who put forward the charges' of corruption and immorality, but those persons, when asked to give particulars, were unable to do so, nor could the commissioner discover any proof in any other quarter. Some who were examined 'supposed' that the charges must be true, 'because everybody said they were,' but no one could establish a single case. Mr. McDougall does not appear to have been examined yet, but Mr. Trivett was pointedly asked to substantiate his charge relating to a traffic in Indian girls, and failed. Immoral intercourse is no doubt carried on, but no instance of the actual purchase of an Indian girl could be found. Rev. Mr. McLean, the Methodist missionary at the Blood reserve, 'takes no stock in the clap-trap about the abuses practised upon the Indians by Government officials,' his opinion being that the agents are honestly endeavoring to do their duty."

This testimony of this reverend gentleman surely is as good as these charges made by anonymous writers in the newspapers, and by others of less value. The Fort Macleod *Gazette* says:

"No man should make a charge of fraud in any department of the Government unless he is prepared to prove that there is fraud, and to point out the guilty parties. It is not fair or just to place all the officials in any district under a cloud of suspicion because a man 'supposes' there must be fraud."

But according to the hon. gentleman, all the officials of Indian affairs, all the officials of the Government in the North-West, from Mr. Dewdney down to the last porter or messenger, are a band of robbers, a band of miserable men who should be dismissed. That is the sweeping charge he makes against all those officials, some of whom are most able, respectable and trustworthy men. Such charges I think should never be made, especially by a member of Parliament under his responsibility as such, and under the protection which he enjoys here as a member of Parliament.

"The reputation of an Indian Department official is probably quite as dear to him as to any of us, and there is no excuse for any one who sullies that reputation by mysterious hints of fraud and embezzlement, which exist only in the imagination."

Now let us go to Battleford:

"The Battleford *Herald*, another good authority on Indian affairs, thinks the story about the traffic in girls arose from the fact that according to Indian ideas marriage is simply a bargain and sale, and that the parents of a young woman are always on the alert to find a buyer for her. The buyers, as a rule, are men of mixed blood, half-breeds and the like. Now and then some degraded white man buys a wife in this way, but the *Herald* says it is a rare occurrence. Rev. Mr. McDougall's evidence is awaited with some interest. It is not to be supposed that he made charges without having proof in his hands, and if he can point even to a single black sheep amongst the officials he will receive the thanks of the country, for it is absolutely necessary, upon moral grounds and for the sake of peace in the North-West, that the Indian Department should be beyond reproach.

I say ditto. I say that is a proper sentiment, and the Government wishes that every charge of that kind, when accompanied by facts or statements, should be investigated, and I have no doubt the First Minister, when he hears of the charges made by the hon. gentleman, will see that such charges, as can at all be made the basis of an investigation, are investigated. The hon. gentleman speaks of the immorality, not only of the Indian agents, but he charges all the officials from the Lieutenant-Governor down to the lowest messenger or porter in the North-West. Without naming them, he also charges the Mounted Police with the greatest immoral conduct possible. The hon. gentleman says here is a book in which there is a statement of the diseases for which these men have been under medical

treatment in that region. That may be so. I have no doubt that in that corps, as in every corps of the same kind, the same as in the Queen's troops, the regiments of the line, there will be immorality; and if any cases of that kind were brought under the notice of the Government in such a way as to make them proper subjects of investigation, I have no doubt that they would be investigated. But the hon. gentleman should not forget that the same state of things existed in these vast territories long before our time. If you look at one of the books of Sir George Simpson you will find that he states that at that period there was immorality amongst the Indians, and when you find that immorality exists in the centres of civilisation, how can you suppose, that amongst these savages, no immorality will be found? But he charges all that to the Mounted Police or the officials of the Government. I think it is very unfair that this charge should go abroad without contradiction or protest. But the hon. gentleman says that we, the Government, were all responsible for this; if a policeman or an official misbehaves himself as a private individual, he holds us responsible for that. Well, I must decline that responsibility. That soldier or that official, if he misbehaves himself as a private individual, must be personally held responsible for that; we have nothing to do with his personal conduct so long as it does not interfere with his official duties. But the hon. gentleman while so speaking, all at once perceived that the charges he was making might produce some effect in the North-West; and he exclaimed all at once: I would not be surprised if, at this very moment, we are on a volcano. The hon. gentleman should have reflected a little before he began his speech, and made these charges and tried to excite the Indians in the North-West. He should have remembered that an appeal having been made to these Indians by Riel, last year, produced the unfortunate insurrection which we all so much deplore; and these appeals of the hon. gentleman and these charges against the Government that we are culpable, that we have allowed the Indians to starve and to be frozen to death—these appeals are not calculated to keep the Indians quiet and to make them law-abiding citizens of the country. On the contrary, they are calculated to make these men feel that we must expend much larger sums of money in order to feed them, from the first day to the last day of the year—that they need not work—that we need not take any means to compel them to stay on their reserves. No; the hon. gentleman says, you must not diminish their rations; they must be fed as if they were working; though by reducing their rations you compel them to go on their reserves. How will you compel them to go on their reserves if you do not use some means of that kind? If they see that the Government are feeding them all the time, they will never go on their reserves or become civilised enough to work and to cultivate the soil, while the country will be obliged every year to spend millions of money to maintain them. I say that the policy of the Government, in compelling the Indians to go to their reserves is a proper policy. If you do not, by means of their rations, compel them to go on their reserves, how will you get them there? Will you send the volunteers of the country up to drive them on their reserves? No, that cannot be the desire of this House or of the country. Our desire is to treat the Indians well, to give them as much as is necessary to keep them from starvation, and to make them strong enough to work; but they must work and the sooner they understand that the Government will not keep them unless they go on their reserves and work, the better for them and for us. The hon. gentleman says that the hunting having failed, the Indians have been obliged at certain places to sell their horses, and are miserably poor. At another place, he says, they have been obliged to give large sums of money for cattle and implements. Well, the hunting grounds having failed them the Indians had to

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sell their horses, and I suppose the Government seeing that they had no horses had to give them others. With regard to their oxen, too, they worked on their land for a while, and then they killed their own oxen for food. The result has been that the Government had to expend another large sum of money to provide them with new cattle and new horses, and therefore it is not surprising that our Indian expenditure in the North-West should be so large. I do not say that there is not some abuse; most likely there is; it cannot be otherwise; but the moment the Government lay their hands on an abuse, the moment they see that they are cheated and that the money is not properly expended, of course the Government applies a remedy, and sees that the money goes to the proper object for which it is voted. I am not here to say there have been no abuses; I have no doubt there have been some; and if a charge were brought against a particular official, we would be prepared to put that official on trial and see whether he was guilty or not. But to make a charge, as some of the newspapers do, by saying that everybody says so, that the Indians are suffering, is unfair. But let it be stated that such a band was suffering on such a day, or that the missionary visited the band and found that it was so, and then the Government will be in a position to investigate the case, and would do so. The hon. gentleman also says—and it is a most odious charge against the Government—that the policy of the First Minister, the head of that Department, is one of starving the Indians—that we adopted that policy six years ago, and that it was followed by the Agent General of Indian Affairs, he meant the Superintendent of Indian Affairs. The hon. gentleman knows that this is a charge that has no foundation in fact. He knows perfectly well that the First Minister is not a man to act cruelly towards the Indians. The First Minister has never shown any such propensity or desire. He has always shown the greatest care towards the Indians, and has taken their part on every possible occasion. When he saw that Parliament had not given him the necessary funds and that a larger sum was required during the recess, he did not hesitate to ask for the Governor General's warrant for the balance, though it was a large sum, and then come down to Parliament and state that the sum voted was not enough, that the Indians were starving, that their wants were greater than we had foreseen, and that we had to come to their relief to the tune of \$200,000 or \$300,000 or \$400,000; and Parliament assented to it, because Parliament had the same desire as the First Minister, that is, to relieve the Indians and try to prevent them from starving. The hon. gentleman charged us with being extravagant, with having mismanaged affairs, and with having shown incapacity and culpable neglect. Well, I deny these charges; I deny them on the part of my absent colleague and leader, the First Minister. I deny them on behalf of the other Ministers, his colleagues, and myself, and I do not think my denial will be disallowed by those in whose name I refuse to admit these charges of the hon. gentlemen. I say I repel these charges on behalf of the Conservative party in this House; I say the hon. gentleman will not persuade the country to believe that this Government, which the people have supported for the last eight years and which they intend supporting for another eight years, is an extravagant Government. If we have been extravagant, hon. gentlemen opposite are as guilty as we, because they never charged us with extravagance before this evening. They charge us with mismanagement of Indian affairs. The hon. gentleman has worked for the last five or six weeks, ransacking all the blue books he could find, selecting special items from them and bringing them together, clubbing together three, four or five years of items carefully selected out of the immense sums that have been expended by the Government. I have no doubt that if we took the Public Accounts for the five years, when hon. gentlemen opposite

were in office, and find out year by year the amount they expended for Indian affairs, or under any other head, we would find also large sums of expenditure; but this is not a fair way of attacking the Government. The fair way is to bring one charge at a time, and let us investigate that charge. But the hon. gentleman spoke for two hours as fast as he could, charging the Government under every possible head, and then concludes by saying: You are extravagant, you are incapable, and you have shown culpable neglect. I again deny the charge; and I have no doubt that when the vote is taken, this House will show that it does not sanction the charge. This House will say: The Government we have supported for the last eight years, the Government which has been supported by the people for that time, has still the confidence of the people, and we do not consider it an extravagant Government. This House will find that the Government is managing the affairs of the country with due regard to the interests of the country; that we have not shown incapacity in our management; that the people have shown they have confidence in our capacity by maintaining us for the last eight years in office. We have done our best. I have no doubt there may be some officials who have mismanaged affairs in the North-West; but whenever we find out any mismanagement, we cause an investigation to be made, and every time we find an official who does not do his duty, or who is guilty of mismanagement in the North-West, against the authority and against the instructions of the Government, that officer is punished accordingly. I leave to others now to answer the hon. gentleman, if another answer is required.

Mr. PATERSON (Brant). It will not be necessary for me to detain the House at any length as the very strong speech by the hon. member for West Huron (Mr. Cameron), backed by the facts and the figures which he gave, remains practically unanswered. The hon. gentleman who has just resumed his seat seems to have contented himself with defending the Government simply by boasting of their strength in the country. He seems to have contented himself by simply relying on the statement that my hon. friend from West Huron (Mr. Cameron) had been guilty of something that was reprehensible in introducing his motion at present. He has told us, what we all regret to know, that the First Minister is incapacitated by illness from being in his place, and he was pleased to taunt my hon. friend with a desire to introduce his resolution while the First Minister was unhappily in that condition. I think that was rather ungenerous on the part of the hon. gentleman. No one would seriously believe, not even the hon. gentleman himself, that the hon. member for West Huron (Mr. Cameron) is afraid to formulate any charges he conceives it his duty to make, in the presence of anybody, and I am sure it would have afforded my hon. friend greater pleasure to formulate his charges while the First Minister, who has more particularly charge of the affairs of the Indian Department, was in his place, than to be obliged to formulate them in his absence. I think that the First Minister would not have adopted the line taken by the hon. gentleman who has just spoken on his behalf to-night, he would not have asked that public business should stand still because he was unable to take part in it. I think he would have had a higher opinion of the members of his Cabinet. I believe he would have said: I am surrounded by capable men, men whom I have selected from the flower of my party to associate with me, and in whom I have implicit confidence; they will have sufficient knowledge of the general working of all the departments to be able to answer anyone who will prefer charges and substantiate them, after diligent search and enquiry through the books with which the Government themselves have furnished the House. I, therefore, have no faith in the argument put forth by the hon. gentleman. The argument that

consists simply of the proud boast that the present Ministry have had the confidence of the country during the past seven years, and will have it in the future, seems to me scarcely to answer the different concise statements put forward by the hon. member for West Huron (Mr. Cameron). I do not know that it is necessary to allude to the idle boast made as to the position the Government hold in the country and the probable result of another election. The Minister has been pleased to tell us that the Government were ready at last election, that they were not then afraid but were prepared and willing to meet the people, and that they will be prepared also when the next one comes. We recognise that to be a fact. They were fully prepared at the last election, they had done everything to fortify themselves by means of the Gerrymander Act; and that they will also be prepared the next time is evident because their revising officers have completed their work so far as they have been able to complete it. It is not an answer to specific charges, backed up by statements and figures from the blue books, to say: We have done everything well, and when we appeal to the country you will find such to be the case. Without desiring to be unduly harsh on the Department of Indian Affairs or on its officers, the Opposition have a duty to perform, and that is to examine into the way the affairs of the country are conducted; and I think gentlemen opposite, even those independent members among them, even that hon. gentleman who manifested his independence to so remarkable an extent that he was willing to call in the members after the charge had been made and not one word had been said in reply or in rebuttal by anyone on the Government side. Or with that other equally independent member who, before you, Mr. Speaker, could read the motion, after listening to the indictment and not hearing a word of denial or refutation, was pleased from his place in the House to cry "lost." I think even gentlemen manifesting as much independence as these will admit that there is a duty devolving upon the Opposition, and that if the Opposition makes statements which are not correct in point of fact, and adduce incorrect evidence in support of them, that should be pointed out. That has not been done up to the present time. The hon. gentleman has stated that those who will follow him will be able to deal with the matter in that light. I had prepared myself to reinforce many of the statements made by the hon. member for West Huron (Mr. Cameron), but, in view of the statement of the hon. gentleman, the House will no doubt consider it to be my duty to abstain from doing so under the present circumstances, inasmuch as the charges which have been made remain unanswered and it is therefore unnecessary to reinforce them. I point out that the hon. member for West Huron has taken his facts from the blue books. It is true that he has fortified himself by statements made by parties outside of the House, but I ask if the authorities that he has used are not gentlemen to whose words some importance ought to be attached. He has quoted statements of the Rev. Mr. McDougall, the Rev. Mr. Robertson, and the Rev. Mr. Trivett, and other gentlemen of the like standing. They affirm these matters, and they re-affirm them, as in the case of the Rev. Mr. Robertson, only a few days ago, when his statements were contradicted, and he in plain and emphatic language re-affirmed his previous charges. I have the extract under my hand in which that gentleman re-asserts what he had stated previously. I will read a sentence or two to show that he is prepared to abide by the statement he has previously made. The Rev. Mr. Robertson, taking cognisance of some statements made by a gentleman in contradiction of what he had stated, says:

"Mr. Andrews asks, where are the Indians starving, searching refuse heaps and swill barrels, and ravenously devouring crusts of bread and scraps of meat?—At Minnedosa, Birtle, Broadview, Fort Qu'Appelle, Prince Albert, Battleford, Moose Jaw, Medicine Hat, and the rest, I have

seen them doing this. It might have been because they were very curious or preferred dirty crusts and decaying meat to tender, well bled beef, but I did not think of accounting for their action that way. I know the eager look, the shrunken form, and the wolfish face that speak of want in the adult, and the wan, pinched face that speaks of starvation in the child; and I have seen them near Fort Ellice, Fort Pelly, the File Hills, and other places, and have had my sympathies drawn out towards the owners. I have seen Indians eating horses that had died of disease, when the flesh was half rotten. I have seen them picking up the entrails of animals about slaughter houses—when these entrails were fast decomposing—aye, and eating them without cooking, or even washing. They may prefer such carrion to good beef, well bled and cool when killed, but I doubt it."

That is the statement of Mr. Robertson, reiterated as late as this month, to which he attaches his name in the public prints, in reply to the question which one who had questioned his previous statements asked. He points to the fact which the member for West Huron (Mr. Cameron) has pointed to, that, in the documents which the Government themselves have submitted to the House, there are evidence of want and destitution among the Indians; and the hon. Minister says he does not doubt that there have been cases in which there has been a misappropriation of funds—perhaps that is not the term he used, but at all events irregularities and transactions that were blameable. What we have a right to expect is that that should not go on year after year. If that thing was found in 1881, and was repeated in 1882, as the records will show, and was repeated in 1883, as the record will show, and was repeated in 1884, as the record will show, and was going on in 1885, as I believe I can find inferential testimony, if not direct testimony, in the report of this year to show, I ask if the Government were not blameable in not instituting more rigid enquiries and taking more decided steps to prevent these abuses. I moved the other day for a return in reference to a report of experts to whom samples of flour supplied to the Indians has been submitted, having ascertained from previous enquiry that there were such reports in existence. The report was brought down, and I find that one of the medical attendants of the Indians under Treaty No. 7, reports that the flour supplied to the Indians there was unwholesome and unfit for human food, and, still more, that it was the cause of the death of a large number of those Indians. Is not that a serious charge? How was the gentleman dealt with who had that in charge? Let me read what Dr. Girard says in reference to the matter. I quote from the report, which is dated Fort Macleod, 6th November, 1883:

"Sir, After my visit to the Piegans I left for the Bloods, who were anxious to see me, for the sickness was raging among them, the same sickness as at the Piegans and Blackfeet, but not with the epidemic form.

"I visited their camps and some of their lodges, saw their sick, and gave near 200 prescriptions.

"Besides the common ailments in the last days I was there, I found many cases of bronchitis, caused by exposure to cold weather and want of good shoes for the rainy season.

"Since the 27th September over twenty deaths occurred on that reserve, and most of them from the same complaints—erysipelas, swelling of the glands of the neck, dyspepsia, &c.—on all the reserves. Except at the Stoneys, I found the houses of the Indians too close one to the other, and on the first occasion I will advise them to pull them down another year and to leave a space of about 100 feet or more between each house.

"The beef issued is of first quality, but the supply of flour is very poor and of bad quality.

"The instructor told me he used some and the dough, though prepared with hop yeast, makes a poor and doughy bread. The quantity now on hand will last till May or June next. I pity them."

Here were those Indians supplied with flour which was unfit for human food, and living upon that had brought upon them sickness, and there was a sufficient stock in hand to last from the date of that report, in November, till the June following, and the medical attendant who stated this adds: "I pity them." Now, I cannot go over the whole return, but I will read part of a memorandum submitted by the Deputy Minister to the First Minister with reference to this subject, in which he gives the analytical report of the flour supplied to these Indian. The memorandum reads as follows:—

Mr. PATERSON (Brant).

"In connection with the report of Dr. Girard, the medical attendant upon the Indians interested in Treaty No. 7, North-West Territories, to the effect that he considered the sickness that has prevailed among these Indians during the past year, which resulted, in many cases, fatally, attributable to the quality of the flour, the undersigned begs to report that he has obtained samples of the flour delivered by the contractors at the Blackfoot Crossing and the Sarcee Reserve, and has submitted them for test to experts in this city."

The result of the analysis of those samples of flour is as follows:—

ANALYTICAL REPORT.

"1st. Sample of flour from the Blackfoot Crossing. This sample marked No. 1 is not sound and should not pass inspection for grading. Either the wheat has been full of weeds, or the cleanings of the wheat have been ground into the flour; as there is a strong smell and taste of cockle, tares, &c., in it. We think there is frozen wheat in it also, but would not say positively. We do not consider this flour wholesome, and cannot put a price on it.

"2nd. Sample of Indian flour from the Sarcee Reserve, branded"—

It is better not to give the name of the brand nor the names of the contractors as, if I did that, I should have to read their correspondence with reference to that subject, and I do not wish to weary the House by so doing.

"This sample marked No. 2 is the lowest grade of flour, and is known by the trade as 'Red Dog.' Its value in Ottawa is about \$1.25 per 100 pounds, compared with superfine at \$2.25, or Strong Bakers' at \$2.75 to \$3 per 100 pounds. It is just one grade above mill feed."

Now there is a report upon the flour that had been supplied to these Indians, from experts in the city of Ottawa to whom the samples were submitted, after there had been a report from the Government's own medical officer that men had died because of this unwholesome flour. Is there not some neglect here? How did such flour come to be? The price asked for was for good flour, and here one of the grades is given as wholly unfit for human food, and the other grade is described as just one grade above mill feed. Those who are acquainted with the different kinds of flour will know what this "Red Dog" flour is, and it is reported to be just one grade above mill feed. Now, what did we pay for this flour?—for that question comes in. The Minister who just spoke said the hon. member for West Huron (Mr. Cameron) was on a different track last year, that he was then finding fault with the money that had been paid for supplies for the Indians. I think he did not do him justice there. I think the members of the Opposition have not objected to grants to destitute and starving Indians. But what they complain of is that the money that has been voted by Parliament has not been used to the best advantage, but that in many cases it has been frittered away, and as we think we are warranted in stating, that it has even been misapplied in some cases. The memorandum states that the contractors, whose names I do not mention now, which are mentioned here however—

"The contractors ——— were, under the contract, to deliver flour, equal in quality to No. 1 superfine, Toronto inspection; and they have been paid for doing so on the certificates of the agents in the following quantities, and at the following rates: 1,755 sacks, at \$8.25 per sack, Blood Reserve."

That is a sack of 98 pounds net, \$8.25.

"1,225 sacks at \$8.25, Piegan Reserve; 2,113 sacks, at \$7.50, Blackfoot Reserve; 266 sacks, at \$8, Sarcee Reserve. The total quantity delivered, and paid for at the above rates, was 5,359 sacks of 98 pounds each net; and this Department has been informed that this supply will be sufficient until the end of the present fiscal year, so that the whole quantity required for Treaty No. 7, has been supplied by Messrs. ———, of the inferior quality above described, for which they have received first-class prices, as also shown above, the whole amount paid them being \$41,683."

Mr. MITCHELL. Let us have the name.

Mr. PATERSON (Brant). The hon. gentleman has asked me for it, and I will give it, but in doing so, I will be bound, in justice to the contractors, to read what they have to say hereafter, and which I did not wish to do in order to save time. The name is I. G. Baker & Co.

Mr. MITCHELL. I thought so.

Mr. GAULT. I hope that is the last contract they will get out of this Government. I know the greatest scandal ever committed in Montreal was committed by these people.

Mr. PATERSON (Brant). The testimony of the hon. member for Montreal West (Mr. Gault) is very valuable, for I understand him to allege that this firm ought never to have had the contract.

Mr. GAULT. The first contract was taken through the old Government.

Mr. PATERSON (Brant). Still, they were entrusted with furnishing the supplies after very strong evidence had been given against them, and I think, if the hon. gentleman looks through the Indian Department accounts, he will see, year after year, enormous sums of money paid to this firm. Now, I need not read the whole of it, in which the Deputy Minister brings before the Minister the fact that while they have the remedy in their own hands, as they have the unpaid vouchers of this firm in their hands, they may make a reduction on that flour and keep that out. And he points out the fact that many lives have been lost which, he truly says, are above all monetary considerations, and which cannot be offset by any deductions that might be made, however, the funds of the Department might be saved, in taking that legitimate course.

Mr. BOWELL. Will the hon. gentleman allow me to ask whether that return from which he is now reading, does not prove that the moment this irregularity took place the Government took the most active steps to prevent it in future, and to punish those, as far as possible, who committed it.

Mr. PATERSON (Brant). I am coming to that. I know that the Government took steps to see that the money—

Mr. BOWELL. To investigate the whole thing.

Mr. PATERSON (Brant). Yes, and the money was refunded.

Mr. BOWELL. We could not have had that analysis if the Government had not taken steps immediately to rectify the wrong.

Mr. PATERSON (Brant). I am not denying that. The Minister of Customs surely would not lead us to infer that the Government could be so totally insensible to their duty as that after a medical attendant had reported to them that men were absolutely dying because of the bad quality of the flour, they should not have taken some action.

Mr. BOWELL. The whole gravamen of the charge brought against the Government is, that they did neglect their duty in not looking into it.

Mr. MITCHELL. But the Government continued to give contracts to the same men for the same things afterwards. That is the point.

Mr. BOWELL. Not since that was done.

Mr. PATERSON (Brant). I think the gravamen of the charge lies as well in this direction, that the Government have maintained persons in their employ in the North-West who have evidenced by their past conduct that they are not worthy of the position that they hold.

Mr. BOWELL. That is one of the charges.

Mr. PATERSON (Brant). Now, in this very report, this Denny is said, in the memorandum, to have certified to this account, and he is blamed by the deputy to the First Minister here, but I am not in a position to say whether Mr. Denny was punished or not. But this I do find, that his name appeared in the pay list of 1884, but I do not find in the pay list of 1885, whether he is in the employ of

the Dominion Government. Could the Minister of Customs tell me if he is?

Mr. BOWELL. I could not tell you.

Mr. PATERSON (Brant). Does the Minister of the Interior know?

Mr. WHITE (Cardwell) I know nothing about it.

Mr. PATERSON (Brant). I can only say that I found his name in the Indian report of 1884, and his salary up to March, 1884, but I do not find him in 1885. I hope, for the credit of the Government, that he has not been taken on in some other capacity, because he certified to this flour. But you will see, from reading through this report, what I. G. Baker & Co. say with reference to this flour, and what the agents of the Government state in reference to it. In reply to a letter from the Department of the Interior, I. G. Baker & Co. say:

"Referring to the papers you allowed me to peruse to-day respecting a report of Dr. Girard that the flour supplied by our firm to the Indians in parts of Treaty No. 7, being inferior and injurious to the Indians, we beg to say that the flour referred to was purchased by us from the well known milling firm of"—

I leave that blank unless I am to read their letters also—

"Winnipeg, and is of better quality than that eaten by the majority of the people in the North-West."

An hon. MEMBER. Name, name.

Mr. PATERSON (Brant). Well, it is Ogilvie & Co.

Mr. MITCHELL. Let us have the whole of it.

Mr. PATERSON (Brant). The hon. member for Northumberland (Mr. Mitchell) will have to share with me the blame of making a longer speech than I intended. It continues:

"It is not possible that frozen wheat was used in the manufacture of this flour, as it was supplied before the autumn frosts. It is the same brand of flour we supplied at Fort Walsh last winter, of which no complaint was made.

"I would call your attention to the statements of Agent Denny and Sub-Agent Pocklington, contained in the papers. Agent Denny says the flour could not be better. Pocklington says the cause of the sickness could not be poor flour, that it was as good as that used last winter; and, if flour was the cause, why were they not sick at other agencies? or words to that effect."

I have said I fail to find Mr. Denny's name in the accounts of 1885, and therefore in my mind I gave credit to the Government for having removed him for reporting favorably on such flour as that proved to be. But I find Mr. Pocklington's name in the accounts of 1885; he is the agent of the Government at the present time, this gentleman that the firm of I. G. Baker & Co. used as an agent to prove that the flour which spread disease and death among the Indians of the North-West was pure flour. I ask are the Government maintaining a gentleman like that in their employ? If they are how can they justify themselves in that regard? The document goes on to say:

"Dr. Girard's report is not so much against the flour as the bread, and he recommends the issue to the Indians of baking powder."

I suppose, from that statement, that there must be another letter from Dr. Girard which has not been brought down in the papers, or at least I have not been able to find it, because from the letters nothing appears to have been said about baking powder. It continues:

"It is difficult to make bread without leaven of some kind, an article which the Indians seldom have to use, and their bread is simply flour and water mixed, fried in a frying-pan with tallow or grease of any kind they can get.

"I think that the trouble complained of by Dr. Girard, is the result of the changed mode of living of the Indians; while roaming on the prairie, hunting and exercising, their stomachs could digest, without inconvenience, the indigestible fried bread that they make, but now they are on their reserves, with comparatively little exercise, and eating it daily, it is not to be wondered at that they suffer from eating indigestible food.

"The issue of baking powder would, we feel certain, remedy the trouble, that, however, would become a very expensive item, and, I

think, by keeping at the agency a supply of hop yeast, or furnishing them soda or some inexpensive leaven, that you will hear no further complaints about the flour.

That is the idea this gentleman had as to the article which was spreading disease and death among the Indians. He reports: The flour is all right; if the Government would only give the Indians a little soda, matters would be satisfactory. Now, the Government might have spared some soda, if that was all that was necessary. We read further:

"I ate bread made of the same flour during my stay at Calgary in October last, and it was sound and sweet and good baker's bread.

"I trust this explanation will be satisfactory, as we aim and do furnish goods equal and better than the samples we tender on.

"Begging a reply to-day, if practicable, as I have important business to settle with the Canadian Pacific Railway in Montreal, and cannot well return.

"I have the honor to be, very respectfully,

"Your obedient servant,

"W. G. CONRAD,

"Of I. G. Baker & Co."

That is what he said in regard to the flour. Having mentioned the name of the milling firm it would not be right if I did not read the letter of the milling firm with respect to this same flour; because however much we may find fault with the Department, I hold that we have no right to do injustice either directly or indirectly to business firms in the country. I shall therefore read the statement of the milling firm with respect to this flour. Messrs. Baker had written to O'Gilvie & Co. with respect to it, to which the latter replied:

"MONTREAL, 17th May, 1884.

"Messrs. I. G. Baker & Co.,

"GENTLEMEN,—Yours of the 14th to hand, referring to the flour we delivered during the season of 1883. The superfine you ordered from us for the Indian Department was equal to the Toronto standard of superfine, and sound when it was shipped. When we were informed last month that complaints were being made of the quality of the flour, we sent one of our best men as far west as Calgary to enquire into it. He examined the flour at Indian Head, Blackfoot Crossing and other places. He reports our flour all right except what was damaged by exposure. He complained of the storehouses in which it was kept not being suitable to keep flour. One place in particular, he saw a lot of our flour out of condition from the dampness in the building in which it was stored. We were so particular in the delivery of this flour, the quality asked for, namely, Toronto superfine, being low, that we frequently had bread baked from it and submitted to your agent, Mr. Howard, at Winnipeg, which was accepted as satisfactory. We are also aware that Messrs. Langdon & Shepard, contractors on the C.P.R., borrowed two car-loads of this flour from your agent, and used it for themselves and were satisfied, when the flour they generally used was strong baker's. Not having heard any complaints of this flour till quite recently, we think it must come from what has been injured from exposure, and certainly we are not responsible for it. And, moreover, the grade asked for, namely, Toronto superfine, is a low grade flour and not suitable for the requirements. Our man also informs us that he consulted Mr. Reed, of the Indian Department, at Regina, and he expressed himself satisfied that we were in no way to blame, so we hope this explanation will be satisfactory.

"Yours truly,
(Signed) "A. W. OGILVIE & Co."

That is what the milling firm say for themselves, and it is said that in addition to Denny and Pockington reporting on the flour Mr. Reid, assistant commissioner, expressed himself satisfied that they were in no way to blame. But what were the facts in regard to the matter. There is a report from Mr. Wadsworth; he alluded to the letter of the milling firm as a letter written with a view of setting themselves right. If I could find the document, I would read it.

Mr. O'BRIEN. I hope the hon. gentleman will read Mr. Wadsworth's letter, because it is one which will have great weight with hon. members.

Mr. PATERSON (Brant). I have it here. It is a report from Mr. Wadsworth, addressed to the Department of the Minister of the Interior:

"200 SIMCOE STREET,
"TORONTO, 25th January, 1884.

"L. VANKOUGHNET,
Deputy Supt.-Gen. of Indian Affairs.

"SIR,—I have the honor to acknowledge the receipt of your letter No. 8533, dated 23rd instant, and in reply beg leave to state that the
Mr. PATERSON (Brant.)

amples of flour forwarded to you by the Indian Commissioner were handed to him by myself having procured them during my inspection.

"Preparatory to making a report to the Department, I wrote the Messrs. Ogilvie regarding this flour, knowing that they had supplied the contractors, and being branded with their mill brand, a copy of which letter I herewith send you, also their reply to the same; their letter is evidently written to protect themselves."

What was the remark I was trying to recall. I do not know whether hon. members want to hear the balance.

Mr. O'BRIEN. We do.

Mr. PATERSON (Brant). The letter continues:

"In taking stock of the flour upon the different reserves in Treaty No. 7, it was necessary to handle most of it, as the different stores had to be emptied and then carried back again; I may therefore say that it all came under my immediate notice.

"I was satisfied that the flour upon the Blood and Piegan reserves was of fair quality and filled the spirit of the contract, although I came upon an occasional sack that was inferior, but they would not amount to one per cent. of the whole; the weights were also satisfactory, more sacks weighing over 98 lbs. than under. There was also a few sacks of 'sour' flour at these points (this was old stock), but this is the natural consequence of keeping flour through the summer.

"The flour at Blackfoot Crossing was similar to the sample I brought down (that submitted to Thos. McKay & Co.), with the exception of some Montana or American flour (say 200 sacks) left over from last spring, having been stored in the back part of the building and could not be got at until I had this removed.

"My opinion of this (like sample) flour is that it is barely No. 1 superfine, and that there is some frozen wheat in it; I do not consider it unwholesome; the white men on the reserve were using it and did not complain; I ate some of it (bread made from it) and found it palatable.

"Compared with No. 1 superfine at \$2.25 per sack, I consider this worth \$2.10—two dollars and ten cents.

"With regard to the sample from the Sarcee reserve, I agree with the opinion expressed by Messrs. McKay.

"I do not think the flour has been the cause of the disease lately epidemic amongst the Indians of this district.

"I have the honor to be, Sir,

"Your obedient servant,

"T. P. WADSWORTH,

"Inspector of Indian Agencies, &c."

Mr. SPROULE. That is from a practical miller.

Mr. PATERSON (Brant). I did not know the gentleman and therefore I am not actuated by any malice in the matter. I notice that he gives his opinion with reference to the effects upon the constitution of the Indian of this flour, against that of the medical gentleman who testified that in his opinion it was injurious, and I would submit that a doctor, a licensed practitioner, would be better able to understand the effects of a certain article of diet upon the constitution than even a practical miller. He reported his views to the Department and they were so implicitly believed that the Deputy Minister made a memorandum to the First Minister in which he alludes to the loss of so many lives in the past, and for that reason I am unable to accept the opinion of Mr. Wadsworth in opposition to that of the medical gentleman. Now, if he was a practical miller, I suppose he would know that the supply of flour with the weeds in it as described by these experts, it certainly did not come up to No. 1 Superfine Toronto, and that the other which was somewhat better and still no better than Red Dog, would come within the category. He says himself that he wrote this milling firm because he was prepared to report to the Department that it was not up to the mark, and how is it that as I read to you, the 5,100 sacks were received and paid for by the Department. We know very well that the Indian Department are not in the habit of paying their accounts very quickly. That flour must have been in store and used for some time before, and yet it was paid for and there was enough left to be used for some time afterwards. It had received the approval of an agent named Pockington, who is to-day a servant of the Government. If he certified in ignorance that the flour was of that kind, if he did not know any better, I submit that he is not capable of discharging the duties of an agent, one of whose duties it is to see that the supplies given the Indians under his control, are right. With reference to Mr. Denny, I do not know

whether he is now in the employ of the Department or not, but the fact that his name is not to be found in the blue-book would seem to show that the Government did themselves the credit of removing him. Some of the Ministers will perhaps be able to say whether that is the case nor not. Now, with reference to this flour, are we to believe the testimony of these experts or not? How shall we be guided? The Deputy Minister believed that these statements were true, for he had calculations made for a reduction in the price of flour, and those reductions were to be made in the following way:—

An hon. MEMBER. Fifteen cents a sack.

Mr. PATERSON (Brant). The hon. gentleman will find that it was a good deal more than 15 cents a sack. That was Mr. Wadsworth's estimate but we have something different here. Here is a notification from the Department by Robert Sinclair, acting Deputy of the Superintendent General to I. G. Baker & Co. in which he says:

"I beg to inform you that it has been decided to reduce the price of flour for destitute Indians in Treaty No. 7, supplied by your firm during last year, to the following figures, on account of its inferior quality:—

"On Sarcee Reserve to.....	\$3 19
Blackfoot do	4 31
Stoney do	4 75
Blood do	4 43
Piegan do	4 43

"A corresponding reduction has therefore been made on the unpaid vouchers, and a reduction of those already paid as per statement herewith."

This is the letter to which I referred, but of which we have these particulars. On the 15th September, 1884, he writes:

"I beg to transmit to you herewith, copy of a letter by this Department, on the 1st inst., to Messrs. I. G. Baker & Co., at Fort Benton, Montana, showing the figures to which it had been decided to reduce the price of flour for destitute Indians delivered by your firm within Treaty No. 7, during the last year; also copy of memorandum showing the aggregate amount of said reductions.

"I beg to inform you that the basis upon which these reductions were made is as follows:—

Sarcee Reserve.

"The value of the flour delivered at Ottawa.....	\$1 50
Add for approximate value at Winnipeg.....	0 40
Add freight from Winnipeg to Calgary	0 40
Hauling.....	0 25
	\$2 55
Add 25 per cent for handling	0 64
Total.....	\$3 19

Blackfoot Reserve.

"Value at Ottawa.....	\$2 40
Add approximate value at Winnipeg.....	0 40
Add freight to Cluny Station	0 40
Hauling.....	0 25
	\$3 45
Add 25 per cent. for handling.....	0 86
Total.....	\$4 31

Stoney Reserve.

"Value at Ottawa	\$2 65
Add approximate value at Winnipeg.....	0 40
Add freight to Morleyville	0 50
Hauling	0 25
	\$3 80
Add 25 per cent for handling.....	0 95
Total.....	\$4 75

"The reductions are as follows:—

Sarcee Reserve.

"Contract price.....	\$8 00
Reduced.....	3 19
Total reduction per sack.....	\$4 81
On 300 sacks.....	\$1,443 00

Blackfoot Reserve.

"Contract price.....	\$7 50
Reduced to.....	4 31
Total reduction per sack.....	\$3 19
On 160 sacks.....	\$5,104 00

Stoney Reserve.

"Contract price.....	\$8 50
Reduced to.....	4 75
Total reduction per sack.....	\$3 75
On 100 sacks.....	\$1,375 00

Blood Reserve.

"Value at Ottawa.....	\$2 50
Add approximate value at Winnipeg	0 40
Add freight	1 65
	\$4 55
Add 25 per cent for handling.....	1 13
	\$5 68
On 155 sacks.....	\$880 40
Total reduction.....	\$7,802 40

The result is that there is a total reduction of \$7,802.40. That was the decision of the accountant with reference to the flour. Then there is a letter here from Messrs. I. G. Baker & Co., in which they demur to the reduction which is being made and they contend that the basis of calculation is scarcely fair, inasmuch as while the rates have been reduced since the time of writing they were entitled to the amount for freight which it cost them at the time they contracted, and there is some force in that we must admit. Some further correspondence was had with them, and it seems that he had a conversation with the deputy head of the Department as well, and the result of that conversation I will now read:

"24th September, 1884.

"Sir,—I have the honor to inform you in connection with the conversation which you had to-day with the Deputy Superintendent General of Indian Affairs, that a deduction of \$2,500.00 will be made by the Department from the amount of your contract to supply flour for Indian purposes within the limit of Treaty No. 7 during the year 1883-84.

"The deduction is made as being apparently the best method of settling the contract—with respect to which the Department has been advised that a portion of the flour delivered thereunder was inferior in quality to the grade provided for delivery in the contract. A portion of the flour supplied during that year also was delivered after the date of the last delivery provided for in your tender to supply that flour; and it has been considered that under these circumstances the flour should have been furnished at a price lower than that provided for by the contract.

"It is therefore in view of these several circumstances that the deduction of \$2,500.00 has been made, and I shall be glad to receive from you an acknowledgment of this letter and a statement of your acquiescence in this settlement.

"I enclose a copy of the mutual agreement between yourself and the Deputy Superintendent General.

"I have the honor to be, Sir, your obedient servant,
"R. SINCLAIR."

To which the firm replied:

"25th September, 1884.

"Sir,—I beg to acknowledge the receipt of your letter of 24th instant, and to say that under the circumstances I agree to the deduction of \$2,500.00 on flour furnished in 1883-84.

"Very respectfully, your obedient servant,
"W. G. CONRAD,
for I. G. BAKER & Co."

Now, I think I have shown, at greater length than I intended, that the agents of the Government did receive flour that was but 98-lbs. to the bag, that that flour was unfit for human food and was so pronounced by experts who examined it here; that the medical superintendent reported that as the result of using that flour there was sickness and death among the natives; that that flour was used for months; that flour sufficient to last for months was still on the reserve at that time; and that the agent who pronounced the flour to be sound, is still in the employ of the

Government, while the name of the other gentleman who was responsible for its receipt has been dropped, which I take as an evidence that he has been relieved from his duty. All these circumstances seem to me to point in the direction that there has been inefficiency, mismanagement, extravagance, and I do not know that it is too strong an expression to use, on the part of some individual, culpable neglect. It is a serious matter. The Indians of the North-West are entitled to humane treatment at the hands of the people of Canada. We have a rich domain there; we have a great country; it was theirs before it was ours; we have endeavored, I believe, in the past to do what is right and proper towards those Indians; we have entered into treaty obligations with them. I hold that the Parliament of Canada wish the treaty obligations made with the Indians of the North-West to be observed to the very letter, and if there be any deviation, that it be in the direction of giving the Indians even more than was secured to them by their treaty rights. Sir, they have been a loyal people to Great Britain in days gone by. They might have remained a loyal people to Canada, as I trust many of them are still; but I warn the Government that we must have men in the management of our Indian affairs who will see that there is honest and fair dealing with these Indians. We must not proceed on the line that they are little better than animals, that we can break faith with them, and that our policy must be to toss their food to them as to dogs. It is in our power to secure the good will of the Indians. It was our proud boast a few years ago, when our neighbors on the other side of the line had their turmoils, unrest and massacres among their Indians, to say that it was due to their agents taking advantage of the Government, and to point to our own country where we had no such difficulties. Sir, I am sorry to stand here, only a few years later, obliged to confess that we are not in a position to point to our Indian policy as proudly as we did before, and why? Because some of our Indians have been under arms against the Government, and I believe the necessities they were under made them ready to be worked on as they were. The Indian agents cannot avoid reporting upon the supplies which have been granted to the Indians, and on the treatment to which they have been subjected. You have also the statements of men in independent positions, who have seen these Indians, and they depict their treatment in language that goes to the heart of every humane man. And yet we find a Minister of the Crown saying, we do not deny that mistakes have been made, but when a case is brought to our notice we look into it. I ask if the charges made by such men as the Rev. Mr. McDougall and Rev. Mr. Robertson, as well as by many officials, do not warrant an investigation; and I ask if there has been an investigation of charges emanating from such sources? Instead of hon. gentlemen boasting of what they will do at the next general election, and being in a position to say, we had an investigation of these matters, and there is our report, what did the Minister do? He simply contented himself with saying; I deny the statements made, in the face of the fact that the documents showed that the Indians had been given food that was unwholesome and that was causing sickness and death. I am sorry to say that the head of this Department, no longer ago than last year, spoke in reference to this subject in such a manner and such a spirit as I could wish he had not shown. Last year, when the hon. member for West Huron was condemning the management of the Department and stated that frauds had been perpetrated on the Indians, the First Minister replied in these words:

"The hon. gentleman says there is a fraud on the Indians because the food is imperfect. It cannot be considered a fraud on the Indians because they have no right to that food. They are simply living on the benevolence and the charity of the Canadian Parliament, and, as the old adage
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says, beggars should not be choosers. But the Government attempts to get the article they advertise for, and they are pretty successful on the whole. Even in Ontario, the hon. gentleman has seen and heard of contractors sending in inferior articles, which were afterwards condemned. Up there, when they are sent to a distant post, they cannot be condemned, they have to be used. I do not think there has been any unwholesome food given, although it has not, perhaps, come up to the standard."

I say I could wish that these words had not been used, and that such was not the spirit on which we proceed in our treatment of the Indians. Sir, we may go beyond our treaty rights a little in aiding these Indians; but the Ministry have not the excuse that the Parliament of Canada would not vote them their money. The Parliament of Canada have not hesitated to grant them their money; the Parliament of Canada will not hesitate to do so, but will aid the Government in every legitimate way to induce the Indians to live on their reserves and become self-supporting. The Government have been using their energies in that direction; I give them full credit for what they have done, and I hope they will be successful in it; but I tell you, you cannot expect to accomplish that at once. You cannot expect to change the nature of the red man all at once. It is impossible to take men who have lived by the chase, and who delight to roam, band them together in a reserve, make them abstain from their roving habits, and settle down to cultivate the fields, raise food for their own support. It is impossible all at once to get them to secure supplies for themselves, but if they are unable to do that, must we say that they do not deserve anything, that they have no claims upon us? That they must, at any rate, have no right to any claim for frauds committed upon them, if we feed them with bad flour and send them to early graves? Shall we say to them: You have no claims on us, and beggars should not be choosers? No, we must deal with them in a larger spirit; we must give them time to change their habits before withdrawing from them that care which they demand at our hands. There are other considerations that ought to induce us to have regard for them. It is painful to read the reports of the Indian Department. I am sorry to say that, not in one or two years, but in the blue books for years back, you will find agents repeating the oft-told tale, that, unfortunately, owing to frosts, the crops of the Indians were destroyed. No doubt, you may say it is owing to inferior husbandry, and I trust the frosts will disappear from the North-West, as they have disappeared, through improved cultivation, from parts of Ontario, which suffered from them years ago; but the Indian is not to blame if these frosts occur under his present system of cultivation, and if he has become impoverished on that account, the Parliament of Canada should not lend a deaf ear to the statements made by the agents, to statements which have been made again and again, by responsible people who have seen these Indians so pressed by hunger, that in places whither they were forced to go to find sustenance, they sustained life by eating garbage from swill barrels and by feeding on carcasses of diseased animals. We have a right to expect that there should be better management of the Indians. Why, we keep up a small army of officers in that country. If you take the regular salaried officers there, you will find that, according to the Auditor-General's account, without the farm instructors and other hired agents, there are over forty regular agents or special agents among the Indians in Manitoba and the North-West. In that country, there are about 39,000 or 40,000 Indians, and there is an agent to about every thousand souls. Surely, with those agents and farm instructors, the Government ought to be able to look better after these Indians. It should be impossible that any misery should fall upon them, such as the miseries we read of, or that they should be compelled to take as supplies flour of the description I have mentioned, taken from the reports of the Government agents themselves. I might go further into

details in this matter, but it is unnecessary, as the statements of the hon. member for West Huron (Mr. Cameron) have not been controverted or attempted to be met by any denial; and how can they be denied, when the authority is the reports of the Government's own agents, contained in the Government's own blue books. Were it necessary, I could read reports from the same source of bands of Indians almost destitute of clothing and almost in a starving condition, and who were only enabled to sustain life through the efforts of benevolent people, missionaries and others, who did all in their power to prevent these unfortunate people from starving. We profess to be a christian country, and I believe the people will hold Parliament severely to account, should we hesitate in placing money enough at the disposal of the hon. gentlemen who occupy the Treasury benches, to meet the wants of the Indians, and prevent these harrowing tales of want, destitution and misery, reaching our ears in the future. The people look to us to exercise a strict supervision over the manner in which the Ministers, who are entrusted with the expenditure of this money, fulfil their duty. The people will demand that the money given the Government to be expended in relieving the necessities of these people shall not be used in upholding a horde of officials who are not properly discharging their duties; they will demand that two or three prices shall not be paid for provisions or implements of agriculture; and that the cost of travelling shall not be piled up to an exorbitant sum; and they will require that the whole cost of the machinery will not involve such a charge on the country as to cause the continued existence of a feeling, which has already pervaded to some extent the minds of the people, that the Indian problem is becoming a grave and serious one, and threatens to load us down with a burden too heavy for us to bear. Out of the vast expenditure charged on Indian account, only half a million dollars have gone to supplies for destitute Indians, and that has gone in prices paid for articles such as I have described and such as the hon. member for West Huron has quoted. If the money were properly expended, if some better system were established, if the Government agents deal with the Indians honestly, the money spent by the Government and properly put to use would have prevented any such tales of destitution and misery as those we have heard. In addition to the testimony of the reverend gentleman I have quoted, there is a gentleman holding an official position in the North-West; a gentleman who has been elected to the North-West Council, and who has been a staunch supporter of the hon. gentlemen opposite for the last twenty years—will they say we must not accept his testimony? This gentleman, Mr. Jackson, has stated, and his statement is published in the *Qu'Appelle Gazette*, that when he read the description given by the First Minister that Mr. Dewdney was the best officer he had, he lost faith in man. He condemns Mr. Dewdney as one who is insolent, whose word has been broken and is no longer relied upon by the Indians, and nothing could be more dangerous than to destroy the confidence of the Indian. I am simply stating what has been stated publicly, and the hon. Minister has not attempted to deny the statement. These facts press upon our consideration, and the charges made by the hon. member for West Huron (Mr. Cameron) press upon our consideration, and must remain on our minds unless hon. gentlemen opposite are able to give some proof of the correctness of their denial. The impression is borne home on the minds of many hon. gentlemen in this House, as it will be on the minds of the people, that there has been gross extravagance in the management of Indian affairs, that there has been neglect and incapacity, and that the charges made are amply borne out by the facts. I would it were otherwise; I trust the Government, while they may be able to vote down the resolution, because there are enough gentlemen who are as ready to support them, even without

any attempt at defence on their part, as the hon. gentleman who cried out: "Call in the members," before a word in reply was uttered, will rise to a sense of their duty and cause a searching examination to be made into the affairs of the North-West. I hope they will allow no favoritism to individuals to tie their hands, but that incompetent officials will be removed, and that the Indians will learn again to have implicit faith and reliance in the word of the Government and in the word of their agents; and that thus having this confidence, they will be more ready to receive instruction, become fitted at an earlier day to hold their own in the race of life, and ere long cease to be as heavy a burden upon us as they are at present.

Mr. FERGUSON (Leeds). I do not propose to deal with the general attacks made upon the Government by the hon. member for West Huron (Mr. Cameron) and the hon. member for Brant (Mr. Paterson) but simply to take up some special charges. I shall confine myself to a few of the specific charges that have been made. The general charges I shall leave the public to judge of. Great weight has been laid upon the character of the food, especially the flour, given to the Indians in the South Alberta District, and it has been stated that great distress, death and disease have resulted from the use of that flour. It so happened that I was in that country for three months during the epidemic from which these Indians died, and I had experience, not only by observation, but actually by medical treatment, in regard to those Indians who died during that time. For the first time, I have heard it declared that the food was the cause of the death of those Indians. I have not seen the report, and I do not know the professional position of the medical man who attributed it to the flour, but I am prepared here and anywhere else to give the most unquestionable testimony that it was not caused by the food. I make that a distinct and specific statement.

Mr. PATERSON (Brant). Then they have an inefficient medical attendant there?

Mr. FERGUSON (Leeds). I do not know who the gentleman was, nor do I know his professional status, but I take the responsibility of making this statement on my own judgment and I am prepared to defend it. The cause of the disease and death of the Indians in that district was chiefly this: They were camped on their reserves along the river flats, and any person who has ever travelled in that country and visited the Indian encampments must have observed their specially filthy habits both in regard to their camps and to their persons. There are from five to twenty wigwams on an acre, occupied by from eight to ten persons each, and the Indian removes his wigwam or his tepee as it is called there, only when it becomes difficult from the filthy accumulation to get in and out, and he will shift it just far enough to get out of the way of that accumulation. The result is, especially since they have been confined to their reservations, that in summer, especially in August and September, which I think the hon. gentleman will find is the date at which this epidemic took place, a disease broke out which they call autumn fever or mountain fever, but is a sort of typhoid; and it was from that, and not on account of the food, that these Indians died. As an evidence of that I may mention that, when I was at Medicine Hat, it was my duty and opportunity to have charge of three or four men professionally, whom I found there from my own immediate district, two of whom were officials of the Canadian Pacific Railway. Medicine Hat is on a flat similar to the Blackfeet reserve and the Sarcee reserve. The village was composed of board houses and tents, all without the ordinary conveniences of civilised life about them. Another cause of this was the great quantity of canned meats used there. I saw a great number of empty cans, containing a little meat, thrown out, and this accumulation of animal matter, and the exhalations from it,

produced the same effect at Medicine Hat as the filth did in the Indian camps, and they had the same fever there. I had five or six men there moved to the upper grounds, and in a few weeks they were all right, and were able to go back to their work. I drew the attention of the official at the Blackfoot Crossing to this matter, and tried to induce the Indians to leave the flat ground where their reservation was and to go out on the plains. They did so a short time afterwards, and, when I returned in a month, the agent told me that the disease had entirely disappeared, which fully corroborated my view as to its origin. As to the flour, I know nothing about the quality generally, but I am certain that neither the flour, nor any of the other food had anything to do with the disease or the death of the Indians in that district during that period. Instead of the Indians being dissatisfied with the treatment they were then receiving, the chief Indian, the Indian king, as I may call him, Crowfoot, whom everyone has heard of, expressed himself perfectly satisfied.

An hon. MEMBER. Were your first patients among the Indians?

Mr. FERGUSON (Leeds). I have been twenty-seven years practising medicine, and I can afford to take that remark for what it is worth. Crowfoot was one of my first patients among the Indians. He gave me, on my departure, a pocketfull of tobacco, and a cake baked, I suppose, with that same flour, which I kept as a souvenir. For five days and nights, I lived in the chapel with the priest in charge of that district. We eat the bread made from that flour. I examined all the stores with the store clerk, and was careful to enquire if the bread was made from the same flour that was furnished to the Indians. He said: "Yes." I saw the meat that was furnished, and it was a great deal better meat than I am getting in Ottawa, to-day. And I am not growling, because I think it is as good as the vicinity can afford.

Mr. PATTERSON (Brant). In what month and what year was the hon. gentleman out there?

Mr. FERGUSON (Leeds). I was there from June to October, 1883. I stated that I was there during that epidemic, and I think the hon. gentleman might take my words for that statement. I also found that the Government had provided and had instructed the agent and the storekeeper that, when an old woman or a young woman or an old man that was sick, should receive sugar, tea and rice, which were given out not as a portion of the rations allotted to them, but as a sort of kindness, and I saw them getting it every day. The question of poor food never occurred, we were eating beef, and bread made from the same flour which the Indians were getting. It was baked in the farm cookery and was carried to the little chapel where I had my meals with the priest. As to the clothes, more from curiosity than anything else, because the idea of complaint never occurred to me, I got the storekeeper to unpack two or three cases. The clothing was good, substantially woven tweed. I am not a clothier, but the goods were good heavy Canadian tweed coat, pants and vest, a suit of clothes which would do no discredit to any member of this House. The only addition was a set of brass buttons. As to wearing out the pantaloons in two or three days, the hon. gentleman who stated that must have known very little about the pantaloons or the pantaloons habits of the Indians. During the whole time I was there I never saw a pair of pantaloons on an Indian. They will not wear the pantaloons. They wear a coat and a hat, and that is all. On the first opportunity they have, when some half-breed trader comes in, they trade off their pants for a red shirt or a hat, and, when they are taken to task by the agent about the pantaloons, they say they were worn out, when they have traded them off, perhaps for candies, which they have eaten in the meantime, and in this way the three day story may have originated. Now, there is this difficulty with the Indians. Many of them,

Mr. FERGUSON (Leeds).

doubtless complain of disease, and one great cause of it I do not know how any Government can get over. The Indian when he was hunting for his food, and riding about over the prairie, got exercise which helped him to digest his food. Now the buffalo has gone, and the Indian is on his reservation, and he gets his pound of beef and pound of flour a day, for every soul in his family. When the beef is carried to the camp the Indian head of the family, in which we will say, there are five persons, sits down to the meal, and the chances are that he eats the whole five pounds before he gets up. He will roll about on the ground for the next four or five hours, like a snake in the grass before he is able to get up. There are hundreds of these men to-day who have charge of families, and who can get these large rations, that are suffering from chronic dyspepsia, the result of over-eating and no exercise, and the children who have nothing to eat are starved by their own parents. The moment they can toddle out of their tent they are cast off. The Indian boy or girl, from 8 years old up to 14, you may find wandering over the prairie eight or ten miles from the reserve, with a string made of raw hide, like a fiddle string, with which they snare the little gophers, a little animal like our Canadian chipmunk, but they are a little fatter, they burrow in the ground. The Indian children travel around in pursuit of these gophers. They lie down on the ground beside the hole with their strings, and the moment the gopher comes up to look about, directly he is trapped, and then he is divided into as many pieces as there are children present, and when they have eaten it up they hunt for another gopher. There is no doubt that in cold and unhealthy weather these children die largely from the want of subsistence, but that is under circumstances that no Government can control. The hon. gentleman made reference to the statements that appeared in the newspapers of a Rev. Mr. Robertson. I happen to know something about Rev. Mr. Robertson, which I do not care to disclose or discuss here, and which, to my mind, does not add much to the weight of his statement on this subject. I am not going any further on that point just now. Then, as to the Indians that he saw in Winnipeg, Portage la Prairie, Brandon and Minnedosa, filching their living out of swill barrels and the refuse heaps behind houses—these were the American Sioux Indians, with whom our Government have no treaty, to whom they furnish nothing, and furnishing which the bands of our own loyal Indians resisted, these are the remnant of the Minnesota massacres, and they are in a most destitute state, and I think that the Government should, out of common humanity, in some way come to some understanding with our own Indians to permit them to give those unfortunates some relief. Before I left my friend Crowfoot, he thus expressed himself to me: "The buffalo has gone, but the Great Spirit has sent the white man to take care of his red brother. We will be loyal." He found out that I had something to do with the Parliament, and he said to me: "We have a great friend at Ottawa; please thank him for the kindness and care he has already taken of us, and under these circumstances we will continue to be loyal." This is the way the interpreter gave it to me. Now about the women. I am not going to sit down without defending even the character of an Indian woman. They have peculiar notions about the marriage relationship; there is no doubt about that. Now, I have as high an opinion of the average—I was going to use the words virtue and integrity—of civilised women as any man in this country, or anywhere else. And while I know that their views and notions of the marriage relations and outside of that relation are not the same as those of white women, I say that the Indian women of the North-West, judged by their own code of both public and private morality, would not compare unfavorably in this with their civilised white sisters. That is the result of

my observations, and of conversations I have had with a priest that has been living there for years. If I had made such a statement with regard to the Indian women as the hon. member for West Huron has made, and it became known on the Crowfoot reserve, and I were to visit them, I would be in danger of losing my scalp. The hon. member for West Huron, in his long speech, gave one specific instance of absolute starvation, and that was the Moosejaw case. I think I have heard of that case. It was a case of an isolated family who, for some reason, had left their band and gone out of the reach of supply. The Indians, like the white men, do not always live in harmony together, sometimes they quarrel and drive the bad ones away. I was frequently cautioned among the Blackfeet and Sarcees, to have nothing to do with certain Indians because they were bad Indians and not to be trusted. In this Moosejaw case I have no doubt the man had wandered from the reserve, or had been driven away, there may have been such a case, and it might occur, even under the most careful supervision of the Government. I only got up to reply to some of the specific statements made by the hon. gentleman; the general charge of incompetency, extravagance and all that sort of thing, it is possible for any man to answer, and impossible to deny except by denying the whole thing, as the Minister of Public Works did. I am attempting to answer some of the specific charges. I was going to say something about the disease, and touching the amount of criminality which the hon. gentleman says exists among the Mounted Police and white men in that country. I think that is a most ungenerous, and, I believe, a most unwarrantable charge. I am satisfied of that; I am satisfied from the character of the men who are there, and I am satisfied from the character of the women with whom the men come in contact, that such a sweeping state of corruption as he represented, is practically impossible. I was tempted a little while ago, when the hon. member for Brant (Mr. Paterson) was speaking to say, "Call in the members." The hon. member knows that sometimes when an hon. member is speaking, although he may think that what he is saying is very important, it is possible to be nevertheless dull to those who have to listen to it. I only mentioned that as a joke more than anything else. As for the disease existing among the policemen themselves, to which the hon. gentleman referred in unmistakable terms, I may say that the disease of the character to which the hon. gentleman in unmistakable terms alluded is an incident of the human family in semi-civilised communities and one which you will find all over the face of the earth. Instead of that having been brought in, developed and spread by white men, by the Mounted Police and by officers of the Government, I know from the evidences I saw on grey-haired men and women, wrinkled men and women I saw, that that disease had existed in the country long before the policemen ever went there, and long before officers in connection with the Indian Department were established in the country. And so universal is that condition with the Indians, not so much from a state of immorality in the sense pointed out by the hon. gentleman, but as inherited, transmitted, and propagated by their filthy personal habits, at least 25 per cent. of the grown Indians have impaired and imperfect eyesight. Those observations I made on the ground, I made at the time in the country, and I think they cover all the specific charges which the hon. gentleman has made against the Department. A few words as to the cost of implements. The hon. gentleman made a comparison between the cost of implements in Ontario and the North-West. A large number of those implements in the North-West to which reference has been made were taken in the country before there was a railway and were transported by cart 500, 600 or 700 miles. No doubt some of them fell into the hands of unskilful men and became damaged; and there being no means of repairing them, the only

course open was to substitute new ploughs or harrows. Owing to the condition of affairs a large supply had to be kept on hand and furnished, and the expenditure cannot be fairly judged by simply taking an equal amount of farm cultivation in Ontario.

Mr. O'BRIEN. The hon. member for West Huron (Mr. Cameron), who moved this resolution has indulged on former occasions, as well as on the present, in such wild extravagance of statement and such violence of language as to place himself beyond the pale of that consideration which is due from one gentleman to another. In regard to the hon. member for Brant (Mr. Paterson) the case was very different. His remarks were such as could be listened to with patience and temper, and answered in the spirit in which they were made. Last year I had an opportunity of observing some of the matters to which the hon. member who last addressed the House referred, and in general terms I can most strongly confirm everything he has said with respect to the conduct of the Indian officials, and with respect to those particulars to which he has alluded. As to the statement that Indians wandered around and eat garbage I may say that when we were encamped at Qu'Appelle for several weeks our camp was always surrounded by women and children who remained there day and night to pick up food. But those were wandering Sioux, not treaty Indians, and not entitled to any food and had no share in our country whatever. But supposing they were Crees, and were from the File Hills or other parts of the country, their conduct arose from the circumstances to which the hon. gentleman has mentioned. You never saw grown men, men able to earn a living, about the camp; but you did see aged and decrepit women and children. At the very time those women and children were around the camp the bands of Indians to which they belonged were most lavishly fed; they were well fed at that time if they never were before. A missionary or stranger seeing those poor creatures, who were most pitiful objects, waiting from hour to hour about the camp would have formed unquestionably a most unfavorable impression as to the condition of the Indians, and would very probably have gone away with the idea that all the race was in a starving condition. But hon. gentlemen who have spoken on the other side of the House have not touched the real evil existing in regard to this matter. The hon. member for West Huron charged the Government with wrong-doing, while the real evil exists not with the Government but with this House, which alone can remedy it. The fact is, so far as I can form an opinion from my own observation, and what I ascertained from enquiries made among people of every condition, lawyers, traders, settlers and others, in regard to the treatment of Indians, that the fault is not extravagance on the part of the Government, but that Parliament has never consented to place in the hands of the Government sufficient means to treat the Indians as they should be treated. There have been cases in which the Indians have suffered. I know one case, and it is familiar to the Department, and that is a most glaring case. It is the case of the band at Crooked Lakes. They were really suffering from want of food. It arose partly from the fact, I believe, that the Indian authorities, acting with perfect honesty and good faith but yet anxious to make a good showing in the books of the Department at Ottawa, failed to give the Indians sufficient rations to enable them to live in health and comfort. The hon. gentleman has talked about starving Indians, as if it was the easiest thing in the world to feed them. Nothing is more difficult than to apportion rations to Indians. The point is to treat them sufficiently well, that is not to have them feel the pangs of hunger or they will not work; you must give the Indian sufficient food to keep him exactly in a state in which he is driven from sheer necessity to exert himself. Nothing is

more difficult to Indian officials than to apportion the amount of food given to Indians living on a reservation, so as to stimulate them to work and keep them at work. I believe the fault has been that the Indian officials have endeavored to exercise economy—the Government has been pleased that economy should be exercised—and the House would be prompt to find fault if the Government dealt with the Indians in the liberal spirit advocated by the hon. member for Brant. A great deal has been said in the country about dishonesty in the Indian Department. I took the trouble to enquire into that matter, and I asked in the whole Qu'Appelle District whether the people knew of dishonesty on the part of Indian officials, and only one case was mentioned, and that was by a man who has such a notoriously bad character that no one would believe his statements in regard to such a matter. I came to the conclusion that the Indian officials were honest men, that the only fault was that some of them had been too rigid for economy, and had committed errors in giving Indians food under the circumstances in which they were placed. As to their honesty, no charge against their honesty was brought against them. There is one point with which no doubt the Indian Department are aware, and it is worth considering when speaking of Indians, and that is as to their physical condition. It is a common complaint that they cannot live upon the pork supplied, and it is necessary they should have fresh meat. There is nothing that causes among them so much disease and suffering as being compelled to eat salt meat, which, of course, the Government are occasionally obliged to give them. I speak, of course, under correction by members who are more familiar with the subject than I am, but I know the Indians can hardly be induced to eat salt meat, although they generally receive it of very good quality. With respect to the charge of the hon. member for South Brant (Mr. Paterson) as to the quality of the flour, I think the evidence he laid before the House afforded a sufficient refutation of the charge he made. At any rate the evidence he brought in support of his charges as to the quality of the flour, was no stronger than that adduced in the opposite direction. I pressed him to read Mr. Wadsworth's statements, because Mr. Wadsworth is a gentleman who is well known to many members of this House from the Province of Ontario as a man upon whose word the most implicit confidence can be put, a man well acquainted with the matters with which he has to deal, and one in whose integrity every man who knows him will place entire confidence. I think, that in dealing with Indians hereafter, the great trouble will be to feed them just exactly in that proportion which will stimulate them to work, and, at the same time, will be sufficient to keep them from suffering from want of food. I may have expressed myself clumsily, but I think hon. gentlemen understand the difficulty, and that it is in endeavoring to hit that happy medium that the Indian officials have failed and have not supplied them as far as they ought. That is a difficulty to which, I have no doubt, the Government will pay every attention.

Mr. FAIRBANK. I do not rise for the purpose of prolonging the debate, which has already been amply handled on this side of the House, but I rise to call attention to a very improper remark made by an hon. gentleman opposite. He has spoken in reference to the Rev. Mr. Robertson, a gentleman with whom I happen to have a slight acquaintance, having met him in the discharge of his duties in that country, having listened to his preaching, and knowing him very well by reputation. When an hon. member in this House stands up in his place and makes a remark like this: "I know something of the Rev. Mr. Robertson which I am not going to refer to here," I submit that that gentleman has either said too much or not enough.

Mr. O'BRIEN.

Mr. CAMERON (Middlesex). I regret, Sir, that the statements which have been made so specifically upon this side of the House have not met with the reply from the Government which was to be expected, from the seriousness of their character. We cannot, under the circumstances as they have been submitted to this House to-night, but say that, whether the general denial that one or two gentlemen have made covers the case or not to the satisfaction of hon. gentlemen opposite, there must be left in the country a considerable amount of misgiving as to the management of Indian affairs in the North-West. The hon. member for South Leeds (Mr. Ferguson) said he was prepared to defend the character of the Indian women with reference to the charges which have been made against them on this occasion, and have frequently, before now, been made with reference to them in the House. Unfortunately, I do not think that the case lies in that direction, as much as in the necessity for defending the Indian officials in the North-West, and not only the Indian officials, but the North-West Mounted Police, in reference to whom the reports of the Department submitted to this House, too closely bear out the statements which have been made as to their immorality and their treatment of the Indian women. We have had some representations by the same gentleman as to the character of the food supplies, and, particularly, speaking from his own observations, of the flour supplies of 1883. But the hon. gentleman will recollect that the Department itself has practically given a contradiction to any statements of the character that he has submitted here to-night, from the fact that they made a very decided reduction in the amount of the bill of I. G. Baker & Co., who had the contract for those supplies. I think we have had a sufficient number of denials of similarly specific charges against the Government to make us perfectly satisfied that when they find no other means open for successful defence, a general denial is their resort. We know that hon. gentlemen opposite denied the sale of a particular railway charter, when at the same time there was plain proof of its sale. We know besides that there was a denial in this House that the rebel Riel had been paid to leave this country, when it was known on the statement of Archbishop Taché that such was the fact. We know, too, that there were denials that there were grievances in the North-West, at the same time that a commission was on its way from the Province of Ontario to settle these grievances, and that, as a result, in the neighborhood of 2,000 of the claims that were being preferred against the Government were practically settled by that commission. Now, I propose for a moment or two to examine the accounts which have already been referred to some extent by some of the speakers who have preceded me on this side of the House. But before doing so, I would say that in the neighboring country they have had difficulties similar to those in this country. While these difficulties existed there, we took pride in the reflection that in Canada the Indians had until recently been so well treated, that under no circumstances had they been forced into an uprising such as had been of frequent occurrence in the country to the south of us. Unfortunately we are not able to claim credit for the existence of such a state of affairs any longer. It is still more unfortunate that while in the neighboring country the Indian was the prey of the frontiersman and the cattle driver, in Canada he has been the prey of the Government of the day. Large appropriations have been made during the past five or six years; large enough certainly to have justified the expectation that the 21,000 or 22,000 Indians who are under treaty, living on their reserves in the North-West, would have remained reasonably satisfied. We know that the Indian nature is one of childlike contentment with its surroundings so long as he is fairly treated. The misfortune in our case was that the question was not, apparently, how many

Indians which have been supported by the generous provision made by this House, but how many white people could be supported out of that appropriation. It is clear that such a policy, based on such a proposition as that, must necessarily be a failure, and I will proceed to show why, in my opinion, the policy that has been pursued by the Government, with the appropriation that this House has made, has so lamentably failed. We find that the average Indian population from 1880 to 1885 was 20,384. And I may say that that includes the Sioux, who, contrary to the statement made on the other side of the House, are in receipt of some provision towards their sustenance. During these years the expenditure on the Indian population in Manitoba and the North-West has increased from \$621,057, in 1880, to \$1,008,930, in 1885. During those five years the total expenditure has been \$5,509,441, or an average of \$918,240 a year. This sum will average \$46 a head for all the men, women and children on the reserves in Manitoba and the Territories, or \$230 per family of five persons. But assuming, what I do not think the accounts will bear out, that the nomadic Indians in the Territories are participating to any great extent in the provision made by this House, I still find, taking the average of the years from 1880 to 1885, that of the 35,000 Indians in Manitoba and the Territories, according to the report of the Inspector-General of Indian Affairs, that amount of money would furnish them with \$26.50 a head, or \$132.50 for each family. I hold that that ought to have been enough. I hold that had justice been done, and had the administration of our Indian affairs in that country been such as this Parliament and the country expected, the uprising which disgraced our country and brought shame and misfortune and loss of life for many, would not have marked the past year in our history. Basing my calculation on the amount divided among the 22,000 Indians who are residents on reserves, I hold that there are many families living in Canada, to-day, who have scarcely as good provisions made for their sustenance as those Indians have had. There are many white people supporting families in Canada, who are not able to calculate on more than \$230 a year for a family of five, throwing in what is practically to the Indian house rent and many other conveniences. If that is the case where, as the hon. member for West Huron has said, everything of reasonable necessity is correspondingly cheap, it must be that his charge, which to this moment stands uncontradicted, that there was mismanagement and misappropriation of the public funds, and that many of the charges made in the public press against those having the administration of affairs in that country are proved. Now, Sir, it will be observed that while the provision for the Indians in the North-West has rapidly increased from 1880, the number of Indians in that country is reported to be the same, and it is a peculiarity that must strike every man who has examined the circumstances of the case with any closeness whatever, that with the increased appropriation has grown the discontent. We know that six or seven years ago the Indian population was reported to be not only contented, but comfortable. It is true, their changed circumstances are attributable, to some extent, to the fact that the buffalo is becoming rapidly extinct; but, on the other hand, there is an increase in the expenditure of about \$400,000 to represent all that should have arisen of a necessitous character in their altered circumstances. Now, I propose to show, by a few extracts from the departmental reports that while this House assumed that it was making ample provision for all the requirements of the Indians, there had been leakages of a most serious character, and that what we have voted has by no means gone in the direction contemplated. I find, Sir, what will strike this House and the country with a good deal of surprise, as it does me, that from 1882 to 1885, four years, there

was expended on implements, for the use of the Indians, under the seven treaties in Manitoba and the North-West, \$92,346; for tools, \$21,820; for wages to farm laborers on the twenty-six Indian farms, \$159,634; for farm maintenance, which includes supplies for these farms, \$130,625; or in these years a total of \$404,427 for these four items. Now, while that is the case, I find that in those years the cultivated area of land in Manitoba and the North-West was as follows:—In 1880, 3,953 acres; in 1881, 3,393; in 1882, 4,490; in 1883, 6,636; in 1884, 8,800; and in 1885, 5,978; or a total area of cultivated land in those years of 33,248 acres, and the expenditure on these four items is equal to \$1,338.50 a year for every 100-acre farm that was cultivated. Now, Sir, I can appeal to any man who can discuss a matter of this kind practically from any experience, no matter how limited, and he will agree with me that the fact of expending \$1,338 under such circumstances on every 100 acres, certainly bears on its face evidence of extravagant management. But, Sir, in those six years I find that we raised of wheat, on the twenty-six Indian farms, in the North-West and on the reserves, which practically embrace all the agricultural operations that are undertaken there, 48,600 bushels; of oats, 21,500 bushels; of peas, 3,500 bushels; of barley, 82,000 bushels; of potatoes, 289,000 bushels; while at the same time we paid for grain and seeds in 1881, \$14,067; in 1882, \$22,957; in 1883, \$13,620; in 1884, \$10,786; in 1885, \$24,443; or a total of \$85,763. I believe this amount expended for grain and seeds is larger than the entire product these farms yielded. Wherever a leakage like that has occurred, it is manifest there must be somewhere or other mismanagement, whether on the part of the Indian farm instructors, Indian agents, Indian Inspectors or the Superintendent General, I leave the House to decide. In the same year, and I have already given some insight as to the quantity of implements that are used on these farms,—in the same year of 1881 of a total of 15,819 implements used on these farms, 4,040 were hoes, 170 ploughs, 120 harrows, thirty-five tool chests which cost \$30 each, and thirteen which cost \$100 each. In the meantime we had spent \$114,168, as I have said, on implements and tools between then and 1885, and increased our stock of implements and tools from 15,819 to 22,114, in which there were 410 waggons, thirty-one fanning mills, forty-seven threshing machines, 566 harrows, and 772 ploughs. But, at the same time, it will be manifest, with such a vast expense as is indicated here, an expense larger, I venture to say, than that on the same number of hundred acres anywhere in Ontario where farming is similarly conducted—where it is solely confined to grain farming—it will not be found there has been an equal expenditure for farming implements within the same year. But the price paid for these is an incidental circumstance, and will, to some extent, be a guide to the reason why the expenditure is as large as it is. I find that the ploughs which were purchased in 1885, as is indicated by the report of the Auditor General, numbered 124, at an average of \$25; breaking ploughs, 70, average \$34; waggons, 33, at an average of \$63; hoes, 1,341, at 79 cents; mowers, 3, at \$101; reapers, 6, at \$143; axes, 1,015, at \$1.40; tool chests 12, at \$81 each—indicating clearly to my mind that the large expenditure indicates the fact that very liberal prices were allowed, and that somebody was making a very satisfactory return out of the appropriation for these Indian supplies. And these facts, divulged by the reports of the Department of Indian Affairs, leads me to the conviction that the Indian, while he may be child-like in his disposition, as we have been led to believe by the books, has characteristics that enable him readily to detect an act of unfairness towards him. No matter what may have been the experience of hon. gentlemen, necessarily that experience must be limited, because, as I understand their explanation, it was confined to a visit in each case

that extended only over a few months, and then when pressing duties of an entirely different character must have engaged their attention largely; and surely they would not assume that they are in the position of an official of the Department, as to their capacity of judging the condition of the Indian population. I have already shown that, as far at least as the Indian supplies are concerned, we have furnished the Indians with a lavish hand. I believe, also, that if a proper supervision had been exercised over the distribution of supplies to the Indians, if the Indian agent had exercised over them that control which would have made them feel their responsibility to the House and to the country, much more would have been got out of that \$500,000 a year, which this House generously appropriated towards furnishing the Indians with food. In 1831, I find among other things, on looking through the reports for a number of years past, that the first direct instance of frauds in the supplies furnished for distribution to the Indians occurred in 1831, and in that year, among other frauds that are reported by Indian inspectors was one in the supply of tobacco. It was reported as being in almost every case bad, and one agent reports that his supply was largely composed of pulverised coal, brick-dust, and refuse. In fact, it appears, from his expressive language, doubtful whether it was the tobacco or the coal-dust that was adulterated. All the reports of one or two subsequent years abound in complaints of this kind, but it seems a peculiar circumstance that the reports of the later years do not furnish as much evidence on the surface of the discontent indicated by statements such as that which I have just read. Whether it is that the Indian inspectors became more convinced, as the years rolled on, of the desires of those who were in authority over them, either at Regina or elsewhere, and knew it was more satisfactory that everything should be reported correct, whether so or not, I am not prepared to say. There is very little reference in the departmental reports of that year, to the supply of flour, which was, by the medical gentleman to whom the question was referred, reported in 1833, as being productive of disease and death among the Indians to whom it was issued. It is not necessary, however, to confine ourselves to the records of the Department of Indian Affairs, during those years. I find that, in the earlier years, the reports of the North-West Mounted Police also furnished evidence that the Indians were suffering and starving, as a result of the policy of the Department. In the year 1830, Commissioner Irvine reports that since the disappearance of the buffalo the Indian situation had assumed a different aspect:

"As long as buffalo lasted the Indian was self-supporting, independent and contented. Now, however, he is in a very different position; his only means of support is virtually gone, and he has to depend on the Government for assistance, but forced in so doing to remain about the police posts. This population will, irrespective of the aid received from Government, be a starving one."

Then, again, Superintendent Walsh reports in the same year that:

"The horses that died from scurvy and carcasses of horses that died during the autumn and early winter were gathered up and eaten."

I ask the attention of the hon. member for Muskoka (Mr. O'Brien), whose statements, confined to his own observation, I would not for a moment attempt to dispute, to a statement such as this, showing clearly that the officials have reported that much more serious destitution existed than was indicated by merely a few old weather-beaten men and women gathering around the camp when he was on active service in the North-West. I am perfectly satisfied that he has stated the case honestly, as far as his observation has gone, but it will be apparent to the House that his opportunities must have been limited, and, extending over only a few months, his visit must have very little influence in the direction of contradicting the very positive statements made by Superintendent Walsh. Mr. Walsh proceeds to say:

"The conduct of these starving and destitute people, their patient endurance, their sympathy and the extent to which they assisted each other, their strict observance of law and order, would reflect credit on the most civilised community."

And the report continues that the utmost consideration was shown by the Mounted Police at that time, even to dividing their rations with the Indians. In the Report of the Mounted Police for 1831, there is also evidence of a similar kind. The Commissioner of the North-West Mounted Police that year expressed his apprehension of disturbance and his fear of starvation existing among the Indians by reason of the change in their condition. The Commissioner also reports:

"I foresaw that, if no aid was accorded them, they would starve and in a starving condition might have attempted to commit depredations."

And further:

"I would call your attention to the fact that, in a letter of the 20th of May last, I impressed on the Government the necessity of the Indians being well received in the north, also the fulfilment of all treaty obligations. * * The treatment the Indians receive particularly on arrival should be kind."

And, as if giving a warning of what would follow a contrary course of conduct towards the Indians, he says:

"They are quiet and law-abiding as a whole, and no fear need be apprehended at their hands so long as the Government continues to act justly towards them."

Mr. Simpson, who is on the Indian survey party, states in the year 1834 that he found Chief Alexis' camp, and he and his Indians were in a very destitute condition and almost naked. Besides this, there are a number of reports from Inspector McRae from the Battleford agency with which I will not trouble the House, but which bear out the contention of the hon. member for West Huron, and I think that has been amply proved. It has not been disproved, at all events, that the Indians have been in a starving condition, and therefore the charge made by the mover of this resolution is in every respect borne out. Seeing that these statements have not been controverted, I will refrain from using much of the evidence which it was my intention to submit in support of this proposition. But I will ask the attention of the House to the fact that, while much doubt has been attempted to be thrown on the statement of the Rev. Mr. Robertson, the superintendent of Presbyterian Missions in the North-West, and while the statement of the Rev. Mr. McDougall has been questioned, and while the Department has stated to us to-night, by the mouth of the leader of the House, that they examined into the charges which he made in reference to the conduct of the white settlers in the neighborhood of the reserves, there has been no answer whatever to the very grave charges that were made by Mr. Jackson in his place as a member of the North-West Council, and subsequently at a meeting in his honor held at Qu'Appelle. I think the charges there made are of the gravest kind, and until they are more successfully controverted than by any statement which has been made to-night, they justify the language of the resolution moved by the hon. member for West Huron. But I find that even the *Mail* furnishes reasonably strong evidence that the destitution which has been referred to did exist. From a letter dated Hamilton, 13th January, and signed "Westerner," which appeared in the *Mail* of the succeeding day, I make this extract:

"The position of the Indians at present is, as you well said the other day, critical. * * * To say that these poor creatures have no grievances is absurd. But few who have not been among them realise the hardships they are forced to contend with. By way of illustration I may refer to an incident which occurred during my stay at Crowfoot, about sixty miles east of Calgary. It was after the trouble was pretty well settled, when an old Cree chief came into camp, bringing a sample of flour which he had received from the Indian agent. Pointing to a heap of ashes on the ground, and then to the flour in his hand, he gave me to understand that the flour resembled more the smouldering embers than that for which it was intended; and I could not but think that he was but little wrong in his judgment. At once it occurred to me that the so-called flour was nothing but the waste from a grist mill floor."

Such is the evidence furnished by that correspondence. The hon. gentleman may recollect that the very same paper stated that the Indians had suffered from destitution, and that some had even died of starvation. Now, Sir, it

must not be forgotten—and if this House forgets the country will not—that many of these gentlemen who occupy positions in the North-West, were practically nominees of the gentleman who, in the vote that is about to be given, are themselves partially responsible for these appointments. I suppose there is no gentleman opposite who has not had, on some occasion, to intercede for some of those officials who are now practically on their trial. I think the Government ought to have exercised more than ordinary care for these wards of ours, who are so entirely dependent upon us. And under these circumstances, and in view of all the facts I have stated, I hold it is clearly proved that the Government has been culpably negligent in their treatment of the Indians in the North West.

Mr. CHARLTON. I merely rise to call attention to a charge made by the hon. gentleman for Leeds, (Mr. Ferguson) against a very respectable and highly esteemed clergyman of the Presbyterian Church. If these insinuations made by the hon. gentleman meant anything, he should have gone further, for, as the hon. member for Lambton says, either he said too much or too little. I think it is due to the Rev. Mr. Robertson, and due to this House, that the hon. member for Leeds should specify what the charges are that he insinuated against that gentleman. There is one feature of that gentleman's character that, I presume, would not commend itself to the hon. member for Leeds. He is, I believe, a Liberal, and has been for many years. Sir, the Rev. Mr. Robertson is a gentleman of the highest respectability. I have known him for over twenty years, have known him intimately. His position in the church is a high one, he has for many years been in charge of the Presbyterian Missions in the North-West, and in discharging those duties he has proved himself to be an efficient and an able man. It is to be regretted that such insinuations should be made against that gentleman, insinuations that leave us to imagine almost anything we please with regard to him. I claim on behalf of the reverend gentleman that is due to this House, to him, and to the country that we should know what the charges are against him; whatever the charge may be, let the hon. member from Leeds tell us what it is.

Mr. WATSON. I would not have spoken at this hour were it not for an insinuation that has been made on the other side of the House by the member for Leeds and Grenville (Mr. Ferguson) against the Rev. James Robertson, and also the insinuation made by the Minister of Public Works in reference to the Rev. John McDougall. Now, I consider that if there are two gentlemen in the North West who have rendered a service to this country in civilising the Indians, it is those two gentlemen. I was surprised to hear hon. gentlemen opposite slander them to-night. The Rev. Mr. Robertson I have known for the last ten years, and he is a man who is above reproach. He did not go to the North-West on the same mission as did the hon. member for Leeds, who has been slandering him; he did not go to the North-West for the purpose of having *bond fide* settlers' patents cancelled by his Government influence; but the Rev. Mr. Robertson went to the North-West for the purpose of doing good to the white settlers and the Indians. As to the Rev. Mr. McDougall, the Government were glad to recognise his valuable services during the troubles of last spring. He went amongst the Indians where the volunteers were afraid to go. He guided the volunteers from Calgary to Edmonton during the rebellion last spring, and I was surprised to hear the Minister of Public Works say that the Rev. John McDougall had made statements which he could not back up. I believe that gentleman has never made a statement that has reflected on the actions of the agents, that was not true; and I feel satisfied anything he has ever stated or wrote to the press, has been in the best interest of the North-West.

The Minister of Public Works also referred to the First Minister's pet, Mr. Dewdney, and said that he was always welcomed by the Indians wherever he went. Now, such is not the case. I believe there are gentlemen in this House who were present at an interview between Piapot and Lieutenant-Governor Dewdney, when Piapot, in council, told that gentleman to his face that he was a liar and a thief. Now, if hon. gentlemen opposite call that reception a welcome reception, I fail to appreciate their judgment. There has been another reference made to the Chief Long Lodge. Now, I will repeat a statement made to me by a gentleman who was present at an interview between Mr. Dewdney and Long Lodge, at Qu'Appelle, some three years ago. Long Lodge visited Mr. Dewdney for the purpose of getting food for his family. He was fed at that time on what was well known as rotten pork. A contract was made for 45 tons of rotten pork. It is reported that pork was bought in Chicago for 1½ cent a lb, and sold to this Government for 19 cents; also that the Governor shared in the profits of the contract, but of this I know nothing. When Long Lodge went to get food for his family he stated to the Governor that one of his children had died the day before from starvation, and another was at the point of death, and unless he got fresh meat for his family he was afraid they would all die. He was a good Indian, an Indian who, a few years before, was in good circumstances, who had his ponies, his ammunition and game, and everything an Indian wanted on the plains. He was generous to all travellers whom he met, and was highly spoken of by the Mounted Police. He had accepted a treaty about two years before, and was compelled to go on his reserve, and we must all remember that an Indian placed on a reserve is something like a man in prison—he is not accustomed to it—that Indian was reduced to starvation by accepting a treaty from the Government, which was never carried out in good faith, and he went to the Lieutenant-Governor to ask for food to keep himself and family from starvation. And what was the reply? The reply was: "You have got to eat that pork or die." That was the reply of this great and good man, Governor Dewdney, who always treated the Indians kindly, and that same chief, Long Lodge, and three of his family did die shortly afterwards. They did not receive any other food. His reply to Mr. Dewdney was that he might as well feed his family on the poison with which they poisoned wolves as to feed them on that rotten pork. I fully endorse the statements that have been made by hon. gentlemen on this side of the House, and which have not yet been answered. I observed some hon. members taking notes, and I expected to hear them reply; but I suppose the charges and facts were such that they considered the best course to pursue was to leave them alone. I believe the charges are unanswerable, and cannot be sufficiently contradicted; and, feeling that such is the case, I shall support the amendment.

Sir HECTOR LANGEVIN. I rise to a personal explanation. An hon. gentleman alluded to what I said with respect to Rev. Mr. McDougall. What I said, and what I intended to say, was this, that Mr. McDougall had made certain general charges, that when he was called upon to substantiate them and particularise them he was not ready to do so, and the investigation is going on.

House divided on the amendment of Mr. Cameron, Huron :

YEAH:

Messieurs

Allen,	Dupont,	Langelier,
Amyot,	Edgar,	Laurier,
Armstrong,	Fairbank,	Lister,
Auger,	Fisher,	McGraney,
Bain (Wentworth),	Fleming,	McIntyre,
Béchar,	Forbes,	McMullen,
Bergeron,	Gaudet,	Mills,

Bernier,	Geoffrion,	Mitchell,
Blake,	Gigault,	Paterson (Brant),
Bourassa,	Gillmor,	Platt,
Burpee,	Glen,	Ray,
Cameron (Huron),	Guay,	Rinfret,
Cameron (Middlesex),	Guilbault,	Robertson (Shelburne),
Campbell (Renfrew),	Gunn,	Scrivner,
Cartwright (Sir Richard),	Harley,	Somerville (Brant),
Casgrain,	Holton,	Somerville (Bruce),
Charlton,	Innes,	Springer,
Cockburn,	Irvine,	Trow,
Cook,	Jackson,	Vail,
Davies,	King,	Watson,
Desaulniers (Maskin'ô),	Kirk,	Wilson.—65.
Desjardins,	Landerkin,	

NAYS:

Messieurs

Allison,	Fortin,	Orton,
Bain (Soulanges),	Foster,	Ouimet,
Baker (Missisquoi),	Gault,	Paint,
Baker (Victoria),	Girouard,	Patterson (Essex),
Barker,	Gordon,	Pinsonneault,
Barnard,	Grandbois,	Pope,
Beaty,	Guillet,	Pruyn,
Bell,	Hackett,	Reid,
Benoit,	Haggart,	Riopel,
Bergin,	Hall,	Robertson (Hamilton),
Billy,	Hay,	Robertson (Hastings),
Blondeau,	Hesson,	Ross,
Bowell,	Hickey,	Scott,
Bryson,	Hilliard,	Shakespeare,
Eurnham,	Homer,	Shanly,
Burns,	Hurteau,	Small,
Cameron (Inverness),	Jamieson,	Sproule,
Campbell (Victoria),	Kilvert,	Stairs,
Carling,	Kinney,	Taschereau,
Caron (Sir Adolphe),	Kranz,	Taylor,
Chapleau,	Landry (Montmagny),	Temple,
Cimon,	Langevin (Sir Hector),	Thompson (Antigonish),
Cochrane,	Lesage,	Townshend,
Colby,	Macdonald (King's),	Tupper,
Costigan,	Mackintosh,	Tyrwhitt,
Coughlin,	Macmaster,	Vain,
Cuthbert,	Macmillan (Middlesex),	Vanasse,
Daly,	McMillan (Vaudreuil),	Wallace (Albert),
Dawson,	McCallum,	Wallace (York),
Desaulniers (St. Maurice),	McCarthy,	Ward,
Dickinson,	McDougald (Picton),	White (Cardwell),
Dodd,	McDougall (C. Breton),	White (Hastings),
Dugas,	McGreevy,	White (Renfrew),
Dundas,	McLelan,	Wigle,
Everett,	McNeill,	Wood (Brockville),
Farrow,	Massue,	Wood (Westmoreland),
Ferguson (Leeds & Gren),	Montplaisir,	Woodworth,
Ferguson (Welland),	O'Brien,	Wright.—114.

Amendment negatived.

Motion agreed to, and House resolved itself into Committee.

Committee reported.

HALF-BREED CLAIMS.

Mr. WHITE (Cardwell) presented a detailed statement respecting half-breed claims in the North-West.

Mr. LAURIER. Is this the report anticipated in the issue of the *Mail* this morning?

Mr. WHITE (Cardwell). That is the report. I may say to the hon. gentleman that a good many people have seen proofs of it, it being a matter I brought down of my own accord to the House without an order.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to; and the House adjourned at 2 o'clock a.m., Friday.

Sir HECTOR LANGEVIN.

HOUSE OF COMMONS.

FRIDAY, 16th April, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

CHINESE IMMIGRATION.

Mr. CHAPLEAU moved for leave to introduce Bill (No. 106) to amend an Act to restrict and regulate Chinese Immigration into Canada. He said: It is almost a repetition of the Act of last year with very few additions, especially in the framing of the Bill, so as to render the working of it more practicable. The few additions or alterations may be thus summarised: The administration of the Act is put into the hands of the Department of Customs, for the reason that in almost every seaport or port of entry the officers of Customs will necessarily be the controllers of Chinese immigration. The second feature of the alterations is an organised system of registration. Registration was provided for last year, but it was rather left to the good-will of the resident Chinese, at the time of the passing of the Act, to register or not as they pleased; and, therefore, Chinese residing in Canada, not registered as such, might have lost the privilege of claiming they were residents, through not having their certificate of registration. By this Bill the registration is made compulsory; and not only citizens but all children, births, deaths, and even departures from the country, must be registered, so as to enable the Department to have always statistics of the number in the Dominion. Besides that, there is also a little addition assimilating conductors of trains, in which Chinese immigrants might pass through Canada or might travel in Canada, to masters of vessels, who were specially pointed to in the legislation of last year. It is a repetition of the Act of last year with these few alterations.

Motion agreed to, and Bill read the first time.

ELECTORAL DISTRICTS OF VANCOUVER ISLAND.

Mr. BAKER (Victoria) moved for leave to introduce Bill (No. 107) to amend the Act to readjust the representation in the House of Commons (35 Vic., chap. 13) as affecting the electoral districts of Vancouver Island. He said: When the Act was passed, in 1872, fourteen years ago, certain provisions were made for the election of members to represent the Province of British Columbia in this House. Sections 4 and 5 read as follows:—

"The electoral district of Victoria shall consist of those portions of Vancouver Island known as 'Victoria district,' 'Esquimalt district' and 'Metchosin district,' as defined in the official maps of those districts which are in the Land Office, Victoria, and are designated respectively, 'Victoria district official map, 1858,' 'Esquimalt official map, 1858,' and 'Metchosin official map, A.D. 1858; and shall return two members.

"The electoral district of Vancouver shall consist of all the remainder of Vancouver Island, and all such islands adjacent thereto, as were formerly dependencies of the late colony of Vancouver Island, and shall return one member."

Until very recently there was great doubt as to whether the islands off-lying the district of Victoria, which I have the honor to represent, belonged to my district or to the district of Vancouver. The islands are right off the coast line of the electoral district of Victoria, and at the next election there are persons there who will have to cast their votes for a member to represent them in the House of Commons. Unless those islands are placed where they rightly belong, in the district of Victoria, those persons will be compelled to go to the electoral district of Vancouver to cast their votes, according to a recent decision of the Department of Justice. There are two islands, one in the mouth of the harbor of Victoria and another in the mouth of the harbor

of Esquimalt, upon which there are lighthouses, and there are persons living there. Previously there was no reason for bringing this matter under public notice, but now that these islands are inhabited, and are likely to be more thickly populated, the time has arrived when the ambiguity which exists in my own mind and in the minds of the people there, and especially in the minds of the revising officers, should be set at rest. They should know whether they belong to the electoral district of Victoria or to Vancouver.

Motion agreed to, and Bill read the first time.

ADULTERATION ACT AMENDMENT.

Mr. COSTIGAN moved for leave to introduce Bill (No. 108) to amend the Adulteration Act.

Motion agreed to, and Bill read the first time.

WEIGHTS AND MEASURES ACT AMENDMENT.

Mr. COSTIGAN moved that the House resolve itself into Committee of the Whole to consider the following resolution:—

That it is expedient further to amend the "Weights and Measures Act of 1879," and to empower the Governor in Council to define what weights, measures and weighing machines shall be admitted to verification.

Mr. BLAKE. Explain.

Mr. COSTIGAN. The only change effected by this resolution is to define what weights and measures shall be verified, and what shall not. The Act of 1879 gave the Governor in Council power to make regulations in regard to this matter, but doubts have since arisen, and this is intended to remove those doubts.

Mr. McMULLEN. Is it intended that the Governor in Council shall decide what manufacturers shall be compelled to have their weights verified, and what shall not?

Mr. COSTIGAN. That power has been exercised by the Department ever since the Act of 1879, but it is a question whether the Department had the power, and this is intended to remove the doubt.

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

(In the Committee.)

Mr. BLAKE. I can hardly conceive that the Minister understood the question of my hon. friend, otherwise he would not have given it an affirmative answer. My hon. friend enquired whether it was the intention to empower the Governor in Council to prescribe to manufacturers what machines of weight and measure should be admitted to verification.

Mr. COSTIGAN. The power that has been exercised up to the present time is to define what weights and measures shall be deemed fit for public use.

Mr. BLAKE. Would the hon. gentleman state what has been done in countries where there has been legislation of this description—whether the regulations have been made by the Governor in Council, or by the Legislative body?

Mr. COSTIGAN. I have not looked into this question. I have simply been advised that there is room for doubt, under the Act as it now stands, as to whether this power is really given to the Governor in Council.

Mr. BLAKE. Who has raised the doubts?

Mr. COSTIGAN. The attention of the Department was called to the fact that there was a doubt.

Mr. BLAKE. Have Orders in Council been passed as a matter of fact, defining the classes of weights and measures

for classification? And is it proposed at present to make any change in the classification?

Mr. COSTIGAN. No; of course, it simply legalises the Order in Council.

Mr. McMULLEN. This matter undoubtedly affects all classes of business men in the country, and those who will be under the necessity of purchasing weights and measures; and if the Government intend to take to themselves this power, it ought to be explicitly defined.

Mr. BLAKE. I would like to know what Orders in Council have been passed under the authority of this Act, and how far the hon. gentleman has undertaken, under the authority of this Act, to go beyond the defining of the materials and the proportions of weights and measures to be admitted to verification.

Mr. COSTIGAN. So far as Orders in Council are concerned, I do not think this would change the Act or give any greater powers than we already have. The Governor in Council has the power to define the dimensions and proportions of weights and measures, and the material of which they may be made, and those that are not of such material and such dimensions shall not be certified. For instance, a manufacturer will send to us samples of balances or scales that he makes, and these are tested by the Inspector of Standards. No complaints have been received as to the working of the Order in Council.

Mr. BLAKE. The meaning of the hon. gentleman's proposal is this: that he wants to superadd a negative to an affirmative, and I do not believe it is at all necessary. If I rightly understand the effect of the whole law, it is that unverified weights, balances and weighing machines are not lawful to be sold or used. Verification is essential to their lawful sale and use to-day. The law provides that the Governor in Council may make regulations for the materials and proportions, and so forth, of the machines which may be verified, and unless a particular machine, weight or balance complies with those regulations, it cannot be verified, and being unverified it cannot be sold or used. So that negative exists now; but what the hon. gentleman proposes in the motion is that the Governor in Council shall be empowered to define what weights, measures and machines shall be admitted to verification, not what shall not be admitted, which is quite unnecessary, because if none can be sold except those admitted to verification by the Governor in Council he has at present sufficient power to declare what shall be admitted to verification, and you want no more power. The trouble is the different form of words used in the proposal and in the Act, for, while the Act speaks of proportions and materials, it is now proposed that the Governor in Council shall have authority to declare the specific machines which shall be admitted to verification. The hon. gentleman has not made good his proposition.

Mr. COSTIGAN. The section I propose to add to the Act cannot do any harm. If this resolution is allowed to pass I will simply introduce the Bill, and before the next stage I will consider the suggestions made by the hon. gentleman, and if the section is not necessary I will not press it.

Resolution concurred in and reported.

Mr. COSTIGAN introduced Bill (No. 109) to further amend the Weights and Measures Act, 1879.

THE EASTER HOLIDAYS.

Mr. BLAKE. Before the Orders of the Day are called, I wish to ask what arrangements the Government propose to make in regard to the Easter adjournment?

Sir HECTOR LANGEVIN. The intention of the Government is—and it appears to be the desire of the House to have as short a Session as possible—to ask the House to adjourn on Thursday evening until Tuesday at 3 o'clock.

Mr. VAIL. I hope the Government will arrange so that the House will meet on Monday. We who live a long way from Ottawa suffer great disadvantage by long adjournments. I see no reason why we should not meet on Monday, as we did last year, and as it was done on several similar occasions. It is very convenient for members living within a few miles of the city to have adjournments, but it is inconvenient for members from the Maritime Provinces, and we seem to be sacrificed on every occasion.

Sir HECTOR LANGEVIN. Monday is a statutory holiday, and, of course, the Government thought that by adjourning on Thursday evening they would meet the wishes of the House and conform to the holidays that have been fixed by law; that is to say, we adjourn over Friday and Saturday and Sunday, of course, and Monday, which is a holiday by law.

Mr. LANDRY (Kent). I have no doubt this arrangement will suit a majority of the members, but, at the same time, I think the remarks that have fallen from the lips of the hon. member for Digby (Mr. Vail) are very appropriate. If there is an adjournment until Tuesday only, it will be utterly impossible for the members from the Maritime Provinces to visit their homes and return in time for the sitting on Tuesday, as they will not be able to return until Wednesday. Therefore, the Easter adjournment will be of no advantage to them, but will simply leave them with nothing to do for four or five days, while those who live near here, and they are the majority, will no doubt be accommodated. Although we living in the Maritime Provinces are in the minority, we ought to be thought of occasionally, and, if possible, the same accommodation should be given to those who live a few miles further away. Let us all work together or all play together.

DOMINION LANDS ACT, 1883.

Mr. WHITE moved the second reading of Bill (No. 94) further to amend the Dominion Lands Act, 1883.

Motion agreed to, and Bill read the second time.

CAPE RACE LIGHTHOUSE TRANSFER.

Mr. FOSTER moved the second reading of Bill (No. 100) respecting the transfer of the lighthouse at Cape Race, Newfoundland, and its appurtenances, to the Dominion of Canada.

Motion agreed to, Bill read second time, considered in Committee and reported.

WAYS AND MEANS—CONCURRENCE.

House proceeded to consider resolutions reported from Committee of Ways and Means:

Resolved, That it is expedient to provide that the following rates of duty shall be assessed and collected on each of the articles hereinafter named, and to repeal all Acts or parts of Acts now in force in so far as they provide for assessing and collecting any different rates of duty than the rates hereby provided, or which are inconsistent therewith:—

Almonds, shelled, a specific duty of 5 cents per pound.

Sir RICHARD CARTWRIGHT. Does the hon. gentleman intend to make any alterations in any of those duties, because, if so, it would be as well to state them before discussing the items in detail.

Mr. BLAKE.

Mr. McLELAN. We are going to make some alterations in Nos. 6 and 9; we propose to omit No. 16, and to make some alterations in Nos. 32 and 33. These we propose to allow to stand for the present and take up the others.

Sir RICHARD CARTWRIGHT. I would suggest to the hon. gentleman that, as each item comes up in detail separately, he would be good enough to inform us of the amount of revenue he expects to receive, and of the reasons which call in each particular instance for a change of duty.

Mr. McLELAN. In introducing the Resolutions, I stated in general terms the reasons for making the change from *ad valorem* to specific duties, so far as it was possible to amend them in that way, and these articles are of that character. The duty on the article at present before the House, almonds, can very well be made specific, and, I think, without greatly increasing the amount we ordinarily receive as duties on those articles. During the past year they have declined in value very much, and the amount received from them has been considerably less than hitherto.

Sir RICHARD CARTWRIGHT. I would call the attention of the House to the fact that on this article apparently the increase of duty would amount to about 60 per cent. Now, the total amount of revenue from shelled almonds, it is true, is not very large, but at the same time it is precisely one of those articles which enter pretty largely into the consumption of households that are poor, and it does appear to me that an additional 60 per cent., as it appears to be from the amount we imported, is rather a large addition, considering that it brings very little revenue into the Treasury, and will take a considerable deal more out of the pockets of the consumers than the sum which is represented, as the hon. gentleman knows. Apparently we receive a matter of \$2,400 or thereabouts under the duty as it stood last year, and I understand that this change will raise the duty to some 4,000 and odd hundred dollars, which is quite 60 per cent. additional.

Mr. BLAKE. The object must be to protect the industry of shelling almonds, because I observe that there is 3 cents on the unshelled and 5 on the shelled.

Mr. BOWELL. The hon. gentleman probably knows, if he has bought them, that there is a difference in the value of the two articles.

Mr. BLAKE. Certainly, the shells are not worth as much as the kernels.

Mr. BOWELL. Yes, we know that, and consequently the duty on the unshelled is not as much as on the shelled. Neither would it be under the *ad valorem* duty, because the shelled would cost 30 cents and the unshelled 10 cents.

Sir RICHARD CARTWRIGHT. The Minister of Customs apparently puts 60 per cent. additional on the shelled and 150 per cent on the unshelled.

Mr. BOWELL. No, no.

Sir RICHARD CARTWRIGHT. Well, that is apparently the result from the Customs returns.

Mr. BOWELL. The hon. gentleman will bear in mind that I was not discussing that point.

Sir RICHARD CARTWRIGHT. But that is the fact, all the same, and the Minister of Customs does not dispute the accuracy of the statement.

Mr. BLAKE. If the hon. gentleman puts 60 per cent. on the shelled, and 150 per cent. on the unshelled, it still verifies my observation that the hon. gentleman's tariff must be to further protect the industry of shelling almonds.

Almonds, not shelled, and nuts of all kinds, not elsewhere specified, a specific duty of 3 cents per pound.

Sir RICHARD CARTWRIGHT. Under this, taking the first cost, we receive about \$1,300 on about 100,000 lbs. We

raise the duty $1\frac{1}{2}$ cents, although I see it varies in a trifling degree, according to the place from which the almonds come. The amount, it is true, is small, but I again submit to the hon. gentleman that all these duties do bear hardly on a considerable number of small housekeepers throughout the country. The hon. gentleman knows perfectly well that the persons who deal in these articles invariably indemnify themselves by adding considerably to the amount put into the revenue. What the exact value of these unshelled almonds is it may not be easy to determine. I suppose they are worth 5 or 6 cents per pound.

Mr. McLELAN. From 5 to 7 cents.

Sir RICHARD CARTWRIGHT. I think the hon. gentleman is really laying a very heavy tax on these articles of housekeeping—50 or 60 per cent. on articles which come daily into general consumption, and largely among the poorer classes of the community—perhaps more proportionately than among the richer.

Mr. McLELAN. They are more in the nature of a luxury than an article of real necessity, and they may without any great inconvenience yield us a slightly larger revenue than they did last year. The hon. gentleman knows that the duty is very much less in both of these cases than the duty under the American tariff. The amount collected in the United States on this class of goods is between \$3,000,000 and \$4,000,000, and I think they start at $7\frac{1}{2}$ cents per pound, running down.

Sir RICHARD CARTWRIGHT. An hon. gentleman behind me suggests that this is interfering to the detriment of an established industry in Canada, as people will not any longer crack almonds with their teeth, and thereby you injure the dentists.

Baking powder, a specific duty of 6 cents per pound.

Sir RICHARD CARTWRIGHT. Will the hon. gentleman explain what the value per pound and the additional duty may be?

Mr. McLELAN. The value of the better kinds ranges from 20 cents to 27 cents per pound. There is a great deal of adulterated powder which comes in at a small price. The duty is, if anything, not quite so high as it was upon the better kinds.

Sir RICHARD CARTWRIGHT. The duty was 20 per cent. before.

Mr. McLELAN. Yes; and upon the adulterated kind it will be considerably higher. It depends on the amount of adulteration in it, and the price at which it is sold. But there is no very great change in the duty on baking powder that is fit for use.

Sir RICHARD CARTWRIGHT. What quantity was imported?

Mr. McLELAN. 520,000 lbs. last year.

Sir RICHARD CARTWRIGHT. Then the hon. gentleman adds 50 per cent. to the tax on baking powder.

Mr. McLELAN. No. Something is added on the adulterated article, which was imported at a low price, but I am informed that the average price of pure baking powder, or what is in general use, is about the same under this specific duty as it was before.

Sir RICHARD CARTWRIGHT. At present we get \$20,000 on 500,000 lbs., and this duty of 6 cents per pound will yield \$30,000.

Mr. McLELAN. If it were all imported.

Sir RICHARD CARTWRIGHT. You expect a diminution, then.

Mr. McLELAN. I expect a diminution, because there is a proposition to establish a manufactory on this side.

Boxes, cases and writing desks, fancy and ornamental, and fancy manufactures of bone, shell, horn and ivory, also dolls and toys of all kinds and materials, ornaments of alabaster, spar, terra cotta or composition, statuettes, beads and bead ornaments, 30 per cent. *ad valorem*.

Mr. McLELAN. This is for the purpose of simplifying the tariff and bringing all these articles under one class. Under the old tariff many of these articles were differently rated and specified.

Sir RICHARD CARTWRIGHT. The hon. gentleman can, no doubt, give me some idea of the average amount of increase, and also of the amount of duty collected, and the total value of all the articles comprised in this class.

Mr. McLELAN. The value imported last year of these articles was \$152,000, and the duty collected \$30,000. It is expected, of course, that there will be an increase in the amount collected.

Sir RICHARD CARTWRIGHT. The increase would be \$15,000 on the same quantity.

Mr. BOWELL. Yes.

On blueing—Laundry blueing of all kinds, 25 per cent. *ad valorem*.

Mr. McLELAN. That is an increase of 5 per cent.

Sir RICHARD CARTWRIGHT. Is it for revenue or protective purposes?

Mr. McLELAN. For protective. It is being largely put up now in the Dominion. In Hull a large business is done in preparing it.

Sir RICHARD CARTWRIGHT. It appears this is rather running protection to the ground. Articles of this kind are in daily use by all classes of the population, but particularly by a very deserving and industrious class, the washerwomen. It is rather hard, it is going rather low down, to tax an article in general use by that industrious and not overpaid portion of the community. Twenty per cent. ought to be enough, in all conscience, to charge washerwomen, without increasing the duty 5 per cent. What amount may be imported—a rough estimate?

Mr. McLELAN. I am not able to say, but a considerable quantity is. I believe the duty will tend rather to lessen the amount received.

Sir RICHARD CARTWRIGHT. Yes, this increase makes it prohibitive.

Mr. McLELAN. By having the home market completely, the manufacturers will be able to produce at less cost than when they had only a part of the market.

Sir RICHARD CARTWRIGHT. This includes simply the article commonly in use by the washing women.

Mr. McLELAN. Yes, button blue.

Mr. BOWELL. You may have to pay 10 cents more for your washing.

Sir RICHARD CARTWRIGHT. If the hon. gentleman is going to add a rider to his proposition, so as to increase the wages of the washerwomen, there is a good deal to be said in favor of it.

Mr. BOWELL. I am quite ready to second a motion of the hon. gentleman to that effect.

Sir RICHARD CARTWRIGHT. But I am not entitled to increase the burdens of the people.

Feathers, ostrich and vulture, undressed, 20 per cent. *ad valorem*.
do do do dressed 30 per cent. *ad valorem*.

Sir RICHARD CARTWRIGHT. What was that before?

Mr. McLELAN. It was 15 per cent. undressed and 25 per cent. dressed.

Sir RICHARD CARTWRIGHT. What amount of revenue is expected from this increase?

Mr. McLELAN. About \$5,000 or \$6,000.

Sir RICHARD CARTWRIGHT. Apparently, we imported last year about \$200,000 worth of dressed feathers, on which the duty is to be raised 15 per cent. I do not think that will at all diminish the consumption, as the ladies will have their feathers. The undressed feathers appear to be a small item; and I should compute the increase on dressed at about \$10,000.

Mr. McLELAN. Fashions change very much. If there be the same importation as last year, the increase will be about \$9,500. Some years feathers are up, and some years they are down.

Fruit, dried, viz.: Raisins, a specific duty of 1 cent per pound and 10 per cent. *ad valorem*.

Mr. McLELAN. Taking, first, the raisins, we imported last year 7,762,000 lbs. and collected a duty of \$70,691. If the hon. gentleman will refer to the Trade Returns of 1882, he will see that in that year we imported 7,041,000 lbs., on which we received a duty of \$109,325. We received on the same quantity this year only \$70,000, in consequence of their great reduction in value. Assuming the same quantities would be imported this year, the rate I have fixed will bring the duty to \$113,000, \$3,000 more than was received in 1882. The object will be to reach about the same amount of duty that we collected in 1882 and 1883 upon these articles at their then value under a 20 per cent. tariff.

Sir RICHARD CARTWRIGHT. The hon. gentleman will see that in practice there is here an addition of about 50 per cent. of a duty. The duty last year amounted to about \$70,000; now it will be \$113,000. It is quite true that there has been a drop in the value of raisins; but if, as is not unlikely, the value of raisins should rise again, then the consumer will be saddled with a much heavier duty than he had to pay in 1882. The hon. gentleman does not propose to reduce the duty if the value of raisins gets up, but he puts it on because the value has been going down.

Mr. McLELAN. No; the difference will not be so much if it goes up, because a part of the duty is specific, 1 cent a pound, and the reason for putting on the *ad valorem* duty is that there is a great difference in the value of raisins.

Mr. McMULLEN. This *ad valorem* duty on raisins is a very unjust imposition. It strikes directly at the poorer classes.

Mr. BOWELL. It is the other way.

Mr. McMULLEN. Take a pound of raisins that cost 5 cents, to that you add 1 cent a pound of specific duty.

Mr. BOWELL. You said *ad valorem*.

Mr. McMULLEN. Then you add 10 per cent. *ad valorem* to the duty on the pound of raisins. Take the case of a pound of raisins worth 20 cents. You only add 1 cent specific, and 10 per cent. *ad valorem*. So the man who buys a pound of raisins at 5 cents will pay the 1 cent a pound and the specific duty of 10 per cent., while the man who buys a pound of raisins at 20 cents will, in the same way, pay only 1 cent a pound and 10 per cent.

Mr. BOWELL. That is only 3 cents.

Mr. McMULLEN. But the other is 1½ cents. The poor man pays 1½ cents on his 5 cent a pound raisins, and the rich man pays only 3 cents on his 20 cent a pound raisins. These gentlemen claim that they try to protect the poor man, but this is in the other direction. The specific duty on the article of raisins is wrong. If you put on an *ad valorem* duty, everyone pays the same share,

Mr. McLELAN,

but this commodity is very largely used by the poorer classes, and consequently they are paying the largest portion of the duty, while the richer class escape in consequence of the duty in connection with this article. I say that, in regard to dried fruit, such as raisins and currants, which are used by the poorer classes, the duty should be *ad valorem* and not specific, because, otherwise, you strike at the poorer classes and make it better for the richer classes.

Currants, dates, figs, prunes and all other dried fruits not elsewhere specified, a specific duty of 1 cent per pound.

Sir RICHARD CARTWRIGHT. This is not very easy to trace. The hon. gentleman had better give us the sum total of the whole.

Mr. McLELAN. The duty collected in 1885 was \$63,145, and it is expected that from this source we will get from \$75,000 to \$80,000. These are very much of the same value, and, therefore, there is not the same variation in regard to value as there is in raisins. This duty is left wholly specific, because it is simpler.

Sir RICHARD CARTWRIGHT. That is true of some, but not of all.

Mr. McLELAN. Very nearly of all.

Sir RICHARD CARTWRIGHT. Practically speaking, and speaking at the present moment, taking, for instance, such an article as currants, I find that 5,000,000 lbs. of currants were imported last year, which paid \$35,000. It is quite clear that here also the actual duty will be raised 50 per cent under the operation of the present tariff, as compared with that of last year. It may be, and no doubt is, the case that, a few years ago, these articles were dearer, and that this will bring them back, as far as the revenue is concerned, to about the same position; but, at the same time, it is an addition of 50 per cent. on articles entering into general consumption.

Mr. McMULLEN. My remarks in regard to raisins hold good in regard to currants. When they are a season or two old, they drop very much in price. For instance, the currants of the season of 1883-84 will sell for less than those of the season of 1885-86. The fresh fruit always brings the highest price. You place a cent a pound on the currants which are sold to the poorer classes, while the fresh fruit will be sold to those who are able to pay the higher price, and that will have only a cent a pound duty on it also. This fruit is imported and largely sold to the lower classes. It is used by almost every family, and, by putting a specific duty of 1 cent a pound on it, you strike at the poorer classes and make them pay the largest share of the duty.

Green fruit, viz.: Blackberries, gooseberries, raspberries and strawberries, a specific duty of 4 cents per pound, the weight of the package to be included in the weight for duty.

Sir RICHARD CARTWRIGHT. I am very sorry to see that the hon. gentleman has been induced to impose this particular duty. It appears to me that this is very objectionable. It will do no practical good to any of our fruit growers, and it tends directly to deprive a large number of our people, especially those living in cities and towns, of a natural and wholesome luxury, which it is not expedient to interfere with. The amount of duty is very small; in fact, I think, as I am advised, that the trade in this fruit will be altogether killed off, for people will not use it. I do not know precisely what the weight may be, but as the package in which the fruit is to be imported is included in the rate for duty, I think from 6 cents to 8 cents per quart will be levied on all those articles which are brought in. Unless I am misinformed, the Americans have amended their tariff, and allowed us to export those articles free. I think there is no duty on those goods imported into the States at present.

Mr. BOWELL. What? Green fruits?

Sir RICHARD CARTWRIGHT. This class of fruits. I think they removed the duty a little time ago.

Mr. McLELAN. It may be so.

Sir RICHARD CARTWRIGHT. I am speaking under correction. I ask the Minister of Customs how that is? My impression is that they did on a good many of these articles.

Mr. BOWELL. I am not aware of that. I was under the impression that their duty formerly was much higher than ours.

Sir RICHARD CARTWRIGHT. That has not been verified.

Mr. BOWELL. No.

Sir RICHARD CARTWRIGHT. It would be as well to see, because the statement was made, not only from the Treasury benches, but I think it was embodied in one of our Acts of Parliament, that in cases where the Americans removed the duty, we would follow suit.

Mr. BOWELL. Yes, on special articles mentioned in the resolution of the tariff. It stands on the Statute-book.

Sir RICHARD CARTWRIGHT. I think the principle was intended to be a general one.

Mr. BOWELL. No. That resolution confines it to certain articles, covering nearly all the articles which were formerly admitted free under the old Reciprocity Treaty; and the power is given to the Governor in Council to put them on the free list, in case the Americans pass a similar law.

Sir RICHARD CARTWRIGHT. I read the article as giving the Governor in Council pretty wide power. I am inclined to think that the Minister will find that he could give a large reduction of duty under it if he chose to exercise his power. However that by the way, what I really object to is this: That, as anybody can see, by looking at the present Trade and Navigation Returns, the amount of revenue that has been derived is small, the amount of revenue that will be derived is very small, and, in point of fact, it will really amount to cutting off the great body of consumers of fruits from any chance of obtaining these fruits a little earlier than they are grown in our own country. That will be the practical result of it, and I think it is an injurious step in legislation. I do not believe it will give any sort of protection, because certain portions of the States can furnish us with these fruits several weeks in advance of the time at which it is possible for our own fruit growers to do it. All, I think, the hon. gentleman will make by this will be to put an end to this trade, such as it is, which is undoubtedly a useful trade—very useful to our people when they are just emerging from a long winter. I must say I regret that the hon. gentleman has been induced to incorporate this in his tariff.

Mr. McLELAN. It has been represented to me, and I believe, that the growth of strawberries and other fruit has become a very large industry in the west, and if reasonably protected, the western strawberry fields will be sufficient for the supply of the whole Dominion. At present strawberries ripen on the other side of the line a week or so earlier than they do on this side, and they have been sent in at 2 cents a quart, while they cost here 30 cents a pound. The hon. gentleman will see that that is a very small percentage of duty, even looking at it in that light—when they were sent in here costing 25 and 30 cents a pound, and we collecting only 2 cents a pound duty. The duty will be 20 per cent. on an article costing 20 cents, and sold here from 30 to 35 cents when the fruit first comes. It is thought that this will not stop the early importation of fruit any more than if we had placed it at 20 per

cent—it will not tax them any more until they have fallen in price on the other side very low. The two cents enables American growers to flood our market with berries, to the disadvantage of our own growers, and I think it is but right and fair to our own people that they should have the benefit of our markets when their strawberries are ripe.

Mr. CHARLTON. The duty proposed upon strawberries and small fruit will not operate as a protection in any way at all, because, when our small fruits are ripe, those on the other side are not imported. Our fruits are fresh from our own growers, and are of better quality and sold at a lower rate. But before our fruits are ripe, strawberries and other small fruits from Maryland, Virginia, and other Southern States, reach our market before our fruits do. Now, the hon. gentleman proposes that the sick and invalid who require a delicacy of this kind, before it is ripe in our own market, should be taxed this exorbitant rate of 4 cents a pound; and this fruit, bear in mind, Mr. Speaker, being brought a long distance, generally arrives, a portion of it, in bad order and unsaleable, and the duty will be levied upon the saleable and unsaleable portions alike, and the portion of fruit that arrive in good order will bear a duty enormously out of proportion to its value. It is a vexatious duty. The amount of revenue realised will be very small. The benefit to our own growers will be nothing. It makes no difference at all to them, because they control the market when their fruits are ready. It is a tax upon weakly people who desire to use early fruit, and chiefly persons in delicate health, invalids. I do not see a duty on the list which is more objectionable than this duty. I can see no reason that can be urged in favor of it, because it is not benefiting our own growers, but in enormously increasing the cost of the early fruit's brought from a distance for classes of people who desire a delicacy of that kind.

Mr. HESSON. I do not see the validity of the argument of the hon. member for Wellington, that this is going to be a tax upon the poor man's fruit. I look upon that quality of fruit out of season as being one of those luxuries that gentlemen and wealthy families wish to have, and they ought to pay a duty for it. Now, I think the hon. gentleman who has just taken his seat represents a county which, above many others, is interested in the growth of fruit.

Mr. CHARLTON. Yes, and we get no protection.

Mr. HESSON. The county of Norfolk produces a large quantity of small fruit, and the growers must feel keenly, at times, the competition of American fruit in our market.

Mr. CHARLTON. They do not feel it at all.

Mr. HESSON. These small fruits are produced largely in gardens in the neighborhood of large towns and cities, and we know that an immense number of people make a living by this industry. Their gardens being so productive, they get a large return from them, and I am satisfied they are very much interfered with by American fruit being put into the market in competition with their own, although it may be but a few days earlier. Now, I am satisfied that the importation of early fruit, if only a few days in advance of our own, injuriously affects fruit growers in the Elgins, the Norfolks, Welland and other counties. I know that the frontier towns and counties produce in abundance very early and good apples, and there is scarcely a county in the Dominion that does not now produce these small fruits. They may be a few days later than American fruits, but, at the same time, I think that a protection is absolutely necessary for the growers of small fruits in Canada. It is not a question of obtaining a large revenue, I presume. The duty will not work any injury to those who want early

fruit, except, perhaps, in the case of invalids, to whom it may be looked upon as a luxury. Well, I have no doubt they will always find means of obtaining, even after they are taxed 4 cents a pound, fruits a few days earlier than they are grown in Canada.

Mr. CHARLTON. I must deny the assertion of the hon. gentleman that my own county and the counties along Lake Erie that are largely engaged in fruit growing, require protection, for the reason that when their fruits are ripe they control the market. Such a thing as the importation of American small fruits, after our own strawberries are ripe, I never heard of, because we produce fruits much cheaper than are produced on the other side, and of a much better quality. The cost of transportation and the damage to the fruit settles the question in favor of our growers. No competition exists, and there is no necessity for protection whatever, so far as our own growers are concerned, and certainly as regards the counties on the shores of Lake Erie, engaged in the industry are concerned, the necessity of a duty as a protective measure is not felt. There is no demand made for it, and it will be no benefit whatever, because our growers control the market as it is.

Mr. LANDERKIN. The importation of strawberries into our market always takes place before our own berries are ripe. To increase the duty will not enhance the price of the strawberries we produce in this country, but it will raise the price of strawberries used by those people who desire them early, for whose use foreign berries are brought in before our own are ready for market. When our berries are ripe importation ceases. I think this increased duty is not in the interest of the people, and it will impose an unnecessary tax on those who may require strawberries before our own are ripe.

Mr. McCRAVEY. I cannot quite agree with the remarks made by the hon. member for Huron (Sir Richard Cartwright) and the hon. member for North Norfolk (Mr. Charlton). Living, as I do, in one of the largest fruit-growing sections in Ontario, I know the disadvantage under which our fruit growers suffer from competition with American fruit. A large quantity of fruit which is a surplus from the United States markets, is thrown into our markets and sold for anything it will realise. The result is that it ruins the market for our own producers. With regard to growing fruit in our own country, taking the western counties of Essex and Kent, and coming eastward along Lake Erie shore and the shore of Lake Ontario, you have two months at least that you can have this fruit. We have as good a country for raising small fruits as any on the face of the earth. I feel that this increased duty is all right. Although I am not in favor of the principle of protection, at the same time we are going to protect other industries in our country, I say that certainly the growers of small fruits have as much right to protection as others. There are a number of people who make a living out of growing small fruits. I am in favor of the proposal.

Mr. HICKEY. I think the last speaker has fully answered the remarks of the hon. member for North Norfolk and the hon. member for East Grey. Strawberries in that hon. gentleman's county are as early as they are in the United States—at all events, as early as those that come into our ordinary markets. If the American berries do not come into competition with our own, it is as well to tax them when they do come.

Mr. SCRIVER. I can say, from personal observation and experience, that American berries do not come into competition with Ontario berries. When we have in Montreal a large quantity of Ontario berries we have no American berries. That has been the case under the old tariff, and this additional duty will, as the hon. member for

Mr. HANSON.

North Norfolk has stated, not further the protection to the growers of small fruits in Ontario.

Mr. VAIL. It is rather a hard case to make our people, who very often purchase green fruit coming from the United States three or four weeks before our own fruit is ripe, pay this additional duty. I do not, however, see how this proposal can be carried out, for the reason that, as I am informed, the American Government removed the duty and made strawberries free in 1883. If that is so under an Order in Council that was passed in 1879, our Government will be obliged to allow American green fruit to come in on the same terms as the Americans allow our fruit to enter their markets. I do not see any object in placing a duty on that fruit if the case is as I have stated it. The Finance Minister should know about the matter.

Mr. TAYLOR. I am glad to see hon. gentlemen opposite divided on this question, as they are on all others. The hon. member for Halton (Mr. McCraney) advocates protection to strawberries, because they are produced largely in his constituency. We who live in the river counties adjoining the State of New York, find our berries ripen as soon as theirs do. Last year we had a lengthy session of Parliament, and it was my duty to pass from Gananoque here every Monday afternoon. At Mallorytown, a station on the Grand Trunk, every Monday afternoon, two or three cars of strawberries for Montreal would be on the track, and the same state of things prevailed at Lynn in the adjoining constituency. Those berries were shipped to Montreal, and they were ripe as soon as those in the State of New York. I am strongly in favor of giving protection to our growers and berry pickers. There are a large number employed in picking berries during the summer season at Halton and in my own county. These are of the laboring class, and I am glad to see them protected by increased duties on strawberries.

Mr. VAIL. The hon. gentleman is disposed to make all the other Provinces that have to wait three or four weeks before their fruit ripens, pay duty in the meantime for the benefit of a few people who happen to live on the lake shore in Ontario. If it is true that our fruit ripens as quickly as does that in the United States—

Mr. TAYLOR. I said the State of New York.

Mr. VAIL. If so, there is no necessity for increased protection.

Mr. FISHER. The hon. gentleman has entirely misconceived the statements made by hon. gentlemen on this side of the House. No one has contended that the berries we receive from across the lines can compete with those raised in this country. But in Montreal we receive strawberries from New Jersey and south of New York city three or four weeks before Ontario berries come in. As soon as Ontario berries reach Montreal the United States berries cease to arrive, being displaced in the market, the Ontario berries coming a much shorter distance and being grown in a more favorable climate for the perfecting of the fruit. The result is that the United States berries, brought upon that market, at all events, do not at all interfere with the sale of the Ontario berries. But in the meantime, Sir, in consequence of the duty which has been put on, everybody who eats strawberries and other small fruits a little earlier in the season, will have to pay this increase without benefit to our growers. I would like to ask the hon. gentleman if he thinks any of those berries that are grown a mile across the river, ever come into this country? They do not grow there to any extent. I do not believe they do. At any rate, I do not believe that the berries which ripen at the same time can possibly come into the country. This increase is a very serious one. The duty used to be 2 cents

per quart; now it is 4 cents per pound, which will be about 8 cents a quart when you include the weight of the package.

Mr. TAYLOR. I would ask the hon. member for Digby (Mr. Vail) to answer the question of the hon. member who has last spoken. He says the berries come in from New York down in his part of the country, and if they do, they must compete with our berries, because ours ripen as soon as those in the State of New York, right opposite.

Sir RICHARD CARTWRIGHT. Does the hon. gentleman really think that the Ontario growers send fruit to Digby?

Mr. TAYLOR. They come into Canada.

Mr. FISHER. The hon. gentleman must remember that the State of New York extends very far south, while, on the other hand, he will hardly say that the Ontario berries are shipped down to Digby in Nova Scotia.

Mr. IRVINE. I would like to ask the hon. gentleman if the American Government have imposed an import duty on small fruits?

Mr. McLELAN. They have imposed a duty on almost everything we send or can send across the line except eggs.

Mr. KING. Have they imposed a duty on berries?

Mr. McLELAN. I think so.

Mr. VAIL. Is it true that the Americans removed this duty on the 1st July, 1883? I think the Finance Minister ought to tell us.

Sir RICHARD CARTWRIGHT. My recollection is the same as that of the hon. member for Digby—that the duty has been removed.

Mr. MILLS. The duty on fruits, seeds, plants, trees, &c., was removed in 1883. There is nothing to prevent competition across the border, and I suppose if American berries grown in the immediate vicinity of the boundary line are imported into Canada, Canadian berries can also pass into the United States on the same terms. I do not apprehend that competition will do any more harm on the one side than on the other, but the inconvenience is that mentioned by the hon. member for North Norfolk (Mr. Charlton), that you prohibit the importation by this largely increased duty on berries which are grown in a more southerly climate and are brought into our markets and consumed before our own berries come into use at all. I think the hon. gentleman knows that, unless in the immediate vicinity of the border the Canadian growers supply the Canadian market during the season of Canadian production.

Mr. WOOD (Brockville). I am called upon to say a few words on this subject, because in the constituency that I represent this is getting to be a very large industry, and it is important in this sense—not that it supplies the local wants of the people, but that it supplies the markets of Montreal, Ottawa, and other large cities in our own country. Now, I do not know, I have not learned whether the Americans have imposed a duty on berries going into their country from this or not. However, it makes no difference from my point of view. I would favor the imposition of a duty to prevent the Americans getting control of the markets of those Canadian cities, and in the absence of the duty there would be very great danger of that being done, to the destruction, or, at all events, to the injury of the Canadian industry. So far as the hon. member for Brome (Mr. Fisher) has touched upon the subject, it would appear that it was simply a question with him whether the tastes of a few, who, I presume, are among the wealthier classes of Montreal and other cities, would be gratified just a week or

two before they would be gratified by the importation into their cities of berries from the other districts of Canada. I think, everything considered, and for the sake of preserving our own local market to our own local dealers, and preventing the Americans from competing with us in the larger fields to which our berries are exported, we should have the duty raised.

Mr. FERGUSON (Welland). I represent a constituency which produces strawberries to a very large extent. The experience of the Fruit Growers' Association in both Lincoln and Welland counties is that for about ten days before the Canadian strawberries are ripe berries are brought from the States to the south of the lake—indeed, from almost as far south as Philadelphia—into this country in large quantities, in crates, as high as twenty tons a day sometimes crossing the Niagara River. For these berries the American producers realise on the quart, and when the Canadian berries come in the price is down, and the Americans cease to send them into the country. The importers of these American berries realise a very large price, and by the time any berries are ready the market is so glutted that the price at once falls. The market is filled with these American berries, and remains filled for a week or ten days after the Canadian berries come on the market. I contend that the consumer in Canada would not be injured by the imposition of the duty, except those who can well afford to pay. Those berries which come in early are purchased by hotel-keepers and others who can well afford to pay for them, and pay a small increase of duty. Nine-tenths of the consumers of Canada would receive their berries at as low a rate with this duty as they now do, because, as I have said, the market is only reduced in value when the Canadian producer puts his berries on the market. Now, I believe it is the duty of this Parliament and this Government to protect the Canadian producer, and give him the early market, or, at all events, curtail as far as this duty will curtail, the importation. It costs about 5 cents a quart to produce strawberries, and berries in my own neighborhood were sold last year as low as 3 cents per quart. Half the berries rotted on the ground as there was no market for them. The effect of the increased duty would be to lessen importation and prevent a glut of the market by the American producers, and give the Canadian producer their own market for their product. The small increase of duty of 2 cents would not prohibit the introduction of the American berries into this market, for this reason: that the American producer when he sells in our market, as we all know, gets from 12 to 25 cents per quart for his berries, so that the additional 2 cents would not prohibit them from coming into the country, but it would the amount imported.

Mr. KING. I do not think this duty is calculated to increase the price of berries in the Maritime Provinces at the season of the year when they are in general use, but I think it my duty to point out a danger to which our people are likely to be exposed from this duty. At the present time a large trade is growing up in New Brunswick in the export of strawberries, raspberries and blueberries to the United States, and the effect of imposing a duty of this kind may be to cause the American Government to retaliate and exclude our people from their market. If that were done, it would destroy a very large trade.

Sir RICHARD CARTWRIGHT. I would really call the attention of the Government to the point raised by my hon. friend. Information has been given to me that a trade in various kinds of berries has begun to spring up between this country and the United States. That was the reason why I stated that I believe the duty on green fruit going into the United States has been abolished. We had an experience of the result of rash intermeddling with the duty on malt, by which the hon. gentleman's predecessor afforded an ex-

cuse to the Americans to destroy a very valuable branch of our trade; and this duty, which is practically a prohibitory one, may altogether destroy this export trade in fruit which is beginning to spring up. This charge of 8 cents per quart, including the package, practically amounts to 12 cents, because everybody knows that a very large portion of the fruit brought in is damaged in transit, and certainly not more than two-thirds of it finds its way to the Canadian consumer.

Mr. IRVINE. I think the Government should ascertain whether it is a fact that the Americans have abolished the duty on these small fruits, because there is an important consideration that we should look to as much as protecting Canadian agriculturists—that is, our self respect and honor. I understand that there is a standing resolution on the part of the Canadian Government that as soon as the American Government takes off certain duties this Government will reciprocate. I know that the duty has been taken off apples, and I understand, from hearsay, that it has also been taken off small fruits. The hon. gentleman opposite speaks on behalf of the Ontario gardener; I speak on behalf of the New Brunswick gardener and farmer when I say that our crop of fruit is gathered when all the other crops have gone out, and it would be a great hardship to our people in New Brunswick if a duty were imposed on an article from which the American Government have taken the duty off. I think the Government should ascertain whether the Americans have taken the duty off or not.

Mr. GILLMOR. I am aware myself that there is no duty on green fruit sent into the United States; and in the Province of New Brunswick, the export of blueberries and cranberries has become quite an industry. From the parish in which I live 1,000 bushels of blueberries are sent to the States every year, and perhaps an equal quantity of cranberries; and if this duty has the effect of causing the Americans to put a like duty on the fruit we send to the United States, it will act injuriously to that industry. Strawberries are not cultivated to any great extent in my neighborhood, but I understand that strawberries are shipped in large quantities from St. John. The truth is, I do not believe any interest is served by this principle of protection; but not to go into that question, I think it would be well for the Minister to ascertain how this duty would act. I do not believe this duty is going to produce such favorable results for the fruit growers of Ontario as the hon. gentleman who spoke on their behalf supposes. He says that after this dear fruit went out, their strawberries were rotting on the ground. If there is a surplus of that kind, I do not think the people can be injured by a few early fruits coming in in season.

Mr. VAIL. I am opposed to this duty because it would result in a very great disadvantage to our people. It is well known that the Tariff Act of 1879 provides that when the following articles, that is to say, animals, green fruit, hay, straw, seeds of all kinds, and vegetables, are allowed to go into the United States duty free, the Government of this country shall be empowered to pass an Order in Council authorising the admission of the same articles into Canada duty free.

Mr. BOWELL. It says they may, not shall.

Mr. VAIL. I hope they will make up their minds that they will, after they hear what I say. I am quite sure, from what I have heard, that green fruit has been admitted into the United States free since the 1st of July, 1883. I may state that we have steamers running from Yarmouth to Boston, and from Digby to Boston and Mount Desert, in the summer time. Mount Desert is now a great watering-place, and thousands of boxes of strawberries are shipped from Annapolis county and some portions of Digby county, after the American strawberry season is over, to these watering-places. Some also are shipped from the county

SIR RICHARD CARTWRIGHT.

of Yarmouth, and besides that, the quantity of blueberries that are shipped, I may state, amount to hundreds of barrels from the Annapolis valley. Suppose the Americans chose to take advantage of this and return to the old duty, it will result to our disadvantage. I hope the Minister of Finance will let this stand, until he has had an opportunity to enquire more fully into the matter.

Mr. McMULLEN. In this matter there should be more time taken to consider the whole question. The duty is really prohibitory, because 4 cents a pound is equal to about 8 cents a quart. This fruit realises, in Toronto, about 10 cents a quart, and the Government, by this duty, are charging 100 per cent. on green fruit brought into the country. While we are willing they should extend protection to people in this line, as well as in others, it is unfair to the consumer that the Government should give this trade such an absolute monopoly by imposing a duty of 100 per cent. Two cents per quart is ample protection. If the Fruit Growers Association had sufficient influence to exact a pledge from the Government that this protection would be afforded, the Association must have gone away, laughing in their sleeve at their success, because the duty is practically prohibitive. There is no class which does not use this kind of fruit, and this duty will enable the fruit growers to form a combination and put up the price to the highest figure the people will be willing to pay. If you are going to protect at all, protect in a uniform way, so that one class will not be able to complain that another class has greater protection. In this case the Government are protecting the fruit growers 100 per cent. against the 30 per cent. protection afforded other industries.

Mr. McLELAN. The reason for increasing the duty was that, as a matter of revenue, we were taxing a luxury. At the time this duty will be collected, the fruit is sold at very high prices and regarded as a luxury, to be bought and consumed only by the rich. At 2 cents a pound as previously charged, the duty did not equal 10 per cent. The fruit is sold about 30 cents a pound here, and in putting on 4 cents a pound, we are only charging 20 per cent. on an article which is considered a luxury, just as wines and silks are.

Sir RICHARD CARTWRIGHT. Yes; but you will not get revenue out of this.

Mr. McLELAN. We thought we should increase the duty, and at the same time afford protection when the price goes down and our own people can supply the market fully. Then the duty will be no hardship. The hon. gentleman says we should admit these free or not change the duty, because they may be free in the United States. Our desire is to obtain reciprocity in more important articles than strawberries, and when anything like a general reciprocity is proposed we have the authority, under Act of Parliament, to declare these free, so that no impediment exists on that score.

Mr. BLAKE. For some years, when we contended it was the duty of the Government to approach the Government of the United States with reference to negotiating freer trade relations, we were told, no; they had nothing to do with it. Why? Because there was standing over upon our Statute-book an Act declaring that the moment the Legislature of the United States repealed or reduced the duty on certain specific articles, we would do likewise. We asked: Do they know that? Oh, of course they do; very well, was the answer; there is our invitation on our Statute, and there it has been since 1879. In the end this invitation has been partly acceded to by the United States, and the hon. gentleman's response is to increase the duties on the articles they declare free.

Mr. KING. The hon. Minister of Finance admits the United States allow these articles to enter free of duty, and

I would ask if he has considered what the result would be should the American Government retaliate by imposing again a duty on these articles. I find from the Trade and Navigation Returns that one-half the small fruits exported go from the Province of New Brunswick, and form a large portion of the traffic upon one of the principal lines of railway in that Province, so that New Brunswick would be very much affected by any change of policy on the part of the Americans.

Mr. KIRK. I do not rise for the purpose of opposing the duty, because that would be useless, but for the purpose of pointing out that the Government have different policies for different articles, different policies for different systems. The policy as laid down by the Minister of Customs is :

"That in all cases where you can open trade relations either with a colony of Her Majesty or with a foreign State, where you can receive equal privileges, by being allowed to send to their markets either the products of the soil or the products of the manufactories, it is to our advantage to obtain those markets, and, if we can do so by getting privileges equal to those given by us, it is our duty to obtain that in every part of the world."

There is the principle laid down by the Minister of Customs at a time when I brought this question up in the House, but in this case the Government ignore this principle, whilst in the Province of Nova Scotia or the Maritime Provinces they have a different policy. Whilst they impose a protection in the interest of an industry purely or almost altogether belonging to Ontario, they refuse to adopt that policy towards one of the greatest industries of the Maritime Provinces, the fishing industry; because they allow the fish to come in from Newfoundland free of duty, and refuse to protect the fish of the Maritime Provinces in the interest of the people there.

Sir RICHARD CARTWRIGHT. The hon. gentleman did not state what additional revenue he expects. I ask for that, because I shall be curious to compare the results.

Mr. McLELAN. We expect the same revenue.

Mr. BLAKE. The same revenue from strawberries? The hon. gentleman stated a little while ago that he expected more revenue.

Mr. McLELAN. We get it on a less importation, as there will be a larger amount of home produce.

Mr. BLAKE. The hon. gentleman said he wanted more revenue, and at the same time more protection for the home growth.

Mr. McLELAN. The hon. member was not here during the whole discussion. I said we wanted protection as well as revenue.

Mr. BLAKE. The hon. gentleman said he wanted more revenue as well as protection, and he was to get more revenue, and he did not see any harm in getting that from a luxury. Now he says he does not expect any increase in revenue. The people will get less fruit, but there will be the same revenue.

Peaches, a specific duty of 1 cent per pound, the weight of the package to be included in the weight for duty.

Sir RICHARD CARTWRIGHT. About what does the hon. gentleman expect on this? What is the weight of a bushel of peaches?

Mr. McLELAN. About forty-five pounds.

Sir RICHARD CARTWRIGHT. Is forty-five pounds the weight? What does my hon. friend from Welland say? Is it not about sixty pounds, counting the stones?

Mr. SCRIVER. I should think it would be about fifty pounds.

Sir RICHARD CARTWRIGHT. What is the duty now?

Mr. McLELAN. 40 cents a bushel.

Sir RICHARD CARTWRIGHT. I suppose, when the package is included, it will be sixty pounds.

Mr. McLELAN. Including the package, it will be about fifty pounds.

Gimps, cords, braids, ribbons and bindings, when imported by hat manufacturers for use in their factories, 15 per cent. *ad valorem*.

Mr. McLELAN. I find that there are a great many difficulties connected with this. A great many people call themselves manufacturers of hats who are only sewing cloth hats. It was intended that this should apply to machine-made hats, and should be for the benefit of those manufacturers, and it was thought that a reasonable protection could be given and that it would not be abused, but, finding that there will be so many difficulties in the way, I move that the item be not concurred in.

Mr. BLAKE. In fact, the hon. gentleman found the trade was as mad as a hatter.

Item struck out.

Gas, water and soil pipes of cast iron, 30 per cent. *ad valorem*.

Sir RICHARD CARTWRIGHT. What is the duty now, 20 per cent.?

Mr. McLELAN. 25 per cent., I think.

Sir RICHARD CARTWRIGHT. What does the hon. gentleman put this on for, revenue or protection?

Mr. McLELAN. The present duty is 25 per cent. It is an increase of 5 per cent.

Sir RICHARD CARTWRIGHT. How much revenue is expected?

Mr. McLELAN. Not any revenue is expected from this.

Sir RICHARD CARTWRIGHT. I would point out to the House that the hon. gentleman expects no revenue, and these matters are very intimately connected with the hygienic apparatus which are required in cities and towns, and I think the hon. gentleman is acting very injudiciously in adding to the necessary cost of these articles. Anyone with experience in practical building knows that the quality of the pipes supplied is and has been injuriously affected by the duty put upon them, and that the health of the inhabitants in many places is more or less injuriously affected by the very indifferent character of the plumbing apparatus connected with closets and things of that kind in our cities and towns. That is an evil which is constantly complained of and which is growing, and I think the hon. gentleman, whatever his intentions may be, will aggravate that evil by adding to the cost of these articles. He says there is no revenue in it.

Mr. BLAKE. Has the hon. gentleman received an application from manufacturers for the increase of the duty?

Mr. McLELAN. It has been represented to me that, as the hon. gentleman says, a great deal of inferior pipe has been imported and entered at reduced rates, compared with a year or two ago, and the quality of the piping used from the importation, not from the manufacture at home, has deteriorated very largely. I am assured, by gentlemen who are acquainted with the business, that we are manufacturing a better article of pipe in the country now than that which is imported at reduced rates, and that it can be manufactured here of good quality at the same rates as poor qualities can be imported. So, I think, it is desirable to

encourage our own people to extend their operations a little, and also in order to keep out the inferior qualities which have been coming in, as the hon. gentleman has represented.

Mr. BLAKE. It is the health of the people which the hon. gentleman is anxious to protect. Would it not be better to prevent these wicked importers of gas pipes from bringing their wares into the country at all?

Mr. McLELAN. It is attending to the health of the people if you give the people employment, and if you keep out an inferior class of piping and plumbing.

Sir RICHARD CARTWRIGHT. Which is the cause that so many people are leaving Canada, I perceive.

Mr. McMULLEN. It is quite clear that, instead of getting revenue from this change we are going to lose revenue, because the Finance Minister admits that a quantity of inferior pipe has been imported, and his object is to shut it out. Thus we shall lose revenue, and he is making a change which will cut down the revenue at a time when we want it.

Mr. MILLS. I am unable to understand how it is, if the imported article is inferior and dearer, that it is imported at all, and why it is necessary to keep out a dear and bad article when a good and cheap article is made in the country. I think the matter is so extraordinary that the hon. gentleman ought to give the House some information on the subject.

Mr. McLELAN. I did not say we manufactured a good article here cheaper than a poor article was imported. I said that inferior articles were being imported at lower prices than a good article could be introduced from abroad.

Mr. FISHER. Did the hon. Minister obtain his information as to the quality of the imported article from the manufacturers in this country or from the consumers who had made complaints?

Mr. McLELAN. From both.

Mr. BLAKE. I am glad to know that the hon. gentleman enquired of the consumer in this case. May I ask whether the consumer invited the hon. gentleman to increase the tax on the imported article?

Mr. McLELAN. I have been a consumer myself.

Mr. BLAKE. The hon. gentleman may be a consumer, but I did not credit him with knowing anything about this. It was the information he obtained I wished to be communicated to us.

Mr. MILLS. It is clear the hon. gentleman has consulted the party in whose opinion he has the greatest possible confidence.

Gloves and mitts of all kinds, 30 per cent. *ad valorem*.

Sir RICHARD CARTWRIGHT. Here there is an increase of 5 per cent. Does the hon. gentleman expect in this article to obtain a revenue, or is this another addition to the burdens of the people, under the guise of protecting some half a dozen, to the detriment of some half dozen millions?

Mr. McLELAN. There were two or three rates on gloves previously. I put them all together and make them a uniform rate. We were manufacturing certain descriptions of gloves in this country, but the finer and higher priced gloves have been imported, and I assume will be for many years. They are importing into England and the United States French kid gloves, and as we are charging upon silks 30 per cent, I did not see any reason why silk gloves or fine kid gloves coming from abroad, should not

Mr. McLELAN.

be charged at the same rate as the silk dress that is worn with them.

Sir RICHARD CARTWRIGHT. What additional amount do you expect to obtain?

Mr. McLELAN. We get from \$15,000 to \$20,000.

Mr. BLAKE. Is this an additional amount?

Mr. McLELAN. Yes.

Mr. BLAKE. Was there any application from manufacturers in this case?

Mr. BOWELL. No.

Mr. McMULLEN. They evidently have had a monopoly in the manufacture of gloves in Canada ever since the National Policy was introduced, particularly in poorer classes.

Mr. BOWELL. No.

Mr. McMULLEN. Yes; they have. There are only a few manufactures here, and this increase will enable them to put their heads together and raise the price. Gloves have been sold cheap, I admit, because there is a competition at home, but that was owing to the fact that they come in competition with imported articles. Now, by this increase, you place the manufacturers of these gloves in a position that they can arrange among themselves for an all-round increase upon all classes of gloves that are manufactured, and the public have to pay for them.

Mr. BOWELL. There were \$362,920 worth imported last year.

Hairecloth of all kinds, 30 per cent. *ad valorem*.

Sir RICHARD CARTWRIGHT. What has been the amount of imports?

Mr. McLELAN. There are two rates upon haircloth, and this is making the two rates uniform. All kinds are being manufactured here, and there is difficulty in the Custom house as to what is furniture; the total value imported last year was \$30,000.

Mr. BLAKE. How many manufacturers are there?

Mr. McLELAN. I do not know the number. But I have seen samples, both of furniture haircloth, and for other purposes, from the manufacturers.

Mr. BLAKE. I presume they accompany the samples with an application for an increase of duty?

Mr. McLELAN. They said: We are manufacturing this description of cloth, and you have a duty upon these goods of 30 per cent., we are making this description of cloth, and you are charging only 20 per cent.

Mr. BLAKE. And they asked the hon. gentleman to lower the 30 to 20?

Mr. McLELAN. No, they did not ask that.

Sir RICHARD CARTWRIGHT. Was there any revenue in this at all?

Mr. McLELAN. There would be a little revenue, about \$500. It is more for the sake of uniformity than for the sake of revenue.

Harness and saddlery of every description, and parts of the same, 30 per cent. *ad valorem*.

Sir RICHARD CARTWRIGHT. How did that stand? I thought that part of that was 30 per cent., if I remember aright.

Mr. BOWELL. Portions of it. If you look at the tariff you will find that some is 30 per cent. There are

certain products, that are parts of machinery and parts of carriages, which are also charged 30 per cent., and some are 25 per cent. A difficulty has arisen as to what really constitutes part of a carriage, take for instance the snap; if it comes in straight, it is ruled as not a part of the carriage, and pays 30 per cent., if bent to go over the fills, it has to pay 35 per cent. The object of this change is simply to do away with the difficulty that has existed. There is no revenue expected from it.

Mr. SCRIVER. The hon. member is speaking of carriages. This is harness and saddlery.

Mr. BOWELL. It is precisely the same thing. The same principle applies.

Mr. SCRIVER. There are no large manufacturers of harness and saddlery in the country. The present duty is 25 per cent., is it not on saddlery?

Mr. BOWELL. Yes.

Mr. SCRIVER. I can see no good reason why the duty on this article should be increased. 25 per cent. ought to be a pretty good protection.

Mr. BOWELL. I thought I was referring to hardware. I am obliged to the hon. gentleman for calling my attention to it. This is simply an increase of duty of 5 per cent. upon harnesses and saddlery manufactured in the country.

Mr. SCRIVER. Can the Minister give the House any good reason for that increase of duty? It can hardly be made in the interest of protection, I think, because harnesses and saddles are not manufactured here on any large scale, so far as I am aware.

Sir RICHARD CARTWRIGHT. What is the total importation of harness and saddlery?

Mr. McLELAN. \$42,000.

Sir RICHARD CARTWRIGHT. \$42,000 is all we imported, I should think that the direct result of this will be to add, as my hon. friend behind me says, a considerable sum of money to the burdens of the people. Practically speaking, the price of harnesses and saddlery is regulated by competition from abroad. If \$42,000 is all we imported, I should suppose that a million would about represent what was made in this country, because the quantity consumed of harnesses and saddlery must be very large if, for the sake of getting a few hundred dollars revenue, you are going to add to the price of a much larger quantity of goods manufactured in the country. It may be all very well for the manufacturers, but it is pretty hard for the consumer.

Mr. BOWELL. I find, on reading this item again, that I was literally correct in my first remarks; I was misled by the remarks of the hon. member for Huntingdon (Mr. Scriver). Take the hames, for instance, as part of the harness, they come in at 25 per cent., but are ruled, in some cases, by some collectors, as a manufacture of wood, and by others as hardware, as there is some hardware upon them, if it came in separately, would pay 30 per cent. The real object of this item is to make the harness and hames, and everything connected with it, whether as a whole or in part, 30 per cent. Some parts of the harness, particularly the hardware, now pay 30 per cent., while the harness itself, when manufactured as a whole, only pays 25 per cent., and so with the plated ware that formed part of it.

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

After Recess.

IN COMMITTEE—THIRD READINGS.

Bill (No. 58) to incorporate the St. Lawrence and Atlantic Junction Railway Company.—(Mr. Colby.)

Bill (No. 34) to incorporate the Lake Superior Mineral Railway Company.—(Mr. Dawson.)

Bill (No. 59) to incorporate the First Synod in the Dominion of Canada of the Reformed Episcopal Church.—(Mr. Beatty.)

Bill (No. 30) to incorporate the E. B. Eddy Manufacturing Company.—(Mr. Wright.)

Bill (No. 42) respecting the Saskatchewan Land and Homestead Company (Limited).—(Mr. Orton.)

Bill (No. 44) to incorporate the Bow River Coal Mine and Transportation Company.—(Mr. Robertson, Hastings.)

SECOND READING.

Bill (No. 95) to incorporate the Victoria and Sault Ste. Marie Junction Railway Company.—(Mr. Dawson.)

WAYS AND MEANS—CONCURRENCE.

House proceeded to consider resolutions reported from Committee on Ways and Means.

Laces, braids, fringes, embroideries, cords, tassels and bracelets; also braids, chains or cords of hair, 30 per cent. *ad valorem*.

Mr. McLELAN. This is an increase for the purpose of revenue, and to place these articles with goods of the same class that are now paying 30 per cent.

Sir RICHARD CARTWRIGHT. What is the amount imported, or supposed to be imported?

Mr. McLELAN. I imagine it would come to over \$750,000.

Sir RICHARD CARTWRIGHT. How much duty is expected?

Mr. McLELAN. About \$45,000.

Sir RICHARD CARTWRIGHT. Five per cent. on \$750,000 would not give \$45,000. The increase must be nearer 10 per cent.

Mr. McLELAN. On some of the articles there is 10 and on some 5 per cent. increase.

Mr. BOWELL. This is one of the articles to which the deputation of merchants who came here referred. Their contention was that all these classes of goods should bear one rate; they were not particular what it was; but in order to avoid any difficulties in the appraisers' department in the different Customs houses, they thought it better that they should be all under one head; and from a Customs standpoint, I think their suggestion was a good one.

Lead pipe and lead shot, a specific duty of one and a quarter cent per pound.

Mr. McLELAN. This is classed under the manufactures of lead. We have now a duty on lead scraps of 40 per cent. per cwt., on bars, blocks and sheets of 60 per cent, on shot of 30 per cent, and on manufactures of lead of 30 per cent. This does not change the duty very much from what it was.

Sir RICHARD CARTWRIGHT. It is quite clear there is a large addition in the duty on shot. What additional revenue is expected?

Mr. McLELAN. I do not expect any additional revenue. The sum collected last year was about \$10,000, and we expect to receive about the same this year. There is considerable lead pipe manufactured from the refuse of acid tanks in chemical works, which is rather of an inferior description and is manufactured very largely for export. The manufacturers here import the new lead, and give a better class of pipes. The increase is only about $7\frac{1}{2}$ per cent.

Sir RICHARD CARTWRIGHT. The duty on 482,000 pounds was \$4,500. The duty now, under this regulation, will be a little over \$6,000. That is an increase of one third. If the duty before was 30 per cent, it will now probably be about 42 or 43 per cent., at one and a quarter cent on shot. Lead pipe I cannot trace here.

Oleomargarine, butterine or other substitute for butter, a specific duty of 10 cents per lb.

Mr. PATERSON (Brant). With reference to this item I desire to say a few words. The articles here mentioned, and on which it is proposed to levy a duty of 10 cents per lb., are articles which, in the estimation of many, are not wholesome, and should not be allowed into the country, or allowed to be manufactured in the country. The only plea that has been urged for their manufacture is that they would provide a cheap substitute for butter, but the House will see at once that the proposition of the Minister will not accomplish that object, because, if we impose a duty of 10 cents a lb. upon that article, it will not be a cheap substitute for butter, and the price will range very often as high as that of butter itself. The inevitable effect, therefore, under this proposition, would be that oleomargarine or butterine, such as would be imported into this country, could not possibly be manufactured out of the pure article; but must of necessity be made of the inferior article described so graphically by the hon. member for Cornwall (Mr. Bergin) the other day. There is also the proposition that we should have it manufactured in the country and charge an Excise duty of 8 cents per lb. on its manufacture. I feel we have heard sufficient already to make us hesitate before permitting this article to become an article of consumption in our midst. I do not propose at present to deal with its manufacture, because we will have an opportunity of discussing that question when we come to consider the resolution imposing the Excise duty, but I take this opportunity, the first which has come before us in which a motion can be made in reference to this matter, to move:

That all the words after "butter" be struck out, and the following inserted: "The importation of these articles into Canada is hereby prohibited, under a penalty of \$200, together with the forfeiture of such goods and the packages in which they are contained."

Mr. McLELAN. In reference to this amendment, it goes squarely to the point aimed at by the proposition we have here. We supposed that a duty of 10 cents per lb. on oleomargarine, approaching anything near the quality that the hon. gentleman opposite says he gives to his employees in the lumber district, would be to raise it to a price which would prohibit its being brought into the country. The intention of the Minister of Inland Revenue was that there should be such an arrangement made for the inspection of the article, when being manufactured or being imported, as would warrant that it was, in so far as it was possible to discern by scientific analysis, made in the manner described by the hon. member for Cornwall (Mr. Bergin) the other day. It was counted on that the duty of 10 cents per lb. upon an article such as the hon. gentleman supplies to his men and the better class of this oleomargarine, would have practically a prohibitive effect; but if the House would prefer that we should say squarely the article should be prohibited in all respects, we have no objection to give practical effect to the will of the House. The hon. member for Cornwall (Mr. Bergin) and several others made very strong cases and gave us instances respecting the manufacture of this article which were not before us when the decision was arrived at to impose this duty, and perhaps the sense of this House might now be squarely in favor of prohibition.

Mr. PATERSON (Brant). It will be seen at once that my proposition is the better of the two. If the intention of the Minister was to prohibit the article, why not have

Mr. McLELAN,

said so? The effect of his proposition was not to prohibit its importation, but to give us the lowest and worst kind. I propose squarely that, in the interests of the country, its importation ought to be prohibited completely.

Mr. BOWELL. The hon. gentleman is under a misapprehension as to the remarks of the Hon. Minister of Finance. What was stated in the House was this, that 10 cents per lb. would be considered as a prohibition, in so far as it affected the cheaper qualities of this article, and then the provision was made by the resolutions which have been introduced by the Minister of Inland Revenue for a thorough and complete inspection of the article before it could go into consumption in the country. So that the poisonous article to which the hon. gentleman has referred and which he desires to keep out of the country altogether would, under the resolutions and under the inspection which it is proposed to give them under the provisions of the inland revenue law, be prohibitive.

Mr. PATERSON (Brant). There is no inspection of importations.

Mr. BOWELL. I beg your pardon. Provision was to be made not only for the inspection of the article manufactured in the country, but of that which was imported into the country, and the Adulteration of Food Act itself would provide for that if there was no provision proposed to make it stronger; if the Adulteration of Food Act is not sufficiently strong, the Government would take the precaution to prevent the possibility of an article of this kind coming into the country and so entering into consumption. However, I am not at all opposed to the proposition made by the hon. gentleman from Brant (Mr. Paterson). If this article is not a fit article for food, and if it is going to injure the agriculturists and the dairy interests of the country, and can do no good to those who are to consume it, by all means prevent it coming into the country.

Mr. MILLS. The hon. gentleman, in accepting this resolution will be obliged to do a great deal more. This resolution is not merely a fiscal regulation, but one relating to the adulteration of food, and upon that ground my hon. friend who moved this motion has based his objection to the proposition that the hon. gentleman proposed to make. Now, if the hon. gentleman excludes the article of oleomargarine manufactured abroad, he will have to take steps for the purpose of prohibiting the manufacture of a similar article in this country. It is not enough that the hon. gentleman should undertake to prevent the importation of an article that is deleterious to the health of the community. He will be required to go further. The very reasons which are sufficient to justify him in interfering with trade, are also sufficient to justify him in interfering with the manufacture. If the hon. gentleman proposes to prohibit the importation of this article altogether, and permit it to be manufactured in the country, he will defeat the object which is in view in this resolution. The hon. gentleman admits that this article is one that is unfit for food, that it ought not to be made an article of consumption. He, on that ground, accepts the resolution of my hon. friend from South Brant (Mr. Paterson). Having done that, he will require to go a step further and prevent the manufacture of an article of the same kind in the country. I trust that we shall have some declaration from the Minister of Finance on this subject so as to see how far he proposes to make this regulation effective. It would be a monstrous thing to prohibit the importation of the article and at the same time to make provision to encourage its manufacture in the country.

Mr. McLELAN. This is a matter which the Minister of Inland Revenue will deal with.

Mr. JACKSON. I think the attempt of the hon. gentleman to put on my shoulders the ground for the introduc-

tion of this comes with a very bad grace from him. It is only two days ago that I spoke on the subject, and this resolution was introduced on the 20th March, I said that an article which was not injurious to the public health, if it could be produced cheaply, should be allowed to go into consumption, but that, if an Excise duty of 8 cents a lb. was placed upon it I would not agree to it, because I wanted it to be a cheap article for the use of the poorer classes in the community. The article which I imported was a good article, and if an article of that kind could be produced cheaply, so as to become common throughout the country, I should support that measure, and I recommended the Minister of Inland Revenue to remove the Excise duty entirely in order to let it come into common consumption, if it could be done without its being injurious to the public health.

Mr. COSTIGAN. I hope there will be no misunderstanding as to the position of this question which is before the House. I regret to say that it appeared that I stated this was not injurious to health. What I said was, that it was not necessarily injurious to health. I shall be as well satisfied if the decision of the House is that this should be excluded from the country as if it were the reverse, but the House and the country should not be under a wrong impression as to the conditions under which it was intended that this article should be imported. While I am satisfied, from what I have heard, that some of this oleomargarine or butterine is of an objectionable character, still I am of the opinion that some of it may be manufactured in such a way as to be a really useful substitute for butter, and a really wholesome article of food. There would be no danger, if that is the only objection, of not preventing the importation of the poisonous article. Provision could be made for inspection under the importation before it entered into consumption, as well as for the inspection of the article manufactured in the country and for the inspection of the ingredients which enter into the manufacture in Canada. Another restriction that would be placed upon it would be to limit the number of ports in the country through which it could enter into Canada, providing that it could only be entered at the principal ports, where we could have it inspected so as to provide that the poisonous article should not be imported. If the House thinks it should not be allowed to be imported at all, I am quite willing to accept that decision, but I do not think the House is compelled to come to the conclusion that it is absolutely necessary in the interests of the health of the country that this article should be excluded, because I think it can be dealt with both in regard to its importation and manufacture in the country.

Mr. BLAKE. The Minister of Finance has stated that the object which the Government intended to accomplish by their proposition was to prohibit the importation of oleomargarine into this country. Oleomargarine consists either of that cheap article which is injurious to health, and which he was going to prevent by the fiscal regulations for inspections, or of the dearer article to which, if you add 10 per cent., you get it prohibited by the Customs duty. The cheap were to be prohibited through the Inland Revenue Department, and the dearer through the Customs Department; so the net effect of the two provisions of the Government, the one of the Minister of Inland Revenue, who is going to restrict the number of ports through which you may import oleomargarine, who was going to have an inspection, who was going to take care that none of the objectionable articles came in through his sieve, and then the 10 per cent. upon the dearer article which would prevent it from coming into competition with butter at all—the combined effect of these two complicated provisions was to prohibit the introduction of oleomargarine into the country. That is what the Finance Minister stated. I quite agree with the hon. member for Brant (Mr. Paterson)

and that if what we want to do is to prohibit the introduction of oleomargarine, we had better prohibit the introduction of oleomargarine into the country, we had better do what we want to do. We had better do it directly. We had better say, we wish to prohibit the introduction of oleomargarine, and because we wish to prohibit the introduction of anything prohibited, we do so. Instead of proposing to prohibit it directly, we whip the devil round the stump, and prohibit it in part by the Minister of Inland Revenue, and in part by the Minister of Customs. Now we have found out, through the process of discovery, that the hon. member for Brant has sent on foot, what the real intention of the Government is. I quite agree, also, that the same views which subsist with reference to the importation subsist also with reference to the domestic production, and subsist in the minds of the Government. The hon. gentleman says: I am going to prevent the manufacture of the inferior and objectionable oleomargarine; made of cheap materials, by my system of inspection, and as to that which is unobjectionable, and consequently made with the dearer materials, why, there is an 8 per cent. Customs duty.

Mr. BOWELL. The deductions drawn from the remarks made by the Minister of Inland Revenue are not at all correct, even though they have fallen from so great a statesman as the leader of the Opposition. It does not follow that because you propose to prevent the importation of an article into the country, for any reason, that therefore you should prevent its being made in the country. You may prevent the importation for many reasons, and particularly on account of the difficulty which presents itself at every port, that the collector having to ascertain the difference between the better class of oleomargarine and butter itself. You may very properly say that any article bearing that name shall be prohibited; but it does not follow that the manufacture of an article, if made in this country, say, out of pure, clean tallow, should also be prevented. A large quantity has been made during the past year in the city of Montreal, out of pure tallow, and exported to a foreign country. When we made provisions for putting an Excise duty upon the manufacture in this country, it was with the same view with which we had put 10 per cent. upon the importation. The question arose at once: Will you prevent the manufacture of a good article in this country? If you prevent the manufacture of an article which is not deleterious to health which may be manufactured out of pure lard or tallow, then you should put a sufficiently high duty upon it to prevent its coming into competition with dairy butter. We had no desire to prevent the manufacture of it in this country, provided it is made from pure materials and exported out of the country. I do not think we would be justified in preventing the manufacture of any article for exportation. The attack has been constantly made upon us under the National Policy that though we protect articles in order to increase their manufacture, our export trade has not increased, and now it is proposed to prevent the manufacture of an article for export. By a thorough inspection such as can be provided there is a possibility of preventing an inferior or deleterious article either from coming into competition with dairy butter, or if it does come into competition, it would have to be made of an article of sufficient value, together with the Excise duty, as not to drive butter out of the market. If the article is not poisonous, if it is not made from those putrid carcasses to which the hon. member for Cornwall and Stormont (Mr. Bergin) referred the other night, but out of a pure material, then there can be no harm in its being manufactured in this country, either for use or exportation.

Mr. PLATT. The Minister overlooks a very important point when he says there is little or no danger from the manufacture of an article under the name of oleomargarine or butterine if manufactured from good healthy material.

He forgets the success with which it has been made actually to counterfeit butter. If the article were manufactured in this country it would be entered for consumption as butter. The argument, as I understand it, from this side of the House, is not so much an objection to the manufacture and sale of an article under the name of oleomargarine, but against a base counterfeit of butter. Our objection to the Government proposition is allowing the importation of an article that is almost continually sold under the name of butter, of which it is a counterfeit. Statistics in the United States show that of the vast amount of butterine or oleomargarine sold in that country only 1 per cent. of it has been sold under its proper name. Of the 200,000,000 lbs. annually sold there for the last few years, only about one one-hundredth of it was sold as butterine or oleomargarine; all the rest was sold and consumed as butter. I agree with the hon. gentleman who said that such a substance as oleomargarine, made from pure, clean beef suet, cannot be considered as an unwholesome diet. We are in the habit of using fats in various ways, that are not only an unobjectionable but a really wholesome diet. I do not know that we are prepared to define what people may eat to such an extent as to say that no more fat of any kind should be used. But as I have already stated there is danger to the community, and that danger has not been overcome in those States that have legislated expressly on this matter. There can be no doubt that the Minister of Inland Revenue is very confident in his ability to combat this threatened danger with the machinery at the command of the Department. But if he should succeed in regulating the sale he would do far more than has been done in the various States of the Union. Twenty States of the Union have legislated on this subject for years and have exhausted the machinery at their command to regulate or suppress the nuisance, and they have given up in despair, and are at this moment asking Congress at Washington to come to their relief, acknowledging their utter inability to cope with this difficult subject. In taking this stand, Mr. Speaker, I am not dealing with it entirely as a trade question; far from it. There are reasons why we should refuse to support the resolution submitted by the Minister, separate altogether from the question of trade. To the first, I have already alluded—danger to the public health from the importation of an article, which we believe the evidence already placed before the House, is quite sufficient to condemn as unfit for food. It is our duty not only to prevent the importation, but also the manufacture, sale and use of such an article. If we could guarantee the manufacture of *bond fide* oleomargarine, no one would object, but experience has shown that it is utterly impossible, so perfect is the counterfeit, and so easy is it to escape detection, to prevent the importation of a dangerous article, which is sold not as good oleomargarine, but as pure farmers' butter. Therein lies the danger. First, we have a right to protect the public health by preventing the use of such a deleterious article; and, so far as regards the trade question, we have a right to protect the farmer, not from the importation of an article of known quality that goes into competition with his product, but from a fraudulent compound. We wish to protect the farmer from a counterfeit of one of the products of his farm. If the Americans or foreign manufacturers wished to import a good article of butter to come into competition with the butter produced by our farmers, that would be a very different question. They do not import butter, but a spurious, deleterious article, and they bring this into the country in competition with our farmers' butter. We are justified, aside from the trade question involved, in reaching out our arm and protecting the farmers of the country. I do not use the word "protection" in any political sense; I simply use it as I might use protection from fire, lightning, or anything of that kind. There is the strongest objection, in some quarters, to the prohibition of this article,

Mr. PLATT.

on the ground that it might be made, if properly manufactured, to constitute what we might term the poor man's butter. It is said that the poor man uses oleomargarine, and that it would be entirely too bad to deprive him of the right of using that substance if he wished. I say that every argument brought forward during the previous discussion, every argument presented in the proposition made by the Minister, shows that it was not the intention of the Government to give the poor man cheap butter, but their object is to make both good and bad butterine or oleomargarine a dear article. It will not only prevent the importation of the cheap article and the manufacture of a cheap non-deleterious article but all the taxation and interference with trade goes to increase the expense of manufacture. Therefore cheaper material can be used, and instead of giving the people a good article of oleomargarine or butter substitute at a cheap price, it has the opposite effect of giving us a very nasty article at a very dear price. I believe that if we looked at the matter as protectionists, talking as we would if we belonged to the other side of the House, we would certainly be justified in protecting the farmers. As advocates of a revenue tariff we feel ourselves equally justified in standing by the farmers. So far as I am individually concerned I have always said that as an advocate of a revenue tariff I would extend incidental protection to the chief industry of the country. I have always looked upon farming as the industry of this country. There are many other reasons why agriculture is deserving of protection far beyond the whole of the other industries in the country. We know very well what the farmers require—and I cannot better express my views upon this subject than by giving those of an eminent man who is fully acquainted with the subject. In addressing a committee of the House of Representatives at Washington, Mr. Joseph H. Reall, President of the American Agricultural and Dairy Association, said:

"Of the entire annual products of the farmer, amounting to millions of dollars and exceeding all other products together, there is no adulteration or fraud in a single item. His grain, meat, fruits, and everything he produces are sold in their pure state and at the minimum price. Corn is made into glucose and bad whiskey after it leaves his granary. Adulterated crackers are made from the flour long after the wheat leaves his bins, and lard is converted into creamery butter after the hog has gone out of his pens. But it is not so with what he buys. About every article sold him is adulterated or misrepresented. He gets impure sugar, glucose for molasses, adulterated coffees, teas, spices and tobaccos, short weight soaps and candles, adulterated cloths and calicoes, shoddy clothing, imperfect machinery, fraudulent fertilisers. He is swindled with patent rights, lightning-rods and spurious seeds, and consumed with taxes and interest. He sells pure foods at the lowest possible price, and buys inferior ones at the highest. And while he stands all this he cannot live if a principal article of his production must compete with a base counterfeit made at half the cost of his honest product. Of all the farmer's productions butter is the only one that can be counterfeited. The speculator cannot make imitation milk, cheese, corn, wheat, oats, meat, fruit, or any other article of farm produce, or he would do it."

It may seem strange to many hon. members that this subject, which has so recently been taken up in this House, has engaged so much attention in this country. During the last several months the farmers' institutes and dairymen's associations have met and discussed the question in various parts of Ontario, and they unanimously came to the conclusion that the danger which has so long threatened the farmers of the United States is now beginning to threaten the farmers of Canada, and I believe a deeper interest is felt in this subject among the farming community than has been felt on any other subject for some years past. With respect to the other point, as to how the farmer can be protected from this counterfeit, I will read the remarks made by the same gentleman to whom I have alluded. He said:

"The fraudulent sale of butterine will, unless stopped, drive out the sale of butter entirely: first, because it always has been and always will be sold for butter. It is a perfect counterfeit, and consumers are not microscopists or chemists. Honest butter cannot compete with it. It can be made and sold at 10 cents per pound wholesale and retailed for 15 cents. While we can sell butter at a low price it cannot be sold

for this. Genuine butter must therefore be driven from the market. We can make pork at 3 cents, beef at 5 cents, wheat at 50 cents, corn at 25 cents more successfully than we can butter at present figures, and God knows none of these prices pay the farmer. We ought to have 30 cents for good butter. It is an expensive article to make, but we can produce the finest for 30 cents on the average. That is the bottom, and we have been forced to find that bottom."

Now, Sir, I shall not trouble the House with any more quotations further than to show the extent to which this hon. gentleman thinks that the farming community on the other side of the line are interested in this very interesting subject. Speaking of the difficulties by which the farmers of that country encounter in making themselves heard and understood, as they wish to be heard and understood, he says:

"The average dairyman cannot come here to represent his interests. If he could we should have two millions here to-day urging the adoption of measures for relief, for from one end of the country to the other they are aroused as no class of farmers were ever stirred up before. They see their lands and homes going to ruin, and if their prayer for relief is not granted, their industry is doomed.

"They would come here in person and voice their sentiments, but a trip to Washington would cost more than the profits that a majority realised last year. They must remain at home and toil and struggle to keep from bankruptcy.

"Few realise how by what slow degrees the farmer earns his money. God knows that he and the laboring man get little enough at best, and no condition of affairs can give either too much. And as the laboring people have begun to assert their rights, and they have only begun, so will the farmer soon begin to demand his. Both have been too long and too much neglected, while other interests have been fostered; but the march of intelligence is teaching them their power and impressing them with their rights. The coming union of the farmers and laboring men of America will constitute the greatest power ever organised in any country."

I believe these remarks are made with a great deal of truth so far as the American Union is concerned, and if we on this side of the line temporise with a question of this kind, it will be but a few years when the same remarks may be made with equal truth of the farmers of this Dominion. I believe that the Parliament of Canada is justified in prohibiting not only the importation but the manufacture of this article in the country. It is not needed here; it is not going to help anybody; it is not going to increase the price of the raw material which is needed for other purposes, and the more we hamper it with legal restrictions the further we will go towards insuring a dear and deleterious article as the produce of our manufactures. The heavier the tax you place on its manufacture, the more roguery and evasion of the law will you find practiced; that has been the experience of other countries, and that will be our experience. If we are to believe one-half of what has been stated on the other side of the House as to the character of the materials which enter into these compounds, the House should rise as one man in favor of a proposition to prohibit their manufacture and importation. Let us not allow the difficulty to gain a foothold in this country. The difficulty in the United States is that they have allowed it to go on until it has attained such proportions that legislators find it almost impossible to combat it. Now, we have taken hold of the matter in its early stage; we have it in our power to prevent the evil gaining a foothold in our country, and it is our duty to exercise that power. If we make a mistake now in prohibiting the importation and manufacture of the article, it will be easy to retrace our steps, but if we find that by adopting the suggestion of the Minister of Inland Revenue we have made a mistake, we will find it extremely difficult to retrace our steps; we will find ourselves surrounded by the same difficulties that were met with on the other side of the line. In conclusion I beg to suggest to the Minister of Inland Revenue as well as to the Minister of Customs, that so great has become the extent of this fraudulent industry on the other side of the line, so constantly are attempts being made to export these deleterious articles to other countries, and so perfect has the counterfeit article become, that any substance said to be butter coming from across the line and entering our Custom houses should

be carefully examined. It is unlikely that they would import a good article of genuine butter into Canada, but under the name of butter they could import this oleomargarine, and bring it into competition with butter. This is all the more likely to occur since the recent stringent enactments in the State of New York.

Mr. BOWELL. If we adopt the resolution as proposed by the hon. member for Brant (Mr. Paterson) it would necessitate some other action on the part of the Government to make provision for the prohibition of this article. I would propose the following as an amendment, or, perhaps, the hon. gentleman will be disposed to accept it instead of his own. I would move that this item be dropped, and the following be substituted:

The importation into Canada of oleomargarine, butterine, or other substitutes for butter, is hereby prohibited under a penalty of \$200, together with the forfeiture of such goods and packages in which they are contained.

That would mention the articles which are to be prohibited, whilst the resolution of the hon. gentleman simply says that this is to be struck out, and these articles are to be prohibited. Then, of course, we should have to provide a similar resolution of this kind in order to provide against the importation of such articles as are herein mentioned. We might, of course, adopt another plan by moving that this item be struck out, and then moving this as a subsequent resolution.

Mr. HESSON. It is gratifying to observe hon. gentlemen on the other side one by one announcing their belief that the people of Canada require legislation of this kind; and I observe that when these hon. gentlemen do make a move in that direction they seem determined to go even further than the party which have been considered peculiarly the advocates of protection in this country. It is true that some hon. gentlemen are against the Government on the principle that they should not increase the rate of duty. But hon. gentlemen are coming to view this matter in the interests of the country, and to believe that it will not do as in the past to make it a party question, but that all will find it desirable to pull together for the general interest—a result which will not only be successful in its object but gratifying to the people of Canada. With reference to excluding this article from our market, I would be prepared to go as far as to require that the Government should prohibit its importation altogether. There is one difficulty, however, which arises, and it was pointed out very strongly a few days ago by the statement made by the hon. member for South Norfolk (Mr. Jackson) when he declared that the article of oleomargarine which he purchased in the United States was so good that neither experts nor the people who were using it from day to day made the discovery that it was a fraudulent article, or that they were using anything else than good butter. This circumstance proves how difficult it will be to shut out that article entirely from the Canadian market, while at the same time permitting American butter to be imported into the country. I do not think that we would likely be fortunate enough to succeed in excluding these substitutes for butter unless we excluded American butter at the same time. I do not think that is contemplated or that it would be desirable. It is well enough to obtain a revenue from it, and I will be glad if we would exclude that which is entirely worthless, and at the same time I would support a resolution in favor of prohibiting oleomargarine from this market altogether, until it has been shown that it can be manufactured, or is now manufactured, of wholesome and cleanly ingredients. If it can be made out of such articles under the inspection of a competent Government official or a medical man, if it can be put on our market cheap and healthy and good, I do not see that any objection could be made to its being manufactured and sold to those who are willing to buy it. If it

is unwholesome and uncleanly, we should protect our people from being in a position to purchase it under any pretence whatever.

Mr. TAYLOR. When I introduced my resolution I expressed the hope that it would meet the unanimous approval of the House. I stated further that I was surprised to see some of the newspapers of the country taking exception to the course being pursued. To my further surprise I found the hon. member for Charlotte (Mr. Gillmor) opposing the motion altogether, and the hon. member for South Norfolk (Mr. Jackson) asking that the Customs and Excise duty should be reduced. Now, I find the hon. member for Prince Edward (Mr. Platt) saying that he and his friends on that side of the House are not only protectionists, but are willing to go one better. The hon. gentleman who moved this resolution no doubt saw that the subject was popular in the country, and was willing to swallow protection; and, from the remark of the leader of the Opposition, I judge that this resolution means, if it means anything, that hon. gentlemen on that side of the House want the importation of oleomargarine to meet the views of the hon. member for South Norfolk. In discussing this question with the Finance Minister, the Minister of Customs and the Minister of Inland Revenue, it was suggested that as soon as these resolutions passed, every manufacturer of oleomargarine in the United States would export into Canada this article under the name of butter; and if my hon. friend's resolution passed, it would be imported into Canada as butter paying a duty of 4 cents a pound. In discussing the matter with the Finance Minister, the proposition was made that the Customs officer, at any point where the article was imported, should take a sample and send it to Ottawa to be analysed. The leader of the Opposition says the resolution if carried will save all the expense of an inspection. If this resolution is adopted, and other precautionary measures not taken, we shall have more oleomargarine in Canada than we know what to do with. The hon. member for North Norfolk (Mr. Charlton), stated the other day that he was in Wisconsin last fall on a visit, that he found that the hog cholera had been raging there for some time, and that the oleomargarine manufacturers sent agents through the country to buy up hogs that had been dead three weeks, to make them into oleomargarine. I am willing to go one better, but I thought the matter could be best guarded through the Customs Department or Inland Revenue Department, and by having a proper inspection, and that 10 cents a pound would amount to prohibition. I am prepared to support the motion.

Mr. McMULLEN. The hon. gentleman appears to be quite willing to adopt the course laid down by my esteemed friend at my left. I would just draw the hon. gentleman's attention to the resolution that was introduced by himself on the 7th of the month to show that he is prepared to go one better, and two better now than he was then:

"Mr. Taylor moved, that the House do now go into Committee of the Whole to consider a certain resolution:

"That it is expedient to bring in a Bill to regulate the manufacture and sale of oleomargarine, butterine and other substitutes for butter."

Now the hon. gentleman is willing to prohibit altogether. Then he was willing to regulate the manufacture.

Mr. TAYLOR. I did not think the gentlemen on your side of the House would go that far.

Mr. McMULLEN. I am very glad the Minister of Customs has intimated his willingness to accept the proposition of my esteemed friend at my left. I look on this as one of the most important questions in the interest of the farmers of this country that have come before the House this Session. Butter is a very important production of this Dominion; and if you permit the importation or manufacture for exportation of oleomargarine or butterine, you

Mr. HESSON.

strike a direct blow at the standing of our Canadian butter in the British market. It is well known that genuine American butter does not to-day bring the price in the British market which it ought to bring, owing to the fact that oleomargarine is sent over there, and the people of Great Britain have got so suspicious of American butter that they hesitate to buy it; while Canadian butter in the same market finds ready sale and brings a good price. Therefore if you are going to permit the manufacture and exportation of oleomargarine in Canada, you are going to injure the value of our genuine butter in foreign countries, because the people of Great Britain would say, we cannot tell, when we are getting butter from Canada, whether we are getting the genuine article or only oleomargarine. Butter is becoming a most important product of the farm in Canada. In the Province of Ontario butter factories are springing up in many places, and in the English market our butter is sought after and commands a good price; but if you are going to reduce the standing of our butter in the foreign market by permitting the manufacture or exportation of oleomargarine, you are going to strike a serious blow at our whole butter industry. It would not be as objectionable to permit it to be imported at a duty of 10 cents a pound as it would be to allow it to be manufactured in Canada and exported. We do not produce a considerable quantity of inferior butter; but I am glad to say that the quality is improving very rapidly; and if left alone and properly protected, and not allowed to be interfered with by an article of this kind, the butter of Canada is going to have a very respectable status in the markets of the world.

Mr. FAIRBANK. The only objection I have to make to the remarks of the last speaker, is that he has been saying exactly what I wanted to say. The proposition to legalise and regulate the manufacture of oleomargarine is too important, and is interfering with too important a Canadian industry, to be dealt with lightly. Those who have sat on one of the large parliamentary committees for some years past, will remember that a considerable portion of the time of that committee has been occupied by sitting on either a patent churn or butter firkin, and we have discussed tin pans and various things looking to the improvement of Canadian butter; the fact being fully recognised that the improvement of its quality meant many hundreds of thousands of dollars of profit to Canada. The products of the dairy in Canada have now assumed proportions of considerable magnitude. We not only supply our own demands, but we are exporting to the value of something like \$10,000,000. When the hon. member for Wellington (Mr. McMullen) remarked that you were striking a blow at the exportation of butter when you sanctioned the manufacture here of an article to take its place and to injure the character of the whole, I think he struck a bull's eye. This, undoubtedly, is the very time to nip that in the bud. We are informed a manufactory is already established. What are we to do with it? It would be much better to buy the establishment, look up the door, and throw the key into the St. Lawrence, and charge it all to capital account. Yesterday we were discussing the question of "red dog" flour for the Indians; oleomargarine I would consider the question of "red dog" butter for the white man. I am opposed to both. Who would think for a moment of divesting the dairy maid of the romance, the beauty, and the associations that surround her, by encouraging the manufacture of oleomargarine? Perish the thought. I will grant you that putting the business under the Excise law would pretty nearly crush it, for I do not know anything that can successfully resist the Excise except whiskey and tobacco. But I think we had better go still further by putting the heel on it at once, crushing it completely and ending the matter at the very beginning.

Mr. ARMSTRONG. I do not want to take up the time of the House by discussing the question at great length, but I cannot resist the strong desire to compliment the hon. member for North Perth (Mr. Hesson) and the hon. member for Leeds (Mr. Taylor) on the comfort they extract out of the resolution before the House. I must say that if it is necessary to get comfort for the National Policy out of a resolution like that, the poor old National Policy must be in a very bad way. In fact to extract comfort out of the resolution is equal to the traditional feat of extracting sunbeams out of cucumbers. The fact of the matter is that the resolution is not put up with the intention of protecting our farmers from the competition of the foreign article, but for the express purpose of protecting the consumers of the country against deleterious articles, and also for the ulterior purpose of protecting our butter in the markets of the world. It is done for a higher reason still; it is done to protect the good name of our people in the foreign markets of the world. What is it that makes the cheese of Canada stand higher in the English market to-day than any foreign article? Simply because we give an honest article. What we want to provide is that, in the matter of butter, also, when we send it to a foreign country, people will know they are buying an honest article. That is the object of the resolution now before the House. It may be said that in that way we are giving protection to farmers. If such be the case we cannot help it, but that is not the object of the resolution, and I may say too, it was not the object of the Government in proposing their resolutions. We have the statement of the Minister of Finance, made only a few minutes ago, that the practical intention of the resolution he put before the House was to prevent the importation of oleomargarine altogether; that, in fact, he had taken only a roundabout way to accomplish what the hon. member for South Brant proposed to do directly.

Mr BOWELL. You denied that was his intention.

Mr. ARMSTRONG. Well, as to that, if the only reason for allowing this importation was that it was going to become the butter of the poor man, I could not see the reasonableness of imposing 10 cents per lb. duty on it. The Minister of Customs also told us that the Minister of Inland Revenue was going to prevent the use of oleomargarine in this country by placing an Excise duty upon it, sufficient to prevent its use in this country, but not its export to other countries. What, however, we require to do is to prevent its export as well as its use, and it is a strange way of encouraging the manufacture of an article in this country by placing an excise duty upon it nearly equal to its value. It seems to me the question is a very simple one. Either the article under discussion is a wholesome article fit for food or it is a deleterious article made from material not fit to be used, and made in the manner described by the hon. member for Cornwall (Mr. Bergin) the other night. If it is a good wholesome article, made from clean wholesome material, there is no reason, in the nature of things, why it should be prohibited at all, but we do not know whether such is the case or not, and while we are told, on good authority, that it is deleterious and made out of material unfit to be used, it is but right to prohibit the use of the article altogether, apart from the considerations I have mentioned before. We ought, therefore, to adopt the resolutions of the hon. member for South Brant.

Mr. TROW. I approve of the motion of my friend from Brant (Mr. Paterson). It strikes at the evil at once; it leaves no alternative. If the statements made by hon. gentleman to night describing the materials from which this article is manufactured be correct, it is evidently not desirable that it should be manufactured in the country. Hon. gentlemen opposite probably are prepared to encourage its

manufacture and use in the country; they are apparently committed to that policy, and several of them have said so on the floor of the House. There is something not very logical in their statements. For instance, the Minister of Customs thinks there is no harm in manufacturing the article for export, but at the same time he condemns the hon. member for South Simcoe for having purchased a portion for the use of his men in camp in the State of Michigan, which that hon. gentleman honestly confessed he had done on one occasion as an experiment. I think the Finance Minister is entitled to some credit from his friends on that side of the House. He has shown considerable discretion. It appears he is a creature of circumstances—yields to circumstances. There are some Ministers who do not, but who force their measures through the House in a crude and undigested state, knowing they have supporters who will endorse their measures without any reasonable discussion being had; but the instant the Finance Minister, when the motion was moved by the hon. member for Brant, heard the response congratulating that hon. gentleman, from his own supporters, he yielded to circumstances, not daring to sink or swim by his measure, but prepared to do anything my hon. friend from Brant proposes.

Mr. HICKEY. I think I may compliment the gentlemen on the opposite side, as they all seem to be inclined to compliment the gentleman who has interpreted the motion asking that the 10 per cent. duty be interpreted as a prohibition. It only shows that those gentlemen are getting back to their first love, and I have no doubt that in four or five years they will be out-and-out protectionists. I am sure it is pleasant to see that they are getting this glimmering of light. It is said that the manufacture of this article ought to be prohibited, and the member for Wellington said the export duty was the worst feature in regard to it. Hon. gentlemen must remember that Canadian butter has not now been heard of for the first time in the foreign market. It has held its place in the foreign market for some years, and it has been nearly driven out, and its character has been ruined, particularly in the English market, by the importation of American butter into this country and its being shipped to London as Canadian butter. I know that well from those who are dealing in that article. One of the largest exporting places in Canada is Morrisburg, in my own constituency, and Morrisburg butter is quoted on the English market. I know that for the past two years Canadian butter has been injured by United States butter being imported into this country and shipped to the English market as Canadian butter. The exports will not be injured if this oleomargarine is admitted into Canada. It will be no worse than a great deal of the butter which is shipped in here from the United States, if it is so good an article, as has been stated, that it is impossible to tell it from good butter. When you remember that the Government provide that the article made in Canada shall be made of clean tallow and clean fats and proper oils, and that these articles shall be subject to inspection before manufacturing, and that the whole factory shall be subject to inspection, and that, when the whole article is made out of healthy materials, or at least out of materials that are not deleterious, it shall be branded for what it is, and shall not go into the market as butter, but shall be put upon the market branded as oleomargarine or butterine. I do not think there can be an objection to this proposition when thus dealt with. The only way to look after an article of this kind is to keep your eye on it carefully. It will not injure our butter in the foreign market, because, if the Canadian-made article is branded, and every precaution is taken against the importation by making it a criminal offence and subject to a fine as well, the interest of the farmer will be protected as far as the butter is concerned; and, when the article is manufactured and is branded for what it is, no one can object

to that. The hon member for Prince Edward (Mr. Platt) rode the farmer's horse for a time and then got on the poor man's horse. He did not know how the Government would balance themselves exactly, but he thought he would balance himself. He thought that, if this was to be allowed, the farmer should have some consideration; and then the poor man loomed up before him, and he thought the poor man should have some consideration; but he soon left that when he saw his dilemma. I think the Government is taking the wisest course possible. If this article is to be made at all, it is better that it should be made under our own supervision, depending on the integrity of our officials, so that no injury will be done to Canada or to the butter interest.

Mr. FISHER. The hon. gentleman, in trying to place upon our shoulders on this side any idea of protection, in consequence of the action of the hon. member for South Brant, and other hon. members on this side who have spoken, has perhaps forgotten what would be the definition of protection given by him and his friends on that side of the House. On this side, we are not protectionists, but we are prohibitionists.

Mr. HICKEY. You go a step further.

Mr. FISHER. What is protection? It is to protect your manufacture in the country by the duty which you put upon the article from abroad. We do not want to do that, but we want to prohibit the importation of the article and its manufacture in the country as well. Where is your protection?

Mr. HICKEY. I suppose you want to prohibit all manufactures.

Mr. McLELAN. Protect the farmer.

Mr. FISHER. Is the hon. gentleman going to protect the farmer by allowing this butterine and oleomargarine to be sent to Europe? The member for Perth came forward to-night as the advocate of this manufacture in this country. I was surprised to hear this from him, from a gentleman who poses in this House and elsewhere as a friend of the farmer and of the dairyman. He wants this article to be manufactured here and to destroy our dairy interest in the European market, which is our only salvation. In the United States they have had the same experience which hon. gentlemen wish to carry through here. A few years ago, this manufacture was started in the United States, and it was started expressly for the purpose of the export to Europe, especially to England, Holland and Belgium. The result was that, for some time, an article was manufactured from a really good material, so that probably it was not unhealthy to eat at all; but in a short time the people manufacturing this article found that besides displacing butter in the European markets, they could, by manufacturing a poorer quality at a cheaper rate, displace butter in the American markets themselves, and I think we shall probably find the same thing in Canada, which would be a great misfortune in my opinion to the people of Canada as well as to the farmers. The hon. member for South Leeds (Mr. Taylor), as I understood, said he was a little surprised to hear us speaking in this strain, because the other day he did not think we were ready to go so far as he did. The other day he proposed a Bill to regulate the manufacture and introduction of oleomargarine and butterine. At the same time, the Government had upon the paper a resolution in the same direction, and the Finance Minister had made propositions in the same direction. It seemed to me that it was of very little use for a private member to introduce such a measure when the Government had taken upon themselves to deal with the subject. Therefore I said that I did not think it was expedient, and that I wanted to see what the Government were going to do. I have since found out what the Government are

Mr. HICKEY.

going to do. I found that they intended to put a Customs duty upon this article and an Excise duty also, and I have also seen the Bill of the Minister of Inland Revenue by which he proposes to take to the Governor in Council the power to regulate this matter. I understand from the hon. gentlemen opposite that they expect the Governor in Council will in this way obtain such a perfect control over this trade, that they will be able to prevent any bad effects from an inferior quality being manufactured or used in this country. Well, Sir, the hon. member for Perth (Mr. Hesson), a little while ago, said if we prohibited the importation of oleomargarine from the United States, we would not be able to prevent its being imported under the guise and name of butter.

Mr. HESSON. I beg your pardon, I did not say that. I said it would be difficult to distinguish whether it was oleomargarine or butter, and I gave the evidence of the hon. gentleman from South Norfolk (Mr. Jackson).

Mr. FISHER. I accept the hon. gentleman correction, but it does not invalidate my argument. While the hon. gentleman has perfect confidence in the power of the Minister of Inland Revenue to see that this article is inspected when manufactured in this country, or imported from the United States under its own name, or any other name, he thinks, if the article is prohibited, the Minister would not be able to exercise the same supervision over it. It seems to me this is entirely inconsistent, in one case he has perfect confidence in his Minister, in the other case he has no confidence in the Department of that Minister. I still understand from the utterances of hon. gentlemen opposite, that it is proposed to allow the manufacture of this article in Canada. I think myself that the only legitimate sequence to the motion of my hon. friend for South Brant (Mr. Pater-son) will be the absolute prohibition of its manufacture in this country as well as of its importation; I would not myself care to prohibit its importation if we could not also prohibit its manufacture. One of the great reasons put forward for allowing the trade in oleomargarine has been to provide a cheap substitute for butter for the poorer classes. If we put an Excise duty on this product made in the country, we are not going to produce a cheap food for the poorer classes unless the Government expect that the people, whom they are going to protect in this manufacture, will make it out of impure materials. Therefore, I say that the only excuse for the existence of this article in our trade at all is removed entirely, and then its existence here is simply for competition with the article of butter. I am not an advocate of protection in the same sense of hon. gentlemen opposite, or in the ordinary sense of the word, but I am an advocate of protecting our community from any improper and illegitimate competition in their own legitimate trade. Therefore, when I find that this article will not do the community any good, but may possible do harm to the class in which, I confess, I am most deeply interested, the class to which I belong as a dairyman, I am desirous of seeing this proposition carried out in its entirety. Now, Sir, I find that the people of the United States began to regulate the traffic in oleomargarine and butter in 1877, when the State of New York passed a regulating law. At that time this article was made almost entirely for exportation, and of a comparatively good quality. But, in the course of a few years, the people of that State had so waked up to the dangerous character of this trade, that in place of their restrictive law, they substituted, in 1885, an absolutely prohibitory law. I find that the dairymen's association of New York, meeting in that city, passed resolutions declaring that the only safety to the farmers against this illegitimate competition was absolute prohibition. They have had a good deal of experience in this matter that we in Canada have not had; and from their experience it seems

that it is absolutely necessary to prohibit instead of attempting to regulate. I understand that the Government has accepted the proposition of the hon. member for South Brant (Mr. Paterson), and I trust that when they reach the proposition in regard to the Excise duty, they will adopt a similar line of procedure in that matter also. The hon. Minister said that he wished to attain the same end as the member for South Brant. Now I cannot congratulate the Minister who attempted in this roundabout—I had almost said crooked—way to accomplish a certain object. I am afraid the Government wish to obtain this object by a way which would not serve this purpose, but that would protect somebody who may, perhaps, have appealed to them to protect the manufacture in this country. Before I sit down I will ask the Finance Minister if any petition was presented to him, if any request was made to him, by any firm intending under the new law to manufacture this material in the country? I would also like to ask him whether any petition had been sent to the Government from any agricultural association in regard to this matter?

Mr. HESSON. I hope the House will allow me a moment to set my hon. friend right in regard to some remarks which he charged me with having made. I think if he had been present when I spoke he would not have charged me with being in favor of the manufacture of oleomargarine in Canada. I said distinctly that a difficulty would exist in distinguishing it from American butter when both articles were imported, and it was desirable to exclude American butter from our market. I pointed out that the hon. member for Norfolk (Mr. Jackson) had stated that he had purchased it himself for the use of his men, that it was as good as Canadian butter, and with difficulty could be distinguished from a fair article of Canadian butter, and said it was possible that it could be manufactured here under the supervision of a doctor, or at least of an inspector, who would examine the materials used in the manufacture, and so far the Government might secure that it should be fit for human food. The hon. member for Charlotte (Mr. Gillmor) said that if oleomargarine is any worse than the butter that goes from Ontario down to St. John, N.B., it certainly was not worth much.

Mr. GILLMOR. I do not remember saying anything of that kind.

Mr. HESSON. I beg your pardon, it was the hon. member for Carleton (Mr. Irvine). This is literally what I said:

"I should be glad if the Government would take the whole matter into consideration as to whether there is not enough butter in the country and whether the price of it is not sufficiently low as to make it unnecessary to permit the manufacture of an article of this kind at all."

I said further:

"If we have a quantity of butter that is inferior in its quality when it reaches the market, is it not fair to assume that it would be unwise to introduce a substitute even in our own market for those who are obliged to buy a poor article, when that substitute is more unhealthful still than the strong tasting butter that is so properly objected to now. I do not think it would improve the manufacture of butter in Canada, or that it would give employment to many extra hands; and it would be simply, as appears from what the hon. member for Cornwall says, to get rid of the dead stock, such as cattle dying on railway trains, or in passing from one stock yard to another. Now, I think the Government ought to prevent both the manufacture and the importation of it."

Mr. SPEAKER. I do not think it is necessary for the hon. member to read the speech.

Mr. HESSON. I have only a few more words to read.

Mr. SPEAKER. The hon. member is not in order in reading a whole speech.

Mr. HESSON. I am not reading a whole speech, I am only taking a few words out of it. The hon. member had no right to make the charge against me. I repeat that I am not in favor either of the importation or the manufacture of oleomargarine.

Mr. McLELAN. I desire to answer the question put by the hon. member for Brom (Mr. Fisher). The hon. gentleman asked me how the matter was brought to my notice. I am not able to say as to how it was first brought to my attention. I know I discussed it with the Minister of Customs and my colleagues and several members of the House, chiefly with the member for South Leeds (Mr. Taylor), and after a full discussion with my colleagues and considering the information I could gather, I decided to propose a duty of 10 cents per lb., which I concluded would be prohibitory, and I so stated to the House when I first laid the resolution before the House—that I believed it would be prohibitory, and intended it to be prohibitory. I have looked at the report of my speech, but I find that has not been noted. I have a distinct recollection of saying to the House that I believed that duty would be prohibitory if it were imposed. I have no recollection of any petition being sent in in regard to the matter.

Mr. FISHER. Then I understand that no firm is making arrangements to start its manufacture.

Mr. McLELAN. I have not had any communication from any firm desirous of starting its manufacture.

Mr. BAIN. I have listened with a good deal of interest to the explanation now made by the Finance Minister with respect to his object in imposing a 10 cent import duty on oleomargarine, in which he states that it was with the view to prohibit the importation of that article. We coincide in our views in that respect, because, from my standpoint, I think it is desirable to prohibit that article, and so far we are agreed. But when, from that side of the House, we find coupled with that proposition an arrangement by which the article is to be manufactured in this country at a duty of 8 cents per lb. Excise, we begin to look at the matter from different aspects, and I confess I realize the difficulty under which the hon. member for Perth (Mr. Hesson) is laboring, in view of the last turn the matter has taken. He spent much time in endeavoring to demonstrate that he did not say on the last occasion when the question was up what he said to-night. If I understood what he said this evening it was, that he proposed by this adjustment of the respective duties of 8 cents Excise and 10 cents Customs, to enable a manufactory of this kind to be started for the purpose of exporting oleomargarine.

Mr. HESSON. I never mentioned the rate of duty at all.

Mr. BAIN. I am quoting the rates as announced in the official papers of the House by an hon. gentleman he supports; and if that statement is not correct I am open to correction now. It strikes me as very remarkable in view of the hon. member's idea of protection that his idea of the manner in which agriculturists should be protected, and the manufacture of oleomargarine here for export encouraged, was to place an Excise duty of 8 cents and a Custom duty of 10 cents to enable the manufacturer to ship it. Where do we send all our surplus products? If such a business were established and developed the product must find a market where our Canadian surplus butter finds a market. What would be the result. The manufacturer of oleomargarine would be able to produce it at a very low price, and every pound sent to the English market would displace a pound of the butter which our farmers have honestly produced and have a surplus for sale. I do not wonder that the hon. member for Perth feels a little uneasy at the position of the matter; I respect his judgment in feeling uneasy. It is decidedly creditable to his judgment, because he had evidently become so accustomed to believe that the Ministers in charge of the Departments of Finance, Customs and Excise could not do anything wrong, that he simply accepted their statements and declared that they were protection opinions. The hon. member for South Leeds (Mr. Taylor) who brought the

question up—and I think he deserves credit for bringing it up—also seems to be exceedingly anxious with respect to our opinion. When the question was discussed he thought fit to await the action of the Government on their measure, and he was quite content that the farmers should be protected after that fashion, and I do not remember that he foresaw any difficulties arising from the arrangement. Yet that is where it strikes me there is a very serious difficulty in connection with the manufacture of oleomargarine either for exportation or for any other purpose. What has been the difficulty of every farmer for many years? Hon. gentlemen opposite told us that times would be good under the National Policy, but the world seems to have been blessed with productive years and to have surpluses in every direction and to be sending them to the Mother Country. The result of all those surpluses finding their way there has been unprecedentedly low prices for the products of the farm. Under those circumstances hon. gentlemen opposite propose to aid the farmer by encouraging the manufacture and exportation of an article that will undermine one of the great industries of the country, the dairy industry. Hon. gentlemen opposite have no doubt this to say: You gentlemen on the other side are supporters of a measure of this kind because one member happened to say that if this article was good and cheap, he thought poor men should have the benefit of it—a sentiment which every hon. member should echo; and another hon. member said he bought a quantity of that article and sent it to his lumber camps in Michigan and no complaints were made. Yet hon. gentlemen opposite in their innocence never saw the effect of the line of argument used by them and that their proposal was one that would almost destroy the dairy interest of the country. I think the matter is one of prime importance, not as affecting single individuals on this side of the House or that, but as involving the question as to whether imitation butter was a desirable article of which to encourage production and manufacture in our midst for the purpose of taking the place of the natural butter now supplied in such abundance. Granted that some of our butter is an inferior article, yet, Sir, I say, that increasing competition with it by the production of that article would not, by any means, facilitate the production of a purer and better article, but I believe the policy we are looking towards now, of prohibiting the importation of the article, would; and I need not say, as a fair equivalent along with that, that the prohibiting of the manufacture of imitation butter in our midst is the proper course to pursue in the interest of both the farmer and consumer. Let us glance at the experience of the American people with regard to this matter. I am not a particular admirer of American precedents, but I think we should look at the experience of a nation who have displayed a great deal of energy in initiating new systems of production and manufacture, and see what has been their experience with this article. In looking at the American records, I find, that away back about 1878 they first began to legislate with reference to oleomargarine. A large number of the States that bordered on the Canadian boundary, in my own observation commenced about 1878 to pass legislation regulating the manufacture of this article, which shows that for some years previously it had quietly been creeping into their markets, and the influence it was having on their butter market was now beginning to tell. The first effort of this legislation in a general way was simply to provide that if this article was put on the market in any form, the boxes or packages containing it had to be distinctly branded or marked with the name oleomargarine, butterine, or whatever other imitation compound it might be, according to the nature of the raw materials from which it was manufactured; and to-day a large number of these States have upon their Statute-books a statute of this nature.

Mr. BAIN,

These statutes were backed by penalties running from from \$10 up to \$100 for the first offence, with or without thirty to ninety days imprisonment. So it went on for two or three years. In 1882 the difficulty seemed to have spread so much that the Federal Legislature at Washington had two Bills introduced and placed upon the records of the House, approved by the committees to which they were referred, making further restrictions respecting this article, and providing that it should be placed under the charge of the Inland Revenue Department, each package to be distinctly defined with stamps showing the amount of duty that was paid upon it; and providing also that in default of the presence of these stamps the packages should be forfeited and heavy penalties collected. However, with over 700 other Bills which were similarly reported, Congress failed to reach them and both Acts were allowed to lie over. So that matter remained at Washington until this Session; and last week I read a paragraph in the *Ottawa Citizen* setting forth that a gentleman from Pennsylvania had introduced a measure revising these Acts and providing that no manufactory should be allowed in the United States without paying a license of from \$150 to \$200, and that such factories should be under the direct supervision of the Central Government, and that no goods should be offered for sale or exported from these manufactories until these stamps were attached thereto, and severe penalties were prescribed on parties retailing these goods without furnishing with each package a printed or written label correctly describing the article. But the State of New York had taken still further action in this matter. In 1880 when the general census of the United States was taken, it showed that the product of these factories was then no less than \$6,000,000 worth per annum of imitation butter turned out; and when Congress undertook to secure additional statistics from that time downwards, their officials were compelled to admit that they were not in a position to realise correctly what the returns from the manufactory of these goods were, for the reason that the manufacturers held them as secret in a large measure, and declined to give them accurate information. But in 1884 when the State Board of public health under the order of the Senate of New York had a special investigation into this matter, and after taking evidence which was brought before them from different sections of the country, they stated in their report that one manufactory in Chicago alone admitted turning out from six to eight millions pounds per annum. One member of that committee referred to a small factory in Chester county, New York, the buildings and plant of which were not worth \$1,000 and yet that factory turned out 1,600 lbs. daily of this finished product of imitation butter, all the season through. Their estimate was that of the 100,000,000 pounds of butter that passed through the State of New York, either for domestic consumption or export, one-half to two-thirds of it was this adulterated product. And as an additional proof how far this adulterated product has found its way into general consumption, 90 per cent. of the dealers in New York and Brooklyn petitioned the Senate of New York on that occasion to take prohibitory measures, as they found it injured their business, and that the finished article, when well made, was so difficult to detect from genuine butter that nobody but an expert could detect it. It was shown by their investigation that, out of thirty samples they purchased in New York from the most respectable dealers, given to them under the assurance of its being genuine butter, it was found when they were analysed by the State analyst that 20 out of the 30 were oleomargarine, some of them with a trace of pure butter, but in the majority nothing but a slight trace—in no case more than 10 or 12 per cent. They estimated that the loss to the agricultural population of the State of New York alone was at

least \$4,000,000 annually in consequence of this adulterated product. Now, I say it is wisdom on our part to take the benefit of the experience of our American cousins before we license or aid in establishing manufactories of this kind in our midst. We should consider these difficulties, and I think every hon. member will agree with me that the wise plan is to stop the whole thing at the beginning, and as far as possible prevent such a business growing up in our midst. What has been the effect on the exportation of butter from the American market? Take the port of New York. In 1880 when the census was taken in the United States, the exports of butter at that time were \$6,600,000 worth, and the export of oleomargarine, which was then comparatively in its infancy, was about \$2,400,000 worth. Take last year, when these two rival industries had grown up side by side and the western dairy hog had an opportunity of getting into fair competition with the New York farmer's dairy cow, and what was the result? I find that the exportation of butter from New York last year had shrunk to \$3,500,000 in value, and that the exportation of oleomargarine had risen to \$4,500,000; and in addition to that, from the best evidence that the State committee could find, they were forced to say that from one-half to two-thirds of the article which was consumed within the State at home was this fraudulent imitation of butter. And yet we are asked to-day to encourage the manufacture of this article for exportation, by giving them the advantage of at least 2 cents over the prohibitory 10 cents per lb. by which we propose to exclude it as Customs duty. I say this ought to be a warning to us. The State of New York felt so strongly on this matter that, in 1884, on the report of that committee, they passed an Act absolutely prohibiting the manufacture of this article in any shape or form within the boundaries of the State; and they not only passed an Act, but they backed it up, which was the best proof that they believed it to be necessary. They appointed a commissioner whose special duty it was to enforce the Act, at a salary of \$3,000 per annum; and gave him all the assistance necessary to carry it out; they appropriated \$30,000 from the State Treasury for the purpose of effecting the suppression of the manufacture of this article in the State. Under these circumstances we have a right to pause and consider whether it would be wise in us to attempt to encourage the manufacture of this article even for export. From the City of New York alone, the export of oleomargarine to foreign countries, has reached no less than 30,000,000 lbs. per annum, the quantity having steadily grown from 1880 to the present time. What is the result of that exportation? On looking into the Imperial returns made last Session, when some member brought up the question in the British Parliament, I found that the British Government had written to their representative at Washington, and secured a copy of the official returns of the investigation in the State of New York; and in his report, the British Ambassador at Washington stated that the largest proportion of the oleomargarine exported found its way to Holland, London and Liverpool, and that that which went to Holland was mostly manufactured into butter, for shipment into England. A very comforting reflection that must be, both for our agriculturists who produce butter, and for the English consumer, if they could have heard the speech of the hon. member for Cornwall, as to the origin of the vast quantity of this oleomargarine. But New York was not the first State to inaugurate measures against this article. Perhaps you will tell me that action was first taken against it in some great dairy State. The subject in the State of New York, was relegated to the State Board of Health, and the Act that was passed through the Legislature of New York, was a copy of an Act passed in a western State, where the dairy interest did not predominate, I refer to the State of Missouri. At an early day the people of that State—perhaps

from their nearness to that great hog centre, Chicago—determined that they would re-olutely stamp out the manufacture of this article in Missouri. The manufacturers held a meeting, and determined to contest the right of the State to prohibit it. They employed one of the highest legal luminaries in the country—Rosee Conkling—to fight the case out on their behalf. A manufacturer had been imprisoned, and they had him brought up on appeal by a writ of *habeas corpus*. The result was that the gentleman was sent back to prison, and the highest court in the land sustained the right of the State of Missouri to prohibit the manufacture of this article, when they decided that it was unhealthful for their population. There was the commencement of the absolute restrictive legislation, not in the interest of the dairy farmers of the State, but in the interest of the great consuming population, because they considered it detrimental to public health. After the New York State Legislature had put their Act into operation for six months, we find them at their last Session in 1885, amending their Act so as to make it more rigorous. Although the commissioner reported to the Government at the close of the year that he had made sixty prosecutions under the Act, and that he was satisfied that he had broken up from 60 to 80 per cent. of the manufacture of this deleterious article in the State, yet the Legislature increased the grant for the suppression of its manufacture from \$30,000 to \$50,000, and again appointed a commissioner at a salary of \$3,000 per annum for two years, to devote his whole attention to enforcing the law against the manufacture of oleomargarine, and other imitations of dairy products, and to see at the same time that farmers supplied consumers with pure milk. In the light of these things I think the hon. member for Brant deserves credit for stepping in to-night and moving that the importation of this article be prohibited altogether, and as far as possible its manufacture be suppressed in the country. I need not say that I will heartily support that resolution, and when the proper time comes will vote for heavy penalties being imposed on anyone attempting its manufacture here, being satisfied that it is not a safe article for domestic consumption.

Mr. PATERSON (Brant). In presenting the motion I had the honor to present for the consideration of the House, I did it as soon as we reached the article under discussion, the earliest moment at which I could move. The Minister of Customs has stated that he accepts my amendment, and suggests as a matter of convenience, instead of inserting the clause in this part of the Act, that this item shall be struck out on the understanding that he will insert a special clause in the terms of my amendment. Of course I accede to that at once as a matter of convenience, and at the hon. gentleman's request; and I am very glad that the Ministry have thus far conceded the object I had in view. As I stated at the outset, I confined myself to the prohibition of importation because we are dealing now with a Customs resolution. Further down we shall come to the Excise resolution which makes this article subject to Excise duty. While the Ministry have stated their willingness to accede to my proposition to prohibit the importation, I understand that they are not opposed, but intend to regulate the manufacture of oleomargarine in the country. I did not move on that subject, because it was not the proper time; but I feel compelled to say that, when that clause is reached, unless the Ministry change their minds in the meantime, and concur in the views, we, on this side of the House hold, that it will be equally injurious to health and the great dairy industry of this country to permit the manufacture of this article, I shall offer a resolution under that head as well. Meanwhile, I accept the proposition of the hon. Minister of Customs.

Mr. McNEILL. Being myself a farmer, and feeling a deep interest in this subject, I wish to say just half a dozen words on this motion. Having followed the discussion with

some attention, I have found some difficulty to learn exactly where hon. gentlemen opposite stand in reference to this subject. It seems to me that their position is somewhat conflicting with what it was when I was in the House a short time ago. I have always considered that strawberries and cream were closely connected with one another. When I was in the House this afternoon I heard hon. gentleman opposite protesting vehemently against any protection to the growers of strawberries. I came into the House again this evening, and I was surprised to find hon. gentleman from the same benches condemning the Government because they were not sufficiently protecting the interests of the farmers in the article of butter, which is closely allied to cream. Some hon. members have endeavored to get out of the difficulty by saying it was not protection to the farmer which was under discussion, but protection to the consumer from the use of a deleterious article. I venture to say that if the speeches of many hon. gentlemen opposite, especially that of the hon. member for North Wellington (Mr. McMullen) be perused, it will be found that they upheld protection to the farming interests of Canada about as strongly as it was possible for the most extreme protectionists to do. I am aware the hon. member for Brome (Mr. Fisher) disclaims all intention of supporting any policy of protection. He says he is not a protectionist in this matter, but a prohibitionist; that is, he would consider a duty of 10 cents protection, or a duty of 25 or 50 cents until it came to such a pass as to become prohibitory. Then it would cease to be protection. He considers it would be protection to impose a duty to prevent the introduction of shoddy cloth, if by so doing we protected our manufactures against the slaughtering of shoddy garments by the Americans, but he would not consider it protection to prevent them from slaughtering their shoddy butter on our market. He goes further, and says he would not care to prohibit the importation if he did not prohibit the manufacture also. It seems to me the two positions are perfectly dissimilar. It may be perfectly correct to prohibit the importation from a protectionist point of view in order to protect the agriculturist from undue competition with such a commodity as this, but, at the same time, it may be right to allow the commodity to be manufactured in this country for the purpose of exportation; making due provision that it be not sold in our markets and thus come into competition with our farm products; and providing further that it be branded as oleomargarine or butterine, so that when it enters the foreign market it will not, being thus branded, come into competition with our butter. Or if it did come to some extent into competition with our butter, it would be an indirect competition. It would first compete with American oleomargarine. In these respects, therefore, I find it quite impossible to follow my hon. friend's argument. I think, however, that it would be very much better if this commodity were not manufactured in the country at all; and I hope the Government will arrive at this conclusion. It is no credit to us to export a produce of that kind. It is said there will be careful inspection. I must confess I have little faith in such inspection, for I do not see how it is possible to have any inspection of value in this respect at all. It is often a difficult thing for an expert to tell, in looking at meat in a carcass, whether it is that of a healthy beast, and "there will be still more difficulty when the fat and tallow are taken from the carcass, to tell whether the fat and tallow are wholesome or not. I have little or no faith in the value of such inspections, and I hope the Government will make up their minds that this abominable stuff shall not be manufactured in the country at all. Of course, I speak now judging from the opinions we have received in this House and from what I have heard elsewhere. It may be I have put the case too strongly, but at all events I hope the Government will come to the conclusion that it is very necessary, before permitting the manufacture of

Mr. PATERSON (Brant).

this article, that the whole matter be carefully examined, and that they should take particular care to obtain thoroughly reliable evidence as to what the nature of oleomargarine really is—whether it is really possible to secure its being in all cases a reliable and wholesome article of food. If not, I would oppose the manufacture of it altogether, just as the hon. Minister intended to prevent the importation of it when he introduced his measure in the first instance.

Mr. McLELAN. Does the hon. gentleman withdraw his resolution in amendment.

Mr. PATERSON (Brant). Yes; I withdraw it.

Mr. McLELAN. I would move that this be disagreed to.

Mr. SPROULE. It seems to me rather strange that when this question was introduced by the hon. member on the Government side, most of the hon. members representing the Opposition condemned it, and that gentleman was stigmatised as having introduced it for the purpose of political clap-trap; but now the same hon. gentlemen have changed their minds. I notice especially the arguments of the hon. member for Brome (Mr. Fisher). In his first speech he started out by saying that the duty proposed to be put on the article was practically a prohibitory duty, that it was impossible it could be introduced with such a duty as the Government proposed. After that, he said: "I do not believe that oleomargarine and butterine will be able successfully to compete with really first-class butter in this country or anywhere else." Consequently he must have been of opinion that it was unnecessary to impose any duty on oleomargarine. Then he said:

"Anxious as I am to see the agricultural interests, and especially the dairy interest, of the country carefully guarded—and I say this as representing one of the greatest dairy counties in this Dominion, the county, according to last census, which made the second greatest amount of butter of any county in the Dominion—still I do not wish to see the dairy interest guarded at the expense of any other interest in the Dominion. If any person chooses to put upon the market an article which is not hurtful in itself, and which is properly stamped and shown to be such an article, if it does compete with the producers of butter it will be merely an extra stimulus to them to make a better article, with which this spurious article cannot compete. But I do not believe it would be right or wise for this Parliament absolutely to prevent all the people in this country from producing an article which in itself is not hurtful, and which, at the same time, would be stamped so as to show its true nature. I am quite at one with any gentleman in this House who wishes to see that the butterine or oleomargarine are not sold as butter, and do not take the place of butter, because that would be injurious, not only to the dairy interests of the country, but also to the consumers, who might be led into buying the spurious article under the impression that it was the genuine article they wanted. But if these articles are stamped so that the public know what they are buying, and if the oleomargarine or the butterine are composed of materials which are not injurious to the health of the consumer, I do not see why the production of these articles should be forbidden in this country, and if it does work any inconvenience to the dairymen of the country, their true remedy would be to manufacture a still better article of butter. Let the dairymen of the country see to it that they make the very best butter possible, and no butterine or oleomargarine can compete with that article."

The hon. gentleman and his friends to-night have changed their minds entirely. Finding that this was an important question to the agricultural interests of the country, through the press, since it was taken up by the member for Lanark (Mr. Taylor) and others, they are now prepared to go one better, and prohibit the importation of the article into the country. It is strange that these gentlemen are so ready to change their opinions in a few days, so long as it can be done with advantage to themselves and to the political support of their party. It is only necessary to go back a few days and read their speeches in order to see that their speeches to-night are almost entirely opposed to the opinions which they promulgated before.

Mr. FISHER. I ask permission to say a few words, as my hon. friend from Grey (Mr. Sproule) has alluded to my speech the other day.

Mr. SPROULE. I read the words.

Mr. FISHER. Yes, but my hon. friend did not read the whole of the speech by any means. As I pointed out before, I was at that time alluding to a proposition made by the hon. member for South Leeds (Mr. Taylor) to regulate this traffic, and I was discussing it with reference to a proposition of the Government for another system of regulation. I stated then, as I have stated to-night, that at that time I did not know what the propositions of the Government were exactly, or what the proposition of the hon. member for South Leeds was exactly, I did not see the use of having two propositions coming from that side of the House in relation to the same matter, and I did not think it was necessary in view of what the Government had proposed to do. I may say that, since that time, I have looked into the matter more than I had then, and I find that the experience of the United States so far has not been successful. In consequence of that I have decided that it is best not to try to regulate it and to commence here at the point where the United States are leaving off. It is best to jump the whole distance, instead of taking a small step first and then another one afterwards.

Amendment withdrawn, and item dropped.

Mr. PATERSON (Brant). Will you put it in committee?

Mr. BOWELL. When we go into committee, then I will move it, and will add it to the tariff.

Printed or dyed cotton fabrics, not elsewhere specified, 27½ per cent. *ad valorem*.

Sir RICHARD CARTWRIGHT. What change is there?

Mr. McLELAN. It is only explanatory of what is intended to be covered by the old duty of 27½ per cent. It was printed cottons, and a question has arisen as to a certain make of cotton muslin or fabric of some kind, cambric being imported under a less duty, while it was intended to cover all printed cotton goods.

Sir RICHARD CARTWRIGHT. Can the Minister of Finance or the Minister of Customs inform us what has been the practical effect of the imposition of this duty of 27½ per cent.? It was formerly 20 per cent., and was increased to 27½ per cent. It was stated by the former Minister of Finance that that was done rather as a protective than as a revenue measure. I should like to know what the practical effect has been, whether more revenue has accrued, or whether the revenue has remained stationary, or whether any revenue has been lost by the operation. The House may remember, or the Minister may remember, that a very considerable doubt existed upon that point at the time that this increase took place. Now, a year, or perhaps two years have elapsed since the imposition of the increased duty, and I should like to know the practical result.

Mr. McLELAN. The practical result, as far as I can gather, has been that there has been less importation of certain kinds of printed cottons, and less revenue collected, but that the increase of manufactured goods has been very large; that the mills employed in the manufacture of grey cottons and bleached cottons and the lighter fabrics have been very busily employed manufacturing for the print works, and that thus a large portion of the output of the cotton mills of the country has been utilised by the print works and put into sale and consumption in that way, and that with a very excellent quality of cloth. The variety of style and patterns is not so large as can be found abroad, and so there are still importations under the 27½ per cent. duty, on some of the newer and more fancy styles of prints, but for all practical purposes and strong wear, as good cottons we find are being manufactured at the print works as can be imported and at as low a rate.

Sir RICHARD CARTWRIGHT. Can the Minister give any figures?

Mr. McLELAN. I have not the figures here, but I have had figures from the parties engaged in the work and in the mills, from parties who know that there has been a very large output.

Sir RICHARD CARTWRIGHT. If the hon. gentleman has the figures, I would request him to bring them at another stage. When the change took place, the late Minister of Finance was not in a position to state definitely much about it, but he then declared, if I recollect aright, that the matter was under investigation, and details would be laid before the House as soon as it was possible to verify the statements made by the trade. As a matter of information I should like to get them.

Mr. McLELAN. I had forgotten that he made that statement.

Sir RICHARD CARTWRIGHT. It was made casually across the House as I am now making this remark to the hon. gentleman; but, if he has the information, it would be as well for us to get it.

Spirits and strong waters, not having been sweetened or mixed with any article so that the degree of strength thereof cannot be ascertained by Sykes' hydrometer, for every Imperial gallon of the strength of proof of such hydrometer, and so in proportion for any greater or less quantity than a gallon, viz: Geneva gin, rum, whiskey, alcohol or spirits of wine, and unenumerated, unmixed and not sweetened spirits, by whatever name called, a specific duty of \$1.75 per Imperial gallon.

Sir RICHARD CARTWRIGHT. That is as it was?

Mr. BOWELL. There is a slight change. It was found necessary in consequence of the difference of interpreting the different items in the tariff as they exist at present. The item as it read in the tariff was as follows:—

"Geneva gin, rum, whiskey and unenumerated articles of like kinds."

If the hon. gentleman has the tariff before him, and will refer to item 112, he will see:

"Spirits and strong waters not elsewhere specified, \$1.90 per Imperial gallon."

It was contended by some of the importers and by some lawyers also who gave opinions that spirits of wine or alcohol, no matter what the strength was, could be imported under the latter item to which I have called the attention of the committee at \$1.90 per Imperial gallon, while the general provision regulating the matter is \$1.75, and a proportional amount for each degree above it. The contention of the Department has been that spirits of wine and alcohol could not be brought in under the interpretation that has been given by some importers who have received legal opinions on the subject, and we thought it better, while changing the tariff, to put the fact beyond doubt, consequently we now make it read:

"Geneva gin, rum, whiskey, alcohol or spirits of wine, and unenumerated, unmixed and not sweetened spirits, by whatever name called."

The rate of duty is not changed. I may also state that old tom gin is printed \$1.90 the Imperial gallon; it should have been printed \$1.75, to make it the same as the rate levied upon whiskey and other spirits. In the old tariff it was \$1.32½ per gallon. That is the only change. Spirits and strong waters mixed with any ingredient, or otherwise, that is, items 27, 28 and 29, have had the duty increased, and that increased duty is placed upon spirits so that the manufacturers of these strong waters and perfumed waters in this country, would have a protection equal to that which they enjoyed before the increase of duty upon alcohol and spirits. We therefore propose to make these articles \$2 the Imperial gallon, instead of \$1.90, being an increase of 10 cents and 40 per cent. *ad valorem* instead of 30. This is in Cologne water.

Mr. McLELAN. I move to amend this item by making specific duty on old tom gin \$1.75 instead of \$1.90.

Amendment agreed to.

Cologne water and perfumed spirits in bottles or flasks weighing more than four ounces each, \$2 per Imperial gallon, 40 per cent. *ad valorem*.

Mr. McLELAN. There is an increase of 5 per cent.

Sir RICHARD CARTWRIGHT. Does the hon. gentleman expect to obtain any revenue?

Mr. McLELAN. No.

Sir RICHARD CARTWRIGHT. What additional revenue is expected on the whole from the alteration as to spirits?

Mr. McLELAN. On the perfumery, \$3,000.

Mr. BOWELL. \$3,000 on the one item of spirits and strong waters is the estimate based on the importations of last year, and \$2,700 on Cologne waters. I presume that no increase is expected from Cologne water or perfumed spirits in bottles or flasks, because it is imported in them for mixing in this country.

Tubing, wrought iron, 30 per cent. *ad valorem*.

Sir RICHARD CARTWRIGHT. What amount do you expect on this item?

Mr. McLELAN. We do not expect any increased revenue.

Sir RICHARD CARTWRIGHT. Is this again a simple addition to the tax without any expectation of revenue?

Mr. McLELAN. It is for protection—the same reasons that we gave for the cast tubing.

Whips of all kinds, 30 per cent. *ad valorem*.

Sir RICHARD CARTWRIGHT. What is this?

Mr. McLELAN. Whips are being largely manufactured in the country, of a very excellent quality, I think, from what I have seen of them, and at very low prices.

Sir RICHARD CARTWRIGHT. Then they don't want protection?

Mr. McLELAN. It is considered that they are able now to supply the market, and that they should have the market, at all events to the extent of this protection of 5 per cent.

Sir RICHARD CARTWRIGHT. Upon my word, Mr. Speaker, I must say that this protection business, in which I do not believe in the slightest degree, in any shape or form, looking upon it as clear robbery of the consumer, is being run into the ground. Surely these people, if they can make excellent whips, can afford to make them under 25 per cent. protection, and still you put on an additional 5 per cent. Does the hon. gentleman know how many people are engaged in this manufacture and what is the quantity of whips manufactured in the country? Has he informed himself on any of these points?

Mr. McLELAN. I have not the figures here, but there is a very large number engaged in the manufacture, and a large number of whips turned out daily.

Mr. PLATT. The strangest thing it seems to me is the reason given for this increase. This factory, it seems, has risen to manhood and become able to make first-class whips, the Minister tells us, under this lower duty, and now that they have strength and ability, and capital, I suppose, and everything to go on successfully, the duty is to be increased. I always understood the system was to protect while they were infant, while they were weak, and when they became

Mr. BOWELL.

strong enough to stand alone and able to manufacture as good whips as anybody else, the protection was to be lessened.

Sir RICHARD CARTWRIGHT. Probably they have more goods now, and they have more rights.

Mr. FISHER. This policy of protection prevents their ever reaching the strength of manhood, although they may attain the years of manhood.

Wire, iron or steel, galvanised or not, 20 per cent. *ad valorem*.

Mr. McLELAN. I want to move an amendment that the words "not elsewhere specified" be added.

Sir RICHARD CARTWRIGHT. What is the object of this?

Mr. McLELAN. There has been a large factory established within the last year for the manufacture of wire and the intention is to extend the principle which we have extended to all other manufactures to the manufacture of wire of certain gauges. Capital to the extent of from \$50,000 to \$100,000 has been invested.

Mr. VAIL. Where is this manufactory?

Mr. McLELAN. At Lachine.

Sir RICHARD CARTWRIGHT. What is the quantity of the importation at present?

Mr. McLELAN. 87,000 cwt., of the value of \$216,000.

Sir RICHARD CARTWRIGHT. Does the hon. gentleman expect that that factory will manufacture all that wire, and that the revenue will be lost?

Mr. McLELAN. I expect a large portion will be manufactured there; but the consumption of wire is largely increasing, and a considerable quantity will still be imported. The capacity of the works at Lachine is from fifteen to twenty tons a day.

Mr. PLATT. What constitutes the raw material of the manufacture of wire? I suppose it is what we call English steel rod, which I understand, is not subject to any duty.

Mr. McLELAN. English steel rod is rolled in lengths of about 100 or 200 feet, and that is at present subject to a duty of 5 per cent.

Mr. PLATT. Wire of gauge fifteen is used for wire fencing.

Mr. McLELAN. The smaller wires are free, and they are used largely for the manufacture of fancy wire work. The sizes are not changed.

Mr. PLATT. The wire manufacturer is only to be taxed 5 per cent. while the raw material of the manufacture of wire fencing is to be taxed 20 per cent. The wire manufactured by this firm constitutes the raw material of the manufacture of fencing.

Mr. FISHER. The wire intended to be protected is the raw material out of which the things in the following items are manufactured. If we increase the duty on the raw material I suppose it is likely it will necessitate an increase of duty in the following items, and consequently we shall naturally increase the cost to the consumer of those goods which are to the utmost importance to the agricultural community. Of late years the manufacture of barbed wire has become a great one, and the farmers, especially the farmers of the North-West who are now being obliged to enter into stock raising, are compelled to use this fencing. The Government is thus increasing the duty on that which is a prime necessity to the agricultural community. This is the raw material out of which the farmer,

especially in the North-West, and in other Provinces as well, makes his fencing, and it is practically action in the same direction as when the Government increased the duty on agricultural implements and other articles necessary to carry on the business of farming. I regret exceedingly that this duty should have been increased, and cannot understand the reason, when I find the raw material of the company at Lachine is only taxed 5 per cent. The difference between their raw material and what is their manufactured material, but which is the raw material of the farmer, is considerable. In the one case there is a great difference between the raw and manufactured material, and in the other case there is no difference in regard to the farmer, because he has a high protection on the raw material and no protection on the finished article.

Mr. McLELAN. There is very great difference between twisting the wire after it is manufactured and rolling and preparing the wire—rolling it out of the steel rods, galvanising it and fitting it to be manufactured into wire fencing. That requires very extensive machinery and the employment of a large number of hands, but a very few hands can produce large quantities of wire fencing. So there is no comparison as to the raw material.

Sir RICHARD CARTWRIGHT. Yes; but no doubt in the North-West, where timber is very scarce, such a tax as this will be very severely felt. It is very important for us not to infringe more than we can avoid on the small amount of capital our pioneers in the North-West possess, and there is no one item on which it will be more severely felt than on the article of barbed wire. Even in many settled portions of the older Provinces it is being largely used, and in the North-West it is a practical necessity to the farmer.

Mr. COLBY. This is not an addition of 5 per cent. on wire fencing. It is a duty which will fall very lightly upon the manufactured article. But for hon. gentlemen to say that the Government, which is committed to a policy of protection for manufacturing industries, should not vote to give an industry recently established, and in which \$100,000 are invested in building and plant, a very small protection, not even equivalent to that under a revenue tariff, they are asking us to concede their views and abandon the whole protection policy we have been supporting for a considerable time past. I think it would be an abandonment of that policy if the Government did not, in some measure, encourage such industries and appropriate to them some share of the benefit which arises from the development of such industries.

Sir RICHARD CARTWRIGHT. At the expense of the most valuable industry of all.

Mr. COLBY. I do not say that, and the hon. gentleman, in saying it, begs the entire question. We do not, by any means, admit that the imposition of an increased duty means necessarily the increased price of the manufactured article. We differ *toto celo* from gentlemen on the other side of the House on that question, and we can cite the largest manufactured products of the country as evidence in favor of our view. We can refer to agricultural implements, to woollen goods, to cotton goods, to all the great industries of this country which are protected, and to the cheap prices at which they are being sold to the consumers of this country. It does not follow because the duty is increased on a given article that necessarily the price is enhanced. The experience we have had and the facts show precisely the reverse. It means the exclusion of the foreign article to a certain extent; it means the stimulation of the industries of our own country; it means competition—domestic competition. We believe on this side of the House that competition regulates the price—it matters not whether it be domestic or foreign competition. We believe that by imposing a higher scale of duties we invite manufacturers to

establish these industries in this country, and that competition amongst the home manufactures while it employs labor and keeps it in the country, at the same time sufficiently regulates the price and the matter adjusts itself in that way. I am simply replying to arguments thrown out on the other side.

Mr. FISHER. I am really surprised at the remarks of the hon. member for Stanstead (Mr. Colby). The hon. gentleman commenced by saying that really if the Government were to abandon the system of putting on duties on certain articles, they would be abandoning the whole protective policy. I would almost imagine that the only reason they were continuing in putting on these duties, was because they had to be consistent, because it was part of their protective system. It must be continued—not because it was good or necessary, but simply because they started a protective policy, and they must continue it. I am glad to know that the hon. gentleman thinks he is bound to stand or fall by his policy, because I believe that in the near future he will fall by it. I was also surprised to hear the argument from him that because \$100,000 was invested in this enterprise at Lachine, we must protect it. Does the hon. gentleman mean to compare that paltry \$100,000, invested at Lachine, with the millions that are invested in agriculture in this country? If it is necessary to protect anything in this country, one would think it would be necessary to protect the agricultural interests and not the manufacturing interests, especially when by protecting the manufacturing interests, you injure the farming interests. I am surprised to hear such doctrines from the hon. member for Stanstead, who represents an agricultural constituency—

Mr. COLBY. He represents a manufacturing constituency as well.

Mr. FISHER. Yes; I know he has built it up to that, by the imposition of heavy duties on certain manufactures which are carried on there; but I think he should remember that there is a manufactory in his constituency, which was attempted to be built up by protection, but to-day is standing idle.

An hon. MEMBER. What one is that?

Mr. FISHER. The sugar factory at Coaticook.

Mr. COLBY. The only protection given to that factory was that proposed by the Hon. Mr. Joly, when he was a member of this House.

Mr. FISHER. That may be; I am not responsible for the Hon. Mr. Joly. That was the principle of hon. gentlemen opposite, and this was one of the legitimate conclusions of that principle when fully carried out. This question is intimately bound up in the assertions of the hon. member for Stanstead that these things are not to be enhanced in price—

Mr. SPEAKER. The hon. gentleman must not go into the general question.

Mr. FISHER. I was only trying to reply to the last speaker.

Sir RICHARD CARTWRIGHT. Surely, Sir, my hon. friend can treat of the question of this duty, whether it is going to have the effect alleged, whether the additional duty is going to bring about those things which the hon. gentleman has so eloquently and logically described. That question may largely influence the decision of the House. If it can be shown that the imposition of the duties will make wire fences cheaper it may influence the votes of many of us.

Mr. SPEAKER. The hon. gentleman should confine himself to the details, and not refer to the general principle.

Mr. FISHER. I bow to your decision, and only regret that I cannot answer the hon. member for Stanstead (Mr. Colby).

Mr. WATSON. As I do not, like the hon. member for Stanstead, represent a manufacturing constituency, I am sorry that the Government has raised the duty on wire. There is no doubt that the wire which goes into the construction of wire fences is included in this, and there is no doubt that the farmer will have to pay an increased price for his wire fences. As there are hundreds of thousands of tons of wire in use in the North-West yearly, I am sure this is one change in the tariff which will not be appreciated by the farmers in the North-West. I am sorry to see it introduced, for it is one which, as the hon. gentleman has said, is in the interests of the manufacturing towns of the east, but at the expense of the farmers of the west.

Mr. ORTON. If the hon. gentleman wishes to refer to the history of the North-West, he will find that that portion of the country has realised the benefits of protection.

Some hon. MEMBERS. Order, order.

Mr. SPEAKER. The hon. gentleman is out of order in referring to the general principle of protection.

Mr. ORTON. With reference to the protection of wire, it is a fact that the manufacture of wire for that country is highly important to the North-West Territories and to Manitoba, and anything which will encourage our people to manufacture wire will result in giving to the people of the North-West a cheaper wire than they have to-day. The more manufacturers of wire we have in this country, the more the price will tend to be reduced.

Sir RICHARD CARTWRIGHT. Better put on 3 cents more.

Mr. WATSON. I do not believe in the principle of the hon. gentleman. I would rather believe in the doctrine of the hon. member for Stanstead (Mr. Colby) that competition regulates the price, and if you have only one manufacturer of wire in Canada, you have not competition.

Mr. BOWELL. There are several.

Mr. SCRIVER. I would like to ask the Minister of Finance if any representations have been made to him by those who are engaged in the manufacture of wire fencing that they are not sufficiently protected by the present duty. I believe there are some manufactories of this article already in existence in the Dominion of Canada, and it is within my knowledge that it has been made a very profitable investment.

Mr. McLELAN. There has not been very much done in the manufacture of wire. Some wire has been drawn for special purposes, but until last December there was no large business attempted, and of course it was represented that the same policy should apply to this branch of manufacture as to others—not with the object of increasing the cost of it, but to give them the market that they might have a large output and manufacture at the lowest possible rate.

Wire fencing, buckthorn, strip and other similar fencing wire of iron or steel, a specific duty of 1½ cts. per lb.

Mr. McLELAN. I propose to amend the wording of this item by making it read as follows:—

Barbed wire fencing of iron or steel, a specific duty of 1½ cents per lb.; buckthorn and strip fencing, of iron or steel, a specific duty of 1½ cents per lb.

The buckthorn and strip fencing is cheaper than the barbed wire fencing, and we make it bear a lower rate of duty. The present duty is 25 per cent.

Sir RICHARD CARTWRIGHT. What is the present average value per pound of the wire?

Mr. SPEAKER.

Mr. BOWELL. It averages from 5 to 6 cents. Formerly it was higher. We have taken about the medium value. Buckthorn ranges from 4 to 5 cents.

Mr. WATSON. I would like to see barbed wire fencing imported into the North-West as cheaply as possible. I would move the addition of these words:

Except when imported for use in Manitoba and the North-West Territories, in which case it shall be admitted free.

Amendment (Mr. Watson) negatived.

Mr. PLATT. There are other varieties of wire fencing manufactured in this country than those mentioned here. I have special reference to woven wire fencing.

Mr. McLELAN. That is already provided for, and there is no proposition to change the duty upon it.

Yeast cakes and compressed yeast in packages or bulk, of 1 lb. and over, a specific duty of 6 cents per lb.

Sir RICHARD CARTWRIGHT. What is the difference in value between this and baking powder?

Mr. McLELAN. This is made specific for the same reason that we made the duty on baking powder specific, that there is a great difference in the quality imported, and a great deal of difficulty has arisen in the Custom houses in respect to its valuation. It is recommended that a specific duty of 6 cents be put on for an *ad valorem* of 24 cents a pound.

Mr. BOWELL. This change increases the duty only on the adulterated articles. It is a lower rate of duty on the better qualities.

Portland and Roman cement to be classed with all other cement at specific rates as now provided.

Mr. CAMERON (Middlesex). What change in the revenue will result from the change in duty on Portland and Roman cement?

Mr. McLELAN. When the present tariff was enacted Portland and Roman cement was valued at about \$3.50 a barrel, and the duty was 20 per cent, which amounted to from 70 to 80 cents a barrel. The other qualities of cement were charged a duty of 40 cents a barrel. The Portland cement has declined in price until it is imported at about 5 shillings sterling a barrel and some of it at less, so that it is imported at a lower rate of duty than the other quality at 40 cents a barrel. It is proposed to fix one uniform duty of 40 cents a barrel.

Mr. CAMERON (Middlesex). The result, however, is to increase the duty on Portland and Roman cement.

Mr. McLELAN. The duty on Portland and Roman cement will be slightly increased at the present price.

Mr. CAMERON (Middlesex). I understand the hon. gentleman to say that the prevailing price is not more than half what the price was when the original duty was imposed, and consequently the *ad valorem* duty is having a different effect from what it would have had, had the prices remained the same. I am given to understand that the prices differ somewhat from what the Finance Minister stated. I have had very recent communications with reference to this matter, and the price of Portland cement is stated as being between \$1.85 and \$2.35, the latter price prevailing during last season, but the former price being that expected to prevail during the present year. Now, to whatever extent this alteration in the duty is intended as a protection to the home manufacturer, it is clearly going to effect prejudicially some interests that are of considerable consequence to some localities in the west. Portland cement is an element that enters very largely into the manufacture of artificial stone, and I am given to understand that no Canadian product has proved equal

to that article in the manufacture of such stone. Many hon. members in the House are aware that artificial stone is a manufacture of considerable magnitude in some localities, particularly where stone is not abundant as it is in the immediate vicinity of this city. No native cement, no other imported cement is equal to Portland cement, or at all fitted to be used satisfactorily in the production of artificial stone. Consequently, to whatever extent the alterations in duties will prejudice these manufacturers, it is clearly going to detrimentally affect the production of that article. I had expected from the Trade and Navigation Reports that the alteration was merely from *ad valorem* to specific, so as to be more convenient for the Customs officers, but I was not able to arrive at a definite conclusion, as the returns of last year give no statement of the number of barrels imported. I admit the advance is not a very heavy one, still with the price of the cement decreasing it is apt to affect that industry more seriously in the future.

Mr. BOWELL. I understand the hon. gentleman to say that his latest information was different to that which had been stated by the Finance Minister with reference to the value of Roman cement. I understood him to say its cost was about \$1.85.

Mr. CAMERON (Middlesex). \$1.85 to \$2.35.

Mr. BOWELL. Has the hon. gentleman taken the trouble to calculate what the effect of the alteration will be, taking the prices he has given the House as basis? If the duty on Portland cement remained as it is now, at 20 per cent., the hon. gentleman would have to pay 46 cents a barrel, which is 6 cents more than we propose to add. At \$1.85, the duty at 20 per cent. would be 37 cents, or a decrease of 3 cents per barrel. When the tariff of 20 per cent. was established, a few years ago, the value of Portland cement was about \$3.75 and \$3.50. Then it paid 70 cents; so that, taking the prices the hon. gentleman has given and taking a medium between \$1.85 and \$2.35, he will find the duty is really less than it would be at 20 per cent.

Mr. CAMERON (Middlesex). I am prepared to admit what the hon. gentleman has stated, but he will recollect that my suggestion to the Minister of Finance was that he should do nothing to prejudice in the future that particular industry, in the alteration of the tariff he proposed from *ad valorem* to specific. As the price of the cement decreases, this alteration would have the effect of prejudicing to a greater extent the industries which depend on this Portland cement. This is borne out by the reason he gave for the alteration, namely, the continued decrease in price.

On sugar, &c., when imported direct from the country of growth and production, for refining purposes only, not over number thirteen Dutch Standard in color, and not testing over seventy degrees by the polariscope test, a specific duty of one cent per pound, and for every additional degree, or fraction of a degree shown by polariscope test, three and one-third cents per one hundred pounds additional.

Sir RICHARD CARTWRIGHT: What is the average percentage over 70 degrees that the hon. gentleman thinks will be imported?

Mr. McLELAN. It runs from 85 to 86. Including all the lower grades, it will hardly run to 85.

On all sugars above number 13 Dutch Standard in color, all refined sugar of all kinds, grades or standards one and one-half cents per pound, and 35 per cent. *ad valorem* on the value thereof free on board at the last port of shipment.

Sir RICHARD CARTWRIGHT. On this point I think that the hon. gentlemen will find they are giving an undue advantage to the refineries. Practically speaking, all the sugars consumed in this country are above No. 13. Now sugar is very low at present, but in a general way this means that the consumer will have to pay, though not into

the Treasury, at least three cents per pound. I put the figure, in my reply to the Budget speech, at 2½ cents, but in reality it appears it is quite 3, that is to say, as regards the grades of sugar which go really into consumption. If the interests of the consumer is to be regarded at all, No. 13 ought to be raised to No. 14 or 15, which would very materially benefit the sugar trade of the Lower Provinces with the West Indies Islands. Most undoubtedly it is desirable. If you are making alterations in this duty, that they should be made so as to give some advantage to the very depressed industry of shipping in the Maritime Provinces.

Mr. VAIL. What was the object of reducing it from 14 to 13? Do you propose to shut out all grocery sugars?

Mr. McLELAN. We did not propose to shut out all grocery sugars, but the hon. gentleman knows any number of grocery sugars are going out. And nearly every retailer now takes sugar that has passed through the refinery, perhaps not that which has gone through the higher stages of refining, but he prefers to have sugar that has been through the refinery for one or two stages, and very little of the old grocery sugar which was formerly imported from the West Indies is used in the shops. Provision is made here that a certain portion of these refinery sugars in a cargo may be used for refining purposes as 13 taking a polariscope strength. I am informed and I believe, from all that I can gather, that the trade in the old grocery sugars imported from the West Indies has now become very small, and that where cargoes have been imported by wholesale dealers for retail purposes, the only market they can now find for them is with the refineries.

Mr. VAIL. There is a great deal of West Indies grocery sugar used in the Lower Provinces. I am free to confess that there is not so much used as there was formerly, as they use refined sugar instead, but there is a great deal still, and I do not see why it should be discriminated against in this way.

Mr. PATERSON (Brant). I think the House will do well to understand the nature of the sugar duties, and that we should know, to some extent, how we are taxed in that direction. I think the proposition of the Minister is to very seriously increase the duty on an article which is already very heavily taxed. He has reduced the grade and increased the duty. He proposes to make the duty 1½ cents and 35 per cent., while he reduces the number from fourteen to thirteen. The effect will be to shut out grocery sugars altogether, and to give a complete monopoly to the sugar manufacturers of this country, to give a greatly increased protection to the refineries. We sometimes hear hon. gentlemen when we speak of the increased taxation levied upon the country by hon. gentlemen opposite, say that tea and coffee have been placed on the free list. I want the House and the country to understand that, in the propositions made to night, these articles, which are already taxed beyond what they should be taxed, are having an increased taxation placed upon them which will take from the people more money than was levied on the articles of tea and coffee under the Mackenzie Administration.

Mr. McNEILL. I rise to a point of order. I understood you to rule, Mr. Speaker, that the discussion of the general question of the imposition of an increased duty—

Mr. SPEAKER. The hon. gentleman is talking in reference to the duty on sugar. I think he is speaking in reference to the question before the House.

Mr. PATERSON (Brant). I was pointing out that, while we have nominally left tea and coffee on the free list under the tariff, the imposition of the increased taxation on sugar is taking more money out of the pockets of the people of the country than was taken from them when there was a

duty on tea and coffee; so that the position is that hon. gentlemen, with tea and coffee nominally on the free list, but virtually taxed as highly as they were under the tariff of the last Government, with sugar taxed much higher, and with every other article taxed very much higher than before, yet have a deficit of three or four millions. I protest against this proposition of the Minister of Finance. If he wants money, as there is no doubt he does, it would be better for the people of Canada if he put the increased duty which he proposes to put on sugar, on tea and coffee. The people would pay no more; it would all go into the revenue; while under this they will pay as much as they paid before, and a portion will go not into the revenue but into the pockets of others. It is only right that a strong protest should be entered against the excessive duty which is being placed upon this article, and that the House should understand that it is equivalent to taking as much money out of the pockets of the people of the country as if the Government had put the duty on tea and coffee at the rate at which it stood under the late Administration, provided the import was the same. Of course there is a little larger import, but, if the taxes were made what they were before, that import might go down. The fact remains.

Mr. McLELAN. The hon. gentleman has referred to tax on sugar under the late Administration. In 1878 we imported 105,000,000 lbs. of sugar; the tax was \$2,515,656, or equal to \$2.39 per 100 lbs. In 1885 we imported 200,000,000 lbs. of sugar, and collected \$2,544,921, or only \$1.27 a 100 lbs.—just about half as much as was paid upon it in 1878. If our duties had been as high in 1885 as they were in 1878, we should have taxed the people \$2,240,000 more than we did. My hon. friend from South Huron (Sir Richard Cartwright) is ready to get up and say: "Oh, but the refiners put it on." I think the country know that there has been sufficient competition between the refiners to keep the prices of sugar down to the lowest possible point.

Mr. PATERSON (Brant). Did they do it?

Mr. McLELAN. I think they did. We have never had sugar at so low a price as we had it last year. We have refineries now which turn out about 1,000,000 barrels a year, and the competition between those five or six refineries is sufficient to keep the price down at a low rate.

Sir RICHARD CARTWRIGHT. We are paying to-day more than \$5,000,000 on this 200,000,000 lbs. of sugar, the only difference being that half of that is virtually paid over to the sugar refiners, though I do not mean to say they made that amount of profit, and the other half goes into the revenue, while, under the tariff which was imposed in 1878, all, or nearly all, the tax went into the public Treasury and the people got the benefit as now they do not get the benefit of it. As to the concluding statement of the hon. gentleman, I think he will find that the price of sugars is regulated by the price at which the refiners can sell so as to keep out American and English sugars. That is the point which regulates the price, and not the private competition. My hon. friend beside me, who deals very largely in sugar, knows this to his cost, and can inform the hon. Finance Minister on this point. The effect of this will be that we shall have to pay three cents a pound more on all sugar that goes into consumption, although not more than one and one-half cent a pound will go into the Treasury of the country. Our tax, if we lose 10 per cent. on the conversion, would amount to \$5,500,000 in round numbers; if we lost 15 per cent. in conversion, it would amount to \$5,100,000, or thereabouts. The hon. gentleman will get about \$3,000,000 in the Treasury, and the people will be taxed either \$5,100,000 or \$5,500,000, as the case may be, and the remaining \$2,500,000, or \$2,100,000, will be either a dead loss, or will be the prey

Mr. PATERSON (Brant).

of a small number of manufacturers. As to the relative tax, I think it was 1 cent per lb. and 25 per cent. *ad valorem* in 1878, in other words taxation amounted to 42 per cent., and it now amounts to 78 per cent. odd on the present values of sugar, supposing that it be estimated at 3½ or 4 cents per lb., that is to say, the class of sugar which would go into consumption if the tariff did not interfere.

Mr. BOWELL. If the values were the same as in 1878 there would not be that difference.

Sir RICHARD CARTWRIGHT. Not to the same extent. The Minister is right as to the question of percentage, but I am speaking as to the question of actual fact. Under the old tariff the Treasury and the people at large got the benefit of all the tax, but under the present system very little more than one-half the tax goes into the Treasury.

Mr. BOWELL. I differ from the hon. gentleman's opinion that the higher duty, which he says prevails to-day upon sugar, increases its cost to the consuming community. Now, if you take the duty which is proposed in this resolution, and apply it to the value of sugar in 1882—I have not the calculation of 1878—the amount the revenue would lose would be between \$300,000 and \$400,000, that is calculating the rate and the amount as provided for in the tariff as it exists to-day, and the value of the sugar in 1882. But I admit that taking the prices of sugar to-day, as low as they are, and should there be the same quantity imported during the coming year, the increase to the revenue would be from \$400,000 to \$500,000.

Mr. PATERSON (Brant). A little more than that.

Mr. BOWELL. My calculation is based upon the polariscope test of about 85.

Sir RICHARD CARTWRIGHT. That is right enough. Now, there is a difficult point to which I would call his attention. I am not surprised that the hon. gentleman has not alluded to it, but probably it has not escaped his attention. What does the hon. gentleman suppose is the loss of converting the sugar which is brought in? How many pounds in the hundred do either of the Ministers suppose is lost in converting this raw sugar into refined sugar, suitable for consumption?

Mr. McLELAN. It is a refiner's secret that is difficult to get at.

Sir RICHARD CARTWRIGHT. I am well aware of that, but where you are making changes of this kind, which I do not think I am unjust in saying were made after conference with some of these refiners, it is a secret that they ought to be compelled to divulge. You cannot deal with these gentlemen properly and accurately, with due regard to the public, unless some hypothesis is come to. It may not be perfectly correct, but the Minister must have in his own mind some idea as to what the loss is. I should say it cannot be more than 15 per cent., and it probably is not less than 10. I suppose the Minister has some idea of what it is. I know very well that in dealing with the sugar refiners—and the same has been the case in every country where they have, I was going to say, bedevilled the tariff in their own interest—they have always refused to give this information, which I think the Government ought to have.

Mr. McLELAN. It is estimated at about what the hon. gentleman has stated, from 10 to 15 per cent. I sounded one or two of them on that point, but was not able to get the exact amount.

Mr. VAIL. I think my hon. friend has stated that amount too high. I think it is from 6 to 12 per cent., sometimes as low as 4.

Mr. STAIRS. This question depends largely upon the quantity of sugar they are making. Though I have had

some experience with refining lately, but not as practical man, I am not in a position to answer the question, I would not undertake it.

Mr. PATERSON (Brant). You would not if you could, would you?

Mr. STAIRS. I would not commit myself. Besides, I do not think it would be fair to the refiner or the country for me to give an answer which would be only hearsay. I have to join issue entirely with my hon. friends opposite as to how much is taken out of the pockets of the people by the refiners. This is part of that general question of protection upon which the two sides of the House will always differ. But I want the hon. gentlemen to bear in mind that in discussing this question, if we do not deny their charges, it is not because we admit them to be true. I think the hon. member for South Huron has altogether exaggerated, as he has in previous years, the cost to the people of this country, of refining our own sugar. I believe that the competition that exists among refiners is quite sufficient to keep the price down to a fair one, and as far as my own knowledge goes, I can say that is a fact. Now, in dealing with this question of the tariff, I want hon. gentlemen to bear in mind—and in this I think I will be borne out by the hon. member for Digby (Mr. Vail)—that this change was not made in the interest of the refiners. The adoption of the polariscope, though some of the refiners in Halifax were in favor of it, in the main, was made at the request of the people of Nova Scotia, and in the interest of the West Indian trade; and I may say, as I am reminded by the Minister of Customs, that it was done in opposition to the wishes of some of the largest refiners in the country. Some of them only accepted it because they could not help themselves. Now, the reason why this change was made was to meet the wishes of those engaged in the trade between the Maritime Provinces and the West Indies. And why they wished it was that they felt that to a large extent the *ad valorem* principle of calculating the duties on refined sugar was to the disadvantage of the West Indian market as compared with the markets of the East Indies and many distant points where sugar is produced. The disadvantage, though not very large per 100 lbs., was sufficient they said on importations from the West India Islands, as compared with the more distant countries of China, the Phillippine Islands and the East Indies to discourage importations from the West Indies. Every hon. member will admit that it is more in the interest of Canada to encourage trade with the West Indies than with the East Indies, that it is more in our interest to encourage trade with countries to which we can send our goods than with countries which are a long distance off, and with which it will be probably a long time before we have any very considerable export trade. As this change was made in the interest not of the refiners but of the traders with the West Indies, it is but fair that this should be stated freely and fully to the country, and that the people should know that what the refiners wanted was not any more protection than they had under the tariff as it existed, but simply that if any change was made in the tariff that protection should not be interfered with. In considering the question it was found that the duty provided in these resolutions on the raw material used in refining sugar under 13 Dutch standard with present prices was such as to require an increase in the duty of about half a cent per lb. on refined sugar and the higher grades of grocery sugars, which practically have not come into Canada during the last few years under our present tariff to counteract the increase put upon the raw material. I do not know whether I have stated this quite so clearly as I should have done, but I hope hon. gentlemen opposite will apprehend my meaning. The question of the importation of grocery sugars would be an important one to the Lower

Provinces and to some parts, perhaps of the rest of the Dominion if in the present state of affairs it was found that grocery sugars could be used or would be used to any extent. But, having thought the matter over very carefully, much as I would like to foster the West India trade, I came to the conclusion that the best way to foster that trade was as largely as possible to encourage refining and let our merchants trust not to the importing of grocery sugars, but to the importing of sugars for the refiner, and in that way I believe it will tend in the largest extent to the benefit of the whole country.

Mr. GUNN. The sugar trade has turned out I think as regards results quite different from what was expected under the tariff. I hope the new tariff will prove more satisfactory. It seems to be satisfactory to the hon. member for Halifax (Mr. Stairs), but I doubt very much whether the results will be more satisfactory than they have been during the last eight years. Prior to 1878 there was a prosperous trade with the West Indies. Halifax merchants were prosperous and so were the St. John merchants. What trade have they had under the tariff which has been in existence for the last eight years? There has been no trade whatever, nothing but loss and disaster. Instead of cultivating and fostering the West India trade, as hon. gentlemen opposite bragged they were going to do, the reverse has been the case, although the tariff was introduced with the avowed object of encouraging that trade. But what trade has it encouraged? None; it has destroyed the trade, and the hon. member for Halifax (Mr. Stairs) could tell how many men have failed and lost their fortunes under this tariff. The hon. gentleman should not come here and withhold those facts.

Mr. STAIRS. The hon. gentleman has no right to come here and say I have not told the truth.

Mr. GUNN. The hon. gentleman could have told us if he had pleased, as he is so satisfied with the tariff, he should tell us any beneficial results that have flowed from it. The trade is no longer with the West Indies, but with China, Manila and other points. The West India trade has gone out of our hands altogether. The Finance Minister has informed the House that competition will keep the trade all right, but he failed to submit any figures in proof of that statement. The hon. gentleman should bring down the proof and show whether competition is really keeping sugar a fair value. I say it is not so. The day your new tariff was introduced, 30th ultimo, you could have bought granulated sugar in New York at 6½ cents, when it was 6½ in Montreal; and yet under our tariff we were paying only \$1.25, or \$1.27½; while in New York they were paying from 50 cents to 65 cents per 100 pounds more, and are selling sugar at 25 cents less per 100 lbs. The Finance Minister should come down with those statements and show whether competition is keeping prices correct or not. He has not done so; he has simply given the House his *ipse dixit*, and said that competition would keep it all right. No Finance Minister in a civilised country should be allowed to come down and make such bald statements without facts and figures in proof of them. Why should not the Canadian Finance Minister come down to the House as does the Finance Minister in England and prove his statement, and not simply say that competition will keep us all right? The tariff is most unjust. It has destroyed the importing trade of Ontario, of Nova Scotia and New Brunswick, and if the Government had done what was right they would have appointed a commission to investigate the question instead of coming down here with bald statements.

Mr. PATERSON (Brant). I desire to give some idea of the amount of duty paid, in reply to the statements put forward to lead the House to think that we are not paying

so very much duty. The class will cover granulated sugar, as that is the basis. I will give the figures, and it will be open to any business man to make the calculation for himself. Take sugar, $6\frac{1}{2}$ cents American granulated in New York, which I believe is the ruling price now. A buyer from Canada going over there would buy it at $6\frac{1}{2}$, less $\frac{1}{2}$ and 2.79, which they get by way of drawback. In other words, the purchaser buys American granulated at \$3.43 nett per 100 lbs. The tariff which the Finance Minister proposes to us now is to put $1\frac{1}{2}$ cents per lb. and 35 per cent. upon that sugar; not upon the price it costs, \$3.43, but upon the larger price of $6\frac{1}{2}$. So that on this granulated sugar at \$3.43 per 100 lbs., in order to bring it into this country under the tariff proposed by the Finance Minister, the buyer would be required to pay \$3.68 per 100 lbs. duty. In other words, he would have to pay 107 per cent. *ad valorem*. Now, what was it under the Mackenzie Administration? Taking the same basis, with the duty at 1 cent per lb. and 25 per cent. *ad valorem*, that sugar would have been laid down at a charge for duty of \$1.86, instead of \$3.68. And a singular fact in this connection, is that this enormous difference does not go into the Treasury. A calculation, made by any business man, will show that on American granulated sugar, under the Mackenzie tariff, more money would go into the public Treasury at $1\frac{1}{2}$ cents per lb., and 25 per cent. Such is the way the tariff is arranged. As has been pointed out by the hon. member for South Huron (Sir Richard Cartwright), the amount of money that goes into the Treasury does not represent the amount of the taxes of the people. It is an extra tax upon them, which leads me to say that if the Minister would come down and instead of increasing the duty for revenue as he has done on an article already excessively taxed, would propose to put it as before on tea and coffee, it would be cheaper to the people, and their sugar would not be more highly taxed than before. The hon. member for Halifax (Mr. Stairs) can work out the figures I have given; any one can, and no one can make them any different. It is all right to rise up and make general statements, but as the hon. member for Kingston (Mr. Gunn), said, will any hon. gentleman come down to a calculation; will any hon. gentleman controvert the figures I have given? I say it is a monstrous thing that a person cannot bring granulated sugar, for which he pays \$3.43 per 100 lbs., into the country, unless he pays \$3.68 per 100 lbs. duty. Of course it does not come in under the duty; it does not go into the Treasury, but is not that a proof that it is a loss to the people? It would be a good thing if they were capable of doing it and yet, if you calculate upon it, you will find that American sugar can almost—not quite—be brought into this country with that duty upon it and sold about as low as the current price. As the hon. member for Kingston (Mr. Gunn) has said, and as the hon. member for Halifax (Mr. Stairs) as a business man must know, and as others must know, the Canadian refiners are above the New York prices for their sugar. They may not at all times, but they generally do as any gentleman does who is protected—they take advantage of all the protection they can get. I do not want to weary the House; I speak so often on this question of sugar that I suppose hon. gentlemen consider I talk too much, but I say that if there are any other number of gentleman in this country who have a greater hold on this Government than the Canadian Pacific seem to have, they are the sugar refiners; and yet no matter how clearly you put the figures before the House, no matter how clearly they are demonstrated, they have not been confuted, though they may have been presented year after year. The duties have been set by the Minister in obedience to their wishes—perhaps that is too strong an expression after what the hon. member for Halifax (Mr. Stairs) has said—but agreeable to the wishes of the refiners of this country and so it remains.

Mr. PATERSON (Brant).

Mr. BOWELL. You are wrong.

Mr. PATERSON (Brant). The money is taken out of the pockets of the people of the country and it does not go into the Treasury. I do not object—no one on this side of the House objects—to an advantage being given to the refiners to a moderate extent; but I say this advantage is excessive; it has not benefited them, and if there be, as we are told there are, capabilities for producing more sugar than we require, then it is true that capital has been lost thereby. Hon. gentlemen argue that because some existing sugar refineries have lost money there cannot be this burden on the people of Canada. They lose sight of the fact that it is possible that you cannot produce the article as cheaply in some countries as you can in others. They lose sight of the fact that circumstances must be equal; that our refiners must be able to produce sugar as cheaply as in other countries; that by the sharp competition of the outside world they would be forced to use the best machinery and avail themselves of the best markets to enable them to compete. But giving them such a protection as you now give tends to dwarf the energies of even able business men, and, instead of doing good, will, in the long run, result in injury. We are told that we have refiners able to produce in this country more than we want. How many have we after all? Three or four. It is perhaps a difficult thing to get up a combination amongst your cotton manufactures, numbering, it may be, forty or fifty, or your iron men or those engaged in other industries, but where there are only about three men interested in an industry it is not so difficult to have an understanding; for perchance while they may fight for a time and send the weakest to the wall, when the number is reduced it is easy to form a combination that is not to the advantage of the people, but that enables them to put money in their pockets. I do not charge that upon them, but we are liable to it in this country at any day, and we cannot get relief until we go to the extent of the 107 per cent. which we put on at the outset. I shall speak no more on the subject; I have gone into it very carefully; I cannot make the figures different; I have submitted them to the House, and if any hon. gentlemen can controvert them I shall be pleased, and if they cannot I think 107 per cent. *ad valorem* duty on sugar coming into the country is a pretty severe tax on our people.

Mr. McNEILL. I am exceedingly glad to learn at all events that there are three or four sugar refiners in this country.

An hon. MEMBER. Six.

Mr. McNEILL. Sir, I am glad to learn there are six. There were no sugar refiners in the country when hon. gentlemen opposite went out of power. I am glad also to know that the Government have realised the effect of these drawbacks in the United States, and that they have not fallen into the error which the Government of the Mother Country have fallen into of allowing the sugar industry to be destroyed by the bounties and drawbacks of other countries. It is well known that the sugar refining industry of England has been almost annihilated, because the Government have not had an eye on these bounties and drawbacks, and therefore I am glad to learn from hon. gentlemen opposite that our Government has such an interest in our industries, and has so wisely protected them. We have heard it repeated *ad nauseam* that the imposition of duty causes a proportionate increase in the price of a commodity. I am not going to enter into a discussion on that question, because you have ruled that the general discussion is out of order, but I will not sit here and listen to the statement made over and over again from the other side of the House, without giving it a flat contradiction. It is a statement made without proof, time and again, from the other side. We are not allowed on this

side to discuss it, but I have as much right to say that it is incorrect as hon. gentlemen have to say it is correct. I will just recall to hon. gentlemen's memory the fact that they told us in 1878 or 1877 that the result of the National Policy would be probably to increase the price of commodities 50 per cent.

Sir RICHARD CARTWRIGHT. So it has.

Mr. McNEILL. So it has? After that statement I will sit down.

Sir RICHARD CARTWRIGHT. I have not the slightest hesitation in saying that any reduction in price which has taken place has not been in the slightest degree due to the National Policy, but to the alteration in the prices of the raw commodities of the factories all over the world. I call the attention of the hon. gentleman to this fact that so far from the sugar industry in England having been destroyed, the last report of the English Board, specially charged with that industry, conclusively showed that a great many more people were employed in England now under free trade in sugar, in industries connected with it than were employed under the old tariff, and if the hon. gentleman chooses to look at the very interesting report which was published eight or nine months ago on that point, he will see that not only were as many persons employed in the sugar trade in England, but that there were a very large number of important minor trades which had sprung into existence by reason of the free trade in sugar, and which altogether gave employment to a vast number more persons than were employed under the old tariff.

Mr. HESSON. The hon. member for Kingston (Mr. Gunn) has favored this House with some remarks on a question which he really understands, and he has challenged any hon. gentleman to dispute his figures. I regretted that he pointed out by his figures that we have lost the trade with the West Indies. I regretted that he had made such a charge. I have the Trade and Navigation Returns in my hand, and they prove that we have not lost the West India trade, but that our aggregate trade with the West Indies has very considerably increased. During the past five years it has averaged \$6,300,000 a year, whereas, during the five years hon. gentlemen opposite were in power from 1874 to 1879 inclusive, it averaged only \$5,000,000. I think that is a complete answer to the hon. gentleman's statement, and if the rest of his statements are based on similar ill-founded calculations, I think we have a right to distrust them. Although there is apparently a slight decline in the West India trade this year as compared with last year, it has arisen from this fact, not that we have had less trade with them, but that values have declined so enormously. But if the hon. gentleman will look at the quantities, he will see that our trade with them has really largely increased.

Mr. STAIRS. I would like to say a word in reply to some of the remarks made by the hon. member for Kingston with reference to the trade between the West Indies and Nova Scotia. I am sorry to say that that hon. gentleman's usually accurate memory has in this case failed him. He stated, I think, that, under the tariff that was in operation prior to 1879, the West India trade with the Maritime Provinces had flourished. Now, that is a statement to which I must give a direct contradiction. If I turned up the Debates of the House of Commons for 1876 and 1877, I could prove the truth of my statement from a speech of the then member for Halifax, who almost went down on his knees to the then Minister of Finance, the hon. member from South Huron (Sir Richard Cartwright), and begged and prayed him to change the sugar tariff, because, if he did not, the West India trade would be ruined. At the close of the Administration of the hon. gentlemen opposite, the importations of sugar from the West

Indies into Canada had become as low as about 6 per cent. of the whole of the importations of sugar into the Dominion of Canada; I am speaking from memory, and subject to correction, but I am almost confident I am right. The hon. member for Kingston also stated, just as strongly, that this tariff, which had been framed to a certain extent to encourage the West India trade, had had in its operation the opposite effect. Now, the importations of sugar from the West Indies under this tariff have reached during some years as high as 62 or 63 per cent. of all the importations of sugar into Canada. If the hon. gentleman says that an increase from 6 per cent., in 1878, to 63 or 64 per cent. is a falling off in the trade, he understands figures differently from what I do. I acknowledge that in the last year or two there has been a slight diminution proportionately in the importations; I think that during the last two years they have averaged about 44 per cent. of all the importations of sugar; and it is owing to the fact of that diminution that the merchants of New Brunswick and Nova Scotia engaged in the West India trade have asked the Government to make this modification in the tariff. This shows the difference between the two Governments, that one of the strongest supporters of the former Government, a man who knew more about the West India trade than any man who sat in this House at that time, went and told the hon. member for South Huron what the effect of his policy was, and the hon. gentleman would not budge to help that trade, whereas the present Government have been willing to listen to our arguments and to see if they can do something to help us.

Mr. GUNN. What I said was that the trade of Halifax and St. John had a profitable trade under the tariff prior to 1879 for eleven years. I do not think anybody can dispute that.

Mr. STAIRS. I have just endeavored to dispute that.

Mr. GUNN. I will leave it to the hon. member for Digby (Mr. Vail). I say they had a profitable trade prior to 1879, and that they have had an unprofitable trade since.

Mr. WALLACE (York). The hon. member for Kingston, I think, said more than that. He said the bulk of the trade was done with the West Indies before 1879, but that since that time the sugar trade has gone in other directions. Well, I have taken the trouble to consult the Trade and Navigation Returns, and I find that in the year 1878, of all the sugar imported into Canada, 45,000,000 lbs. came from the United States, 53,000,000 lbs. from Great Britain, and 6,000,000 from the West Indies and other places combined; while, in 1885, 163,000,000 came from the West Indies and adjacent countries, not more than 22,000,000 lbs. from the United States and Great Britain, and 20,000,000 lbs. of concentrated extracts from all parts. In other words, in 1885 four-fifths of the sugar consumed in the Dominion of Canada came from the West Indies. There is another point that seems to worry hon. gentlemen opposite, that is, the fact stated by the Minister of Finance, that the duty paid on sugar during the past year was \$1.20 per 100 lbs., while in the last year that hon. gentlemen opposite were in office, the duty was precisely twice as much, \$2.39 per 100 lbs. We contend, as a truism, that in the case of an article which is not produced at all in the country, the duty paid to the Government must be added to the price paid by the consumer. Therefore, instead of paying \$2,500,000 to the Government and \$2,500,000 more to the refiners, as the hon. member for South Huron stated, I think it can be demonstrated that although we pay \$2,500,000 to the Government, we have the sugar so much cheaper by manufacturing it here, and that instead of paying \$2,500,000 extra to the refiners, by the competition that has existed among half a dozen different refiners, we saved another million

dollars to the consumers of this country. We saved again by that, in getting our sugar so much cheaper. You will find that granulated sugar in New York is retailed to-day at 10 lbs. for \$1, and in Ottawa you can buy 13 lbs. of it for \$1 retail and the quality is as good if not better.

Mr. PATERSON (Brant). Who told you that?

Mr. WALLACE (York). I can show you the figures in black and white.

Mr. PATERSON (Brant). I would like to see them.

Mr. WALLACE (York). I saw a letter from a grocer, who formerly was in business on Rideau street, and who is now in New York, in which he said that you could only get 10 lbs. in New York for \$1 while you could get 13 lbs. in Ottawa for the same money.

Mr. PATERSON (Brant). Look at the papers and find out for yourself.

Mr. WALLACE (York). Look at the papers and you will find the fact that sugar is sold cheaper in Ottawa to-day than in the city of New York wholesale. You can get an excellent quality of sugar to-day in Ottawa for 5½ and 5¼ cents, a quality much superior to Scotch refined sugar supplied to us in 1878 at from 7½ cents to 9 cents a pound. No doubt this is due largely to the reduction in the cost of the raw material, but it is also due to the fact that we refine this sugar here ourselves, and that we paid the Government then \$2.39 while to-day we pay them just one-half the amount or \$1.20. I am satisfied the fiscal policy of the Government with regard to sugar is giving us a cheaper article than we had before, and much superior to any that was in use in Canada in 1878. Just consider the fact, that when sugar went from the West Indies to Great Britain, where it was refined, and then sent out to Canada; while now we employ our own coopers, refiners and shippers; we produce the coal necessary for the manufacture of sugar ourselves, and have the whole production of it within our own country; and we have the money kept in the country, while the consumer gets a cheaper article than he could, under any circumstances, under the fiscal policy of the late Government.

Mr. McNEILL. The hon. member for South Huron (Sir Richard Cartwright) says there are as many people employed in refining sugar in England to-day as forty years ago. That is a great result of free trade in England.

Sir RICHARD CARTWRIGHT. There were more employed.

Mr. McNEILL. Does the hon. gentleman mean to say more were employed to-day than in 1860?

Sir RICHARD CARTWRIGHT. Yes.

Mr. McNEILL. There are not so many.

Sir RICHARD CARTWRIGHT. More in the whole trade.

Mr. McNEILL. Are there as many employed directly to-day as in 1860?

Sir RICHARD CARTWRIGHT. I am speaking of the whole trade depending on sugar.

Mr. DAVIES. Let us hear your figures?

Mr. McNEILL. Allow me to finish. The hon. gentleman is well aware it is only a very few years ago that a deputation, representing between 40,000 and 50,000 people who were out of work in this very sugar trade, and whose enforced idleness was caused by the policy of free trade, waited on Mr. Gladstone and asked him to protect the perishing industry against these foreign drawbacks. The hon. gentleman must be perfectly aware of that.

Sir RICHARD CARTWRIGHT. I am.

Mr. WALLACE (York).

Mr. McNEILL. These people have been thrust out of employment by reason of that policy. A deputation representing a vast number of employees also waited on Lord Salisbury with the same request. It is true a number of people are employed indirectly by reason of cheap sugar, but if a proper policy had been introduced in England the people would have had their sugar just as cheaply as to-day and a great many more would have been employed.

Mr. GILLMOR. What is the price of sugar now in England?

Mr. McNEILL. Pray do not interrupt in the middle of a sentence. If the policy of protection had been pursued in England, the people would have had sugar as cheaply as to-day.

Mr. GUNN. The hon. member for West York (Mr. Wallace), gave the quantities of sugar that came into Halifax. I do not think he is aware that the majority of them were *in transitu*. The hon. gentleman says sugar is cheaper here than anywhere else. I omitted to give the price of granulated sugar in England, but I have a letter, dated 1st April, in which that sugar is quoted at 17s. 6d. or 4 cents per lb. per barrel.

Mr. VALL. No doubt the sugar tariff has been in an unsatisfactory state, so far as our people are concerned, for a long time. I am free to admit that, even under the Government of Mr. Mackenzie, we wanted some changes made which the Finance Minister was not quite willing to make; and I am pretty well satisfied, from what has occurred since, that he was wise in not touching it for the moment; because since the present Government have undertaken to deal with the matter, refiners have been here from day to day pressing the Government for changes in the tariff, until they have had to adopt the polariscope which I suggested last year and the year before. I consider this an improvement, as it places the sugar duties on a more satisfactory footing, and hereafter I hope the duties will be somewhat equalised. I am afraid that when the Government decided to make this change, they overlooked the West India trade again, and in order to give a little sop to the refiners they made this alteration with regard to grocery sugar, which is a serious matter for the people of the Lower Provinces. I hope the Minister will consider this, because a large quantity of sugar comes in from the West Indies, that as far as color goes, will be over thirteen, and subject to a higher duty, and it is the sugar consumed largely in the Lower Provinces. The hon. member for West York (Mr. Wallace) undertook to show figures to the House to convince some of his friends that the importation from the West Indies to Halifax showed a great improvement in business, but, as the hon. member for Kingston (Mr. Gunn) states a large portion was *in transitu*, and a further large portion was imported in the first year or two, when the duty was changed, because it was thought the change would result in great advantage to the West India trade, and they imported largely of sugars which they had had to export again to New York and Boston to find a market for them. So that really the figures given here do not show that any increased quantity of West India sugar has been imported into Halifax in the last year or two for refining purposes. I hope the Minister of Finance will reconsider this matter and make some alteration.

Mr. WALLACE (York). I desire to say a word as to what has been stated by the member for Kingston (Mr. Gunn) in reference to the price of sugar in London to-day. I find that the price is 17s. 6d., or \$4.25 per 100 lbs. If you add \$2.29 for duty, that will make \$6.54, and if to that you add 60 cents for freight, it will make about \$7.25, and you can buy for \$1 a better quality of sugar in Canada to-day.

Mr. PATERSON (Brant). I would ask the hon. gentleman if he is figuring on 100 lbs. of sugar.

Mr. WALLACE (York). Yes.

Mr. PATERSON (Brant). But does not the hon. gentleman know that the quotation in England is always for 112 lbs?

Mr. WALLACE (York). We get it cheaper even then.

On all sugars not imported direct without transshipment from the country of growth and production, there shall be levied and collected an additional duty of $7\frac{1}{2}$ per cent. of the whole duty so otherwise payable thereon.

Sir RICHARD CARTWRIGHT. What is the difference?

Mr. BOWELL. Hitherto there has been a difficulty in computing the amount, and we propose to place the duty in this form which will make it about equal to that which was imposed under the old tariff. If there is any difference, it is a little higher than the old tariff, which is in favor of the direct trade.

Provided that when any cargo of sugar for refining purposes is found to grade, to the extent of not over 15 per cent. of the whole, above number thirteen Dutch Standard in color, the whole of said cargo may be admitted to entry by polariscope test as above provided for refining purposes only.

Sir RICHARD CARTWRIGHT. This, no doubt, is one of those provisions which I suppose are introduced by the refiners, and my experience of them is that any suggestion of this kind made by them usually conceals what is vulgarly called "a nigger in the fence." It appears to me, looking at it on the first glance, that some considerable abuses may creep in under a clause like that. It is a dangerous clause.

Mr. STAIRS. It is not particularly in the interests of the refiner, it is far more in the interest of the West India trade. The West India sugars are not graded so strictly as to color, and the West India merchants were afraid that, if a cargo was imported for refining purposes and a certain portion ran over 13 Dutch standard, it would have to pay a rate of duty which would be practically prohibitory, while some of the East India sugars and other sugars are graded more closely, and the tendency would be to avoid the vexatious difficulties which might arise, to turn this trade towards those distant countries, which it is not desirable to do.

Sir RICHARD CARTWRIGHT. I think the result is that the refiner may import at a lower rate a sugar to go into direct consumption, but the ordinary merchant cannot do so.

Mr. BOWELL. It must be for refining purposes.

Sir RICHARD CARTWRIGHT. The refiner gets it into his hands, and you cannot say how he will deal with it. A good many of these sugars are of a very high quality, some of them ranging up into 93 and 94 and even higher.

Mr. McLELAN. It enters under a polariscope test.

Sir RICHARD CARTWRIGHT. Yes, but that would not bring it up to the level of $1\frac{1}{2}$ cents and 35 per cent.

Mr. STAIRS. There is not the slightest danger of what the hon. gentleman fears.

Sir RICHARD CARTWRIGHT. I would rather have the opinion of the grocery trade on that than the opinion of the refiners.

Mr. STAIRS. This was not asked by the refiners at all, but by those interested in the West India trade. There is no difficulty at all in the matter when the Government provide that these sugars shall be used for refining purposes only. It would not pay a refiner to alter his mode of handling his sugars for the sake of a little that he might deal with as the hon. gentleman suggests.

Mr. BOWELL. Before the statement is repeated again, and it has been made by the hon. member for South Brant, and the hon. member for South Huron over and over again, that these changes have been dictated to the Government by the refiners, I say, once for all, that the changes made in the tariff in this matter are in direct opposition to the representations made by the largest refiners in the country; and that, if we had yielded to their appeals, we should not have changed the tariff at all.

Syrups, cane juice, refined syrup, sugar house syrup or sugar house molasses, syrup of sugar, syrup of molasses or sorghum, whether imported direct or not—a specific duty of 1 cent per pound and 30 per cent. *ad valorem*.

Sir RICHARD CARTWRIGHT. Is not this much higher in proportion than clause 38?

Mr. BOWELL. No, the same proportion is carried all through.

Sir RICHARD CARTWRIGHT. But, if I recollect aright, the value of these syrups per pound is very much less than the value of sugar not over 13 Dutch standard. The specific duty is, I think, a good deal higher in this case than in the case of clause 38, though, of course, *ad valorem* duty is not affected.

Mr. BOWELL. The figures are all based on the same calculation.

Sir RICHARD CARTWRIGHT. Do you consider that all these syrups are likely to be of equal value per pound with the sugars coming in under clause 38?

Mr. McLELAN. Yes.

Sir RICHARD CARTWRIGHT. It used not to be the calculation. They may concentrate them now more than they used to. Can the hon. gentleman tell me what he supposes to be the average value per lb. of this syrup of molasses or sorghum?

Mr. McLELAN. A calculation was made in the Custom house, from the prices given there, to carry about the same values as in clause 38.

Sir RICHARD CARTWRIGHT. I should imagine that a pound of sorghum, for instance, would be worth a good deal less than a pound of syrup.

Mr. GUNN. Not more than half.

Sir RICHARD CARTWRIGHT. My hon. friend from Kingston (Mr. Gunn), who is probably the best authority upon the subject, says the value would be about one-half. That is a point on which, at the next stage, I should like to have some information.

Provided that the change in the rates of duty on sugars and molasses shall apply only to importations arriving in Canada on and after the 31st day of March instant, and not to such articles warehoused prior to that date.

Sir RICHARD CARTWRIGHT. Now, what is the object of this? If I read it correctly it means that those gentlemen who did not choose to pay duties in advance, and who had goods lying unwarehoused, shall be made a present of the difference between the duty paid formerly and the duty now imposed. If I am correct, I am bound to say that I think it an exceedingly dangerous precedent, and an exceeding improper one. There is no reason whatever why a man should be spared the duty because it did not suit his convenience to take the goods out of the warehouse. He ought to pay exactly the same as his neighbor. This is either giving an accidental advantage, or giving some parties a highly improper advantage, over their neighbors in the trade.

Mr. BOWELL. The hon. gentleman is right in saying it will give some parties an advantage who have sugar unwarehoused, incidental or accidental over others who

have not. This remark will apply to all changes in the tariff. The real reason for not bringing the polariscope test into operation the day on which the resolutions were placed upon the paper, was the difficulty that presented itself in testing sugar which might be in the various refineries throughout the Dominion. The hon. gentleman knows that by the rules which have existed from all time, when a cargo of sugar is brought in to the country, after having been tested by color and the duties computed upon the quantities by the Dutch standard, it is then taken into the refinery, each refinery been made a bonded warehouse for the purpose of storing the sugar until it has been refined and sold; when a cargo of sugar has been placed in a refinery of various grades upon which duty has to be collected, it might be one-half or two-thirds, and probably may have been all refined, and then lying in the warehouse ready for the market and the duty not paid. Under these circumstances it was impossible to test that sugar by the polariscope and arrive at any correct conclusion as to its real dutiable value. There might be no difficulty in applying the present tariff to sugars which were in the warehouse, or which had just arrived the day before, and that were not going into the refinery. But we considered it better to put a general clause in the tariff exempting all sugar that might be in the country at the time, whether in the warehouse or just arrived. Now, that is the only reason which existed for doing it. I know the general practice is that when changes are proposed in a tariff to make them take effect immediately upon all goods that are in the country. I have a distinct recollection of a Governor having been hurried down to Parliament to sanction a new tariff in order to catch a vessel that was coming up the St. Lawrence.

Sir RICHARD CARTWRIGHT. When was that?

Mr. BOWELL. That was in Lord Elgin's time when Sir Francis Hincks had brought down a tariff, and when they had to issue shiplasters to pay the Customs officials, then it was absolutely necessary to obtain money. The hon. gentleman will remember that when the 27½ per cent. was placed upon print goods, it did not come into force for some months afterwards, until, I believe, the 1st of July succeeding the Session of Parliament, and upon one or two other occasions stated periods have been provided at which the tariff should come into operation. I know, unfortunately, that no matter what is done by a public man, there is some dishonest motive attributed to him. I do not say the hon. gentleman's remarks were intended in that light, but I know it has been stated in the public press, and I daresay it will continue to be so, that if there be a merchant who cannot take advantage of the tariff, or who can take advantage of it, and if he happens to suffer by the change, he is very apt to attribute improper motive to those who were endeavoring to administer the law. However, I suppose that is the fate of all public men, whatever they do.

Sir RICHARD CARTWRIGHT. I think it would have been better to have confined that to such sugars as have actually changed condition, so to speak, where the test could not have been applied. I agree with the hon. gentleman there was a reason where the sugar duty changed condition. I think it would have been the better course to have applied it to everybody—not imputing dishonest motives, but because it is quite evident that the change is giving to one man over another an advantage. Is the hon. gentleman in a position to state to the House, roughly, what was the quantity affected by this clause?

Mr. BOWELL. I cannot say. A question was placed upon the notice paper yesterday and, I daresay, it will come up on Monday. As soon as the notice was put upon the paper I telegraphed to ascertain, and have not yet received the information.

Mr. BOWELL.

Grease, the refuse of animal fat, to be struck from the free list.

Mr. PATERSON (Brant). Is this for the manufacture of oleomargarine?

Mr. BOWELL. If hon. members will look at the old tariff they will find that grease has been admitted free, and that this is in a restrictive direction. Formerly the wording was so wide that people brought stearine and other kinds of articles in as grease for the manufacture of soap.

Mr. McLELAN. I propose to amend it by using the words grease, refuse, animal fat, for use as soap stock only, not otherwise provided for.

Iron sand or globules and dry putty for polishing granite, to be struck from the free list.

Mr. GILLMOR. I should like to enquire what is the duty these articles will be subjected to after they have been struck from the free list.

Mr. BOWELL. 20 per cent.

Mr. GILLMOR. Are they manufactured in the country?

Mr. BOWELL. Yes, at St. John.

Mr. GILLMOR. Has it been established long?

Mr. BOWELL. Yes.

Mr. EVERETT. Iron globules are manufactured there and exported to the United States.

Mr. GILLMOR. Is dry putty manufactured there?

Mr. BOWELL. I do not know that it is manufactured there, but it is manufactured in the country.

Mr. GILLMOR. There is an industry for manufacturing granite in St. George, and I was informed only a few days ago by the gentlemen who manage it that this would prove a very heavy charge upon that industry. They stated that while there is a protective duty of 20 per cent. on imported granite, and so far is an encouragement for that industry here, the imposition of a duty on iron globules, which had to be imported because they were not manufactured in Canada, would prove a very heavy tax on that industry.

Mr. EVERETT. Mr. Burpee, of St. John, has been manufacturing that article two or three years and exporting to the United States. It is a new industry.

Mr. KING. It does not require protection if those conducting it are able to export to the United States.

Mr. EVERETT. We want to give them the same encouragement as others.

Mr. GILLMOR. It is a most singular thing that this Granite Co., which has been conducting operations in St. George for ten or twelve years and has a quarry right alongside of Mr. Burpee's quarry, should not be aware that iron globules could be obtained in St. John. They have written me to the effect that they cannot be obtained in Canada. The information given by the hon. gentleman is new to me. It may be so—I do not know to the contrary.

Mr. EVERETT. Mr. Burpee informed me that he had been manufacturing two or three years; that he made more than he could use and sell in Canada, and therefore he did, what the Americans do, sent his surplus to the United States.

Mr. GILLMOR. It is most remarkable that our manufactures of granite have not found it out.

Sir RICHARD CARTWRIGHT. They will find it out to their cost. An old industry is handicapped for the benefit of a new one.

Mr. EVERETT. The article is being sold as cheaply here as in the United States.

Philosophical instruments and apparatus, including globes, to be struck from the free list.

Sir RICHARD CARTWRIGHT. This is a direct discouragement to education. Everybody who knows anything about these matters is aware that it is very unlikely that for a great many years to come it will be possible to manufacture these kinds of articles in a country like Canada, as well or anything like as well as they can be manufactured in England, and it is very desirable, in a large sense, that educational institutes in particular shall be able to procure instruments of the highest possible quality, and as cheaply as possible. Several gentlemen connected with the educational institutions of Canada have complained to me very bitterly of the fact, that with their limited resources, they are subjected to heavy duties on articles of this kind, and I think, as a matter of fact, that delicacy and fineness which are necessary in the manufacture of these articles can only be obtained in a very large market. You cannot manufacture the articles satisfactorily except in England, France, Germany and possibly the United States. You cannot manufacture these articles anything like as cheaply as in the countries I have named, and I think the Government would do well to reconsider this item.

Mr. BOWELL. It is somewhat singular that any gentleman should have complained of the high rate of duty on these articles, seeing that there has been no duty upon them for years.

Sir RICHARD CARTWRIGHT. Not these articles, but similar ones. I mention as one gentleman who has complained of this matter, Principal Grant of Kingston.

Mr. BOWELL. Yes, he wrote me for privileges which I could not concede. The heads of all educational institutions and the clergy think they should have everything required for educational and religious purposes, or what they deem to be for those purposes, free; that it is a sin and a wrong to collect any duties from that class of people. The Finance Minister has received a statement from Mr. McLellan of the Normal School, Toronto, stating that these articles could be manufactured in Toronto of as good a quality as those which are now used for educational purposes, and considering the fact that there is an establishment in Toronto where they are manufacturing, and that much of the material out of which they are made, pay a duty of from 20 to 30 per cent. We deemed it right and proper, especially after the evidence given by a gentleman of Mr. McLellan's standing, to place this manufacturer in the same position with others by striking these articles off the free list.

Mr. CAMERON (Middlesex). I regret that the Minister of Customs has taken the retrograde step indicated in the course proposed by this resolution. If we refer to the tariff in the country adjacent to us, that on which the tariff of Canada was presumably modelled, and which ours has followed to some considerable extent, we find that they have exercised a generosity similar to that which has been exercised by us for the last few years. There philosophical instrument for schools and colleges are on the free list. In addition to that, I cannot realise what particular advantage can be expected to accrue to the country or to any particular industry in it by the imposition of a 20 per cent. duty on those instruments. We find that the importation in 1884 of philosophical apparatus and instruments for colleges and schools, was only \$10,284; in 1885 the imports were \$12,293. Now, that is a comparatively small sum, and yet while small in amount the proposed duty will be a very serious tax on a comparatively small number of schools. I find that of the \$12,000 worth of philosophical apparatus, there were \$7,742 worth imported by the Province of Ontario, and that importation

was largely for a fraction of the 105 high schools of that Province. As hon. gentlemen well know, during the past year the Educational Department of that Province introduced very stringent rules as to the minimum requirements in the way of apparatus that would make these schools eligible for the Government grant. It means that these schools, with their necessarily limited resources, have to pay 20 per cent. for the increased supply of apparatus. That is a peculiar necessity with them, owing to the altered regulations of the Educational Department with reference to high schools. As a member of the Collegiate Institute Board in my own town, I was commissioned to secure a quantity of apparatus for that institute, and the apparatus had scarcely been used before it was condemned by the teachers as being unfit for use, as being in every respect such as made it impossible for those teachers to use them in their classes, and the result has been that that Institute was obliged to go elsewhere for the apparatus, in order to comply with the regulation of the Department. I say that such a policy as this is putting a tax on education. The sum is not large, but it is decidedly a heavy tax on the high school and collegiate institute boards, who find it a matter of considerable difficulty now to comply with the exacting regulations of the Educational Department. I have before me the importations of the United States during the year 1884-85, and I find that on somewhat similar basis, perhaps embracing a larger variety of philosophic and scientific apparatus, the importations were, in 1884, \$93,040, and in 1885, \$81,950, showing that the people of that country, wedded as they are to a protective system, realise thoroughly the advantage there is in securing all the appliances necessary for their educational institutions, wherever they can be secured of the best kind, and at the lowest price. I hope that a step so retrograde as that now proposed will not be taken by the Government.

Resolved,—That it is expedient to amend Schedule "D," relating to prohibited articles, by striking out the item relating to copyright works, and substituting the following in lieu thereof, viz:—

Reprints of Canadian copyright works, and reprints of British Copyright Works, which has been also copyrighted in Canada.

Resolution 5,—That it is expedient to provide that an Excise duty of eight cents per pound be levied and collected on all oleomargarine, butterine or other substitute for butter manufactured in Canada, being read a second time, was postponed.

Resolved,—That it is expedient to provide that the foregoing Resolutions, and the alterations made in the duties of Customs and Excise on the articles therein mentioned, shall take effect upon and after the thirty-first day of March instant.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to; and the House adjourned at 1.40, a.m., Saturday.

HOUSE OF COMMONS.

MONDAY, 19th April, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

COMMISSIONS TO PUBLIC OFFICERS BILL.

Mr. CHAPLEAU introduced Bill (No. 110) respecting Commissions to Public Officers of Canada.

Bill read the first time.

QUESTION OF PRIVILEGE.

Mr. EDGAR. Before the Orders of the Day are called, I would like to have the permission of the House to make

a brief personal explanation about a matter to which I did not attach much importance at the time it occurred; but since then circumstances have arisen which, I think, render it necessary for me to take some notice of it. On the 12th March, the hon. member for West York (Mr. Wallace) professed to read certain cablegrams in this House between the hon. member for West Durham (Mr. Blake) and myself, every word of which was pure fabrication, and I supposed it was so understood by the House at the time. I supposed either that the hon. member had been the victim of a practical joke, by some of his friends handing him as genuine these bogus telegrams which had been previously published in a Conservative newspaper—and I felt some sympathy for him in his unfortunate position—or else I thought that perhaps he was under the impression that he was displaying biting and cutting wit to the House when he read those bogus telegrams, and I felt even more sympathy with him if he was laboring under that huge mistake. However, what has occurred since? The speech of the hon. member, containing these bogus telegrams, has been, I am told, distributed by the thousand all over the country. Let me refer for a moment to *Hansard* to see how the hon. gentleman introduced these telegrams. He said:

"I hold in my hand some telegrams which are said to have passed between two gentlemen on the opposite side of the House, one being in London, England, and the other in Toronto."

Then followed the telegrams. Now, it may be said that people would see there was a joke in that, and I admit that hon. members of this House would probably see the joke, but I am very much afraid that many who read that speech, as distributed through the country, will not see it in that light. Everyone is not so intelligent as the members of this House, and to show that, I have here an extract from a Conservative newspaper, in which the intelligent, large-headed and conscientious editor of that organ uses this language in reference to these cablegrams. This is from the *Picton Gazette*. It is an editorial headed "Significant," and it goes on in this way:

"Some acute observer of human nature has said: 'Oh! that mine enemy would write a book.' If he had lived in later times he might have added, 'or sent a telegram.' The following interchange of thought through the cable, during Mr. Blake's absence in England, between himself and Mr. Edgar, will throw much more light on their motives and conduct than all the speakers in Parliament, pro and con, on the Riel affair."

Then it gives the telegrams, and winds up thus:

"This is a pretty condition of affairs between the high minded gentlemen, supposed to be seeking after truth and justice in this miserable case, but they have fallen into the pit they have digged for their enemy."

Now, Mr. Speaker, I think that it has become necessary for me, in the House, under the circumstances, to deny that any such cablegrams, or any cablegrams at all, for that matter, passed between the leader of the Opposition and myself, during his last visit to England. I would also like to give the hon. member for West York (Mr. Wallace) an opportunity, in the House, of going through that very disagreeable process of explaining his own joke, because I cannot believe it possible that an hon. member of the House intended it for a trick.

Mr. WALLACE (York). I beg to inform the hon. member for West Ontario (Mr. Edgar) that these telegrams were come by legitimately. They were not stolen, as other telegrams were which hon. gentlemen opposite have used for political purposes. I obtained these telegrams from the public press. They were given in good faith. We have to depend very largely on the press for our political information, and I give these telegrams as they appeared in the public press, and they require no apology from me. It is very singular that hon. gentlemen opposite have been such a long time in waking up to the fact that it was time to deny the paternity of those telegrams. I think the country will accept those telegrams as the substance of

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whatever communications passed between those hon. gentlemen. The public know what the machinations of those gentlemen were, and the public will accept—

Mr. SPEAKER. It is not in order to argue the question.

Mr. WALLACE (York). I am explaining. The public, Mr. Speaker, from what they know of those gentlemen—

Some hon. MEMBERS. Order.

Mr. SPEAKER. The hon. gentleman has no right to go into any explanation.

Mr. WALLACE (York). Those hon. gentlemen—

Mr. SPEAKER. I think it would be very improper to go into a debate.

Mr. WALLACE (York). They want to have their own say, but they are not willing the opposite side should be heard. This, Mr. Speaker, will enable the public—

Mr. SPEAKER. Order. I do not think it is in order to go into a discussion about these telegrams, more than to say how you came by them.

Mr. WALLACE (York). The hon. gentleman who got up this matter indulged in reflections of various kinds, and I should have the same opportunity of replying.

Mr. EDGAR. No. I said it could not be a trick, surely.

Mr. WALLACE (York). I state that I am not given to tricks. Can the hon. member for West Ontario (Mr. Edgar) say the same? I would say, Mr. Speaker, that these telegrams that have been read express what a large portion of the country believe to have been the policy adopted by hon. gentlemen opposite.

THE SABLE AND SPANISH BOOM COMPANY.

House resolved itself into Committee of the Whole on Bill (No. 36) to grant certain powers to the Sable and Spanish Boom and Slide Company of Algoma, Limited.—(Mr. Sutherland, Oxford.)

Sir HECTOR LANGEVIN. I understand from the promoter of the Bill that he accepts certain amendments that have been suggested to him.

Mr. SUTHERLAND (Oxford). The amendments proposed by the Government are all satisfactory to the promoters of the Bill.

Sir HECTOR LANGEVIN. Perhaps it would be as well to state to the Committee, before we go on, what the amendments are. First, in the 3rd section it is stated that the company shall have power, so long as the said works are maintained in an efficient state. The question was, how is their efficiency to be determined? If there is a complaint, how is it to be settled? The hon. gentleman agrees that it should be settled by an officer, or by the Minister of Public Works through his officers. Then, about the tariff. We have already two other companies of the same kind; one, the Upper Ottawa Lumber or Boom Company, and another, and the basis of a tariff has been adopted by Parliament under which those companies conduct their business to the satisfaction of the public, and it is understood that an amendment will be moved to insert one of these tariffs in the Bill. Then I received from an hon. member opposite a letter, before he left, to the effect that the river is a navigable river from its mouth for the largest lake vessel, and an amendment should be made providing for the free navigation of the river to boats, rafts, logs, etc.

Mr. SUTHERLAND (Oxford). I will just say with regard to the amendments proposed by the Government, that they are perfectly satisfactory. With regard to the free navigation of the river, the promoters of the Bill thought that was amply provided for in the Bill as it stands. How-

ever, in order to make it doubly sure, and to satisfy those gentlemen who are not satisfied, I am willing to adopt the amendments they propose.

On section 1,

Mr. CHARLTON. The amendment referred to by the Minister of Public Works, and which I am now about to move, will be attached to the first clause, and is as follows:—

Provided always, that none of the said piers, booms or other works, shall interfere with the free navigation of the north channel of the said river, by steamer or other craft, rafts or logs and booms.

Amendment agreed to, Bill reported and read the third time and passed.

CENTRAL ONTARIO RAILWAY COMPANY.

House resolved itself into Committee on Bill (No. 67) respecting the Central Ontario Railway Company.—(Mr. White, Hastings.)

(In the Committee.)

Sir HECTOR LANGEVIN. The clause as amended provides that owners of said shares shall have all the powers and rights of ordinary shareholders, and shall be entitled to dividend to the extent of 6 per cent. over the ordinary shareholders, and after both classes of shareholders have received 6 per cent., the owners of preferred shares shall rank for dividend with the ordinary shareholders for any surplus over and above 6 per cent. When the question came before the committee we were under the impression that there were only ordinary shareholders and not preferred shareholders already, and although two gentlemen practically own the property, Mr. Ritchie and Mr. McLaren, we have to take the ordinary precautions as if there were two hundred shareholders. Mr. Ritchie explained to me that for the new preferred shares he would prefer not to have 6 per cent. but 5 per cent., the same as the preferred shareholders that exist now, so that they would be on the same footing; that they should not afterwards share with the ordinary shareholders, but that the ordinary shareholders should receive their 5 per cent. as the preferred shareholders would receive, and, when all the different shareholders have received 5 per cent., they should share equally any surplus. The clause will, therefore, be amended to read thus: The shareholders shall have all the powers and rights of ordinary shareholders to the extent of 5 per cent., and after all the preferred shareholders have received 5 per cent., then the ordinary shareholders shall be entitled to a dividend not exceeding 5 per cent. per annum on any surplus over and above those 5 per cent., after which all preferred and ordinary shareholders shall share alike in any surplus over and above those dividends.

Mr. BLAKE. I do not know anything about the original legislation, but it appears to me, from the statement made by the Minister, that this legislation may alter the rights of the existing preferred shareholders. They have, I understand, a dividend of 5 per cent., and after that they share in the ordinary shareholders' dividend.

Sir HECTOR LANGEVIN. That point is covered by the preamble, and thus it is only settling the matter without selling the road.

Mr. BLAKE. I understand that, but it seems to me that those preferred shareholders at the present time existing—those preferred holders of securities which exist, and whose interest it is proposed to create a prior charge, have at the present time a right in respect to the future interest to share with the shareholders, after the 5 per cent. has been paid to them; and the hon. gentleman seems to me to be about to propose to arrange that they shall not share with the shareholders until the shareholders have received 5 per cent. They first, 5 per cent.; then the shareholders, 5 per

cent.; and after that they shall share in the surplus profits. That seems to be an alteration of the position of the existing shareholders, which may be quite right, but it has not been made noticeable enough here.

Sir HECTOR LANGEVIN. That was in the Bill as it stood originally, but the other thing that was there was that the preferred shareholders created by the new Bill would have 6 per cent. It was found that was too much. The two proprietors of the railway said: No; we will reduce it to 5 per cent., the same as the preferred shares. That being so, they will all be on the same footing of 5 per cent. The only difference is that, as these coupons are now due and may be collected on the railway in preference to anything else, they say: No; we will take preferred shares and come in with the others. I think it is the best arrangement, under the circumstances.

Bill reported, read the third time, and passed.

IN COMMITTEE—THIRD READINGS.

Bill (No. 78) to amend the Act to incorporate the Guelph Junction Railway Company.—(Mr. Innes.)

Bill (No. 64) to amend the Act incorporating the Pictou Coal and Iron Company.—(Mr. Stairs.)

LIFE-SAVING APPARATUS, &c.

Mr. MASSUE (for Mr. CURRAN) asked, Is it the intention of the Government to propose any amendment to the Canadian Shipping Laws, by providing for the carrying of life-saving apparatus, and inextinguishable light by Canadian vessels?

Mr. FOSTER. It is not.

SUBSIDY TO QUEBEC CENTRAL RAILWAY COMPANY.

Mr. GUAY asked, Whether it is the intention of the Government to grant, during the present Session, an additional subsidy to the Quebec Central Railway Company, to assist that company in extending its line from Beauce Junction through the valley of the Chaudière to the boundary line, and thence to the line of the International Railway, at a point on or near the River L'Original, in the State of Maine?

Mr. POPE. I have not yet had an opportunity of bringing the matter under the consideration of the Government.

DEPREDACTIONS BY AMERICAN FISHERMEN.

Mr. TROW (for Mr. ROBERTSON, Shelburne) asked, Whether the Government have taken steps to ascertain the correctness of statement telegraphed to the press, reporting depredations by American fishermen upon the traps of lobster fishermen at Clark's Harbour, in the county of Shelburne, Nova Scotia; and if the report of such aggressive action is correct, what steps do they propose to take in reference to this matter?

Mr. FOSTER. Steps have been taken to ascertain the correctness of these reports. Until the facts are ascertained it is not possible to say what steps will be taken.

SUGAR IN BONDED WAREHOUSE IN MONTREAL.

Mr. TROW (for Mr. ROBERTSON, Shelburne) asked, What quantity of sugar was there in bonded warehouse, Montreal, on the 31st March, 1886?

Mr. BOWELL. I would ask that the question be allowed to stand for a future day, when probably I will be able to give an answer. I have not yet received the information from Montreal.

SALE OF TIMBER ISLAND, LAKE ONTARIO.

Mr. FISHER (for Mr. PLATT) asked, Has Timber Island, Lake Ontario, been sold by the Government? If sold, who is the purchaser, and what is the sum paid? If not sold, who is the present lessee or occupant? When was the lease granted, and when does it expire, and what is the annual of rental?

Sir HECTOR LANGEVIN. Timber Island, Lake Ontario, was sold on the 1st July of 1884 to Mr. Paul Finlay McCuaig for \$500.

THE INSPECTION ACT.

Mr. LANDERKIN asked, Is it the intention of the Government during the present Session to amend the Inspection Act by declaring what shall be the legal weight of a barrel of salt?

Mr. COSTIGAN. That question is now engaging the attention of the Government.

SQUAW ISLAND, GEORGIAN BAY.

Mr. TROW (for Mr. COOK) asked, 1. Whether the Government is aware that a number of the Georgian Bay fishermen have heretofore built cabins on Squaw Island, and have been in the habit of drying their nets and packing and shipping their fish from that island? 2. Whether the Government has leased the said island, or any part or parts thereof, to any person or persons? If so, who is or are the lessee or lessees? What land and privileges are covered by the leases? What rents are received, and how are such rents payable? 3. Whether the leases reserve a right to the fishermen, in the first question mentioned, to use the said island in the way they have heretofore done? 4. Whether the Government is aware that Clark & Co., of Collingwood, claim to have leased the said island, and refuse to allow the fishermen mentioned in question 1, to occupy their cabins, dry their nets, and pack and ship their fish unless the fish caught by such fishermen are sold by them to Clark & Co.? If so, do Clark & Co. possess this right under any lease or other authority from the Government?

Sir HECTOR LANGEVIN. 1. The Department of Indian Affairs, to which branch of the service the disposal of Squaw Island, in the interests of the Indians who surrendered it, together with other islands to be disposed of for their benefit, appertains, is not aware that a number of the Georgian Bay fishermen have heretofore built cabins on Squaw Island, and have been in the habit of drying their nets and packing and shipping their fish from that island. 2. The Department of Indian Affairs has leased the said island to Messrs. Noble & Clark, of Collingwood, they being also the lessees of the fisheries surrounding said island, as shown by the description received by the Department of Indian Affairs from the Department of Fisheries before the lease of the island was issued to said Clark & Noble. The lease covers all the island, with the proviso that the lessees shall protect the trees remaining thereon, and that they shall not prevent the Indians from landing for the purpose of shelter, or for landing fish. The amount of rent payable by the lessees for the island is \$225 per annum, payable half-yearly in advance. 3. The lease to Messrs. Noble & Clark does not reserve a right to the fishermen in the first question mentioned to use the said island. 4. The first part of this question is answered in the reply to the second question; and with regard to the remainder of the question, the Department is not aware that Messrs. Clark & Co., the lessees of the island, refuse to allow the fishermen mentioned in question No. 1 to occupy their cabins, dry their nets, and pack and ship their fish, unless the fish caught by said fishermen are sold by them to Clark & Co., who

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possess no other rights in the island, so far as this Department is aware, than those given them under their lease thereof.

INTERCOLONIAL RAILWAY—CLAIM FOR DAMAGES.

Mr. LANGEVIER asked, 1. Whether Jos. Simard, or any other Dominion arbitrator, has made an enquiry and report on the claim of Elzéar Marois, of Cap St. Ignace, whose horse was killed by a train on the Intercolonial Railway in July, 1884? 2. What is the nature of the said report? 3. Is it the intention of the Government to pay to the said Elzéar Marois the value of the said horse?

Mr. POPE. We have had strong pressure from the hon. member for Montmagny (Mr. Landry) in this matter, and we have referred it to one of the official arbitrators, who recommends that a settlement should be made. No decision has yet been arrived at. I am obtaining further information on the subject.

CANAL TOLLS.

Mr. VAIL asked, What amount was collected for tolls on the Canals of Canada between the 30th June, 1885, and the 31st December, 1885?

Mr. COSTIGAN. The amounts collected during the period named were as follows:—

Welland Canal.....	\$100,620 34
St. Lawrence Canals.....	42,989 59
Chambly Canal.....	12,743 45
Rideau Canal.....	4,148 91
Ottawa Canals.....	36,887 88
Burlington Bay Canal.....	876 61
Newcastle District Canals.....	434 32
St. Peter's Canals.....	1,083 75

Total..... \$199,494 85

About \$15,000 of this amount was refunded on account of reduction of tolls on grain passed down to Montreal.

REPRESENTATION OF MANITOBA.

Mr. WATSON asked, Is it the intention of the Government to give Manitoba increased representation in the next Parliament?

Mr. THOMPSON (Antigonish). It is not the intention of the Government to introduce a Bill upon this subject during the present Session.

IMPROVEMENT OF ASSINIBOINE RIVER.

Mr. WATSON asked, Is it the intention of the Government to place a sum in the Estimates for the purpose of improving the channel of the Assiniboine River, between the town of Portage la Prairie and the city of Winnipeg, so as to prevent the frequent overflow of water during freshets?

Sir HECTOR LANGEVIN. I am informed by the Chief Engineer of my Department that no examination has yet been made of the river for the purpose of the improvement the hon. gentleman's question refers to.

Mr. ROSS asked, Is it the intention of the Government to take any steps this year to improve the navigation of the Assiniboine River, and also to cause the necessary work to be done to prevent its overflow?

Sir HECTOR LANGEVIN. I am not in a position to say that it is the intention of the Government to take any steps this year to improve the navigation of that river. As for the necessary work to be done to prevent its overflow, that is a very large question, and I have no doubt the hon.

gentleman will give me a little time to enable me to answer it.

TRADE RELATIONS WITH THE BRITISH WEST INDIES.

Mr. COURSOL (for Mr. GAULT) asked, Is there a probability of closer trade relations with the British West India Islands, in consequence of the visit of the delegation from the Island of Barbadoes last year?

Mr. McLELAN. It is hoped there will be closer trade relations with the British West Indies.

HARBOR MASTERSHIP OF WINDSOR, ONTARIO.

Mr. LISTER asked, Has a harbor master been appointed for the port of Windsor, in the county of Essex? If so, who is the appointee, and what is the date of his appointment? If such an officer has not been appointed, is it the intention of the Government to make such an appointment at that port?

Mr. FOSTER. A harbor master has not been appointed for the port of Windsor. The matter is not engaging the attention of the Government.

PETITION OF JAMES TRESTON AND OTHERS.

Mr. LAURIER asked, At what date was the petition of James Treston and others, to Sir John Macdonald, printed at page 68 of Sessional Papers No. 116f (1885), received by the Government?

Mr. WHITE (Cardwell). The petition of James Treston and others, without date, was received by the Department on the 16th of November, 1881.

DEPUTATION TO LOUIS RIEL.

Mr. EDGAR asked, Have the Government among the North-West papers a letter to the Minister of the Interior from the Chief Commissioner of the Hudson's Bay Company, written in the early part of 1884, notifying the Government that the deputation was going to Montana for Louis Riel, and warning them of the danger of the situation? Will such letter be brought down?

Mr. WHITE (Cardwell). I am informed by the officers of the Department that there is no such letter on record in the Department of the Interior.

LIFE-SAVING SERVICE AT PORT ROWAN.

Mr. JACKSON. When the House took recess on Wednesday last (p. 703) I had been pointing out that on several occasions the life-saving service at Port Rowan had performed noble work in saving lives there under very difficult circumstances. I had shown, by quotations from the *Spirit of the Age*, that this crew had saved, in the fall of 1883, the crew of the *Siberia*, consisting of eight men and one woman, under very trying circumstances. These people had to remain twenty hours on the *Siberia* after she had struck, before they were rescued, and on that occasion the captain asked another to take command. By that act, he showed he did not consider himself competent, under trying circumstances, to take charge of the boat, and the boat was taken charge of by another gentleman, and the crew successfully rescued. The *Maple Leaf*, in its Port Rowan correspondence, shows how this life service had rescued the crew of nine men and a woman from the steam barge *Fortune*, which was wrecked off Port Rowan on the 31st October, 1884. I was about showing, when the House took recess, that there was a remarkable fact connected with this rescue, namely, the absence of the captain of the lifeboat. The correspondent goes on to relate:

"Just here, let us note a remarkable fact. The captain of the lifeboat is never in charge when rescuing a crew. At the present time he is at Long Point, shooting ducks. This is a scandalous state of things, and the Government should see that he attends to his duties as captain, or appoint someone that will. The crew always appoint Crooker their leader. They all have perfect confidence in him, and he should have the pay and honor, as well as the work and danger.

"Then the keeper of the lighthouse should be provided with signals, as he generally sees the wreck first, but has no way of letting it be known. In the case of the *Fortune*, he could have saved the half-frozen, half-drowned, half-dead sailors a whole night of misery.

"Then, a man should be employed for a couple of months in each fall, to patrol the coast and keep a constant look-out for signs of distress. Had this been done, the crew of the *Fitzgerald* might have been saved last year. It is to be hoped that immediate steps will be taken to have the case properly represented to the Government, and the various defects remedied."

I just want to call your attention to the fact of the crew of the *Fitzgerald* being drowned in 1883, when, as this correspondent states, had there been a man patrolling the coast, by whom signals could be given, no doubt the crew would have been saved. In connection with this, I want to read another article from the *Norfolk Reformer*, dated a year later, October, 1885:

"Within twenty-four hours at this season of the year our lifeboat-saving station may be called into action. The Government authorises two practice days each month from the opening to the close of our waters. Two seasons has given the captain at this station ample time to select and hold in readiness a competent crew to man the boat when brought out for action. On Monday morning, the usual practice day, a matter of form was gone through with. We are much surprised to learn that the captain has not been in a position to command the same crew more than on two occasions during the whole season. Men who now volunteer for this duty only act for the money they receive at the time. And should they be called into action they could not be persuaded to take an oar. We ask why is this? This station now should possess a competent, well-practiced crew, consisting of men accustomed to the water, able-bodied, active, strong, and ready for any case of emergency. But we fear this station possesses none of these characteristics, and unless men volunteer, the captain would find it a difficult task to man her if called into duty. This should certainly not be the case. These men are paid for their services by the Government, and why cannot we have an effective crew to render services to poor distressed shipwrecked sailors in time of need."

These are the articles written by correspondents who know the facts of the case and the feeling in that vicinity, and in my opinion the facts they give go very far to support the petition that was sent into the Government a short time ago, whereby the people of that place prayed for a change of captain. I have not a word to say against the captain; he is a gentleman respected by all who know him, but all respected gentlemen are not competent to be captains of life-saving crews. Therefore, I recommend the Government to give this petition their most favorable consideration. If they would change the captain in that place, it would not only give general satisfaction, but, in my opinion, might be the cause of saving many valuable lives in the future. In reference to life-saving service, I do not think it would be out of place for me to state what I have seen at the American stations which I visited last year, in October, 1885. I visited the life-saving stations at Michigan, at Hammond's Bay, on the main shore of Lake Huron. Captain Valentine, who was in command, took very great pains in showing me the outfit and explaining the different uses it was put to, and giving me all the information he could regarding it. The service was supplied with six men and a captain, making seven. Of these men two were on duty at one time, four hours out of every twelve. During the day they watched from the top of the station-house, and during the night they patrolled the beach for three miles each way. When they left the station the captain gave them a register, something in the shape of a watch, but on a larger scale. These men used this register. They travelled three miles each way; at the end of the three miles a key was fastened to a post, and the patrol man, when he arrived at that post, took the key and inserted it in this instrument, which caused it to register the hour and the minute when he was there. At twelve every night the patrol men returned and delivered up to the captain those instruments, by which means he was able to know that

they had been there, and there was no way of deceiving him. Then he showed me his boats and other equipments. That service was supplied with several boats. One was called a surf-boat. Another was a self-bailing and self-righting boat, a very fine boat, and he also showed me the improvements which had been introduced. They had dispensed with the mortar gun and the Merriman, and had introduced the Lisle gun, a small cannon, from which they shot a projectile with a small line attached to it, which they throw over the wreck in desperate cases when they cannot reach the wreck; and by means of this small line they haul on a larger line, by means of which they rescue lives that might in other cases be lost. Then they have their practising boat. They have their temporary structures by means of which they practice daily, and upon the whole their equipments are ample for everything required by them. I brought this to the notice of the Minister of Marine in 1884, in reference to the inefficiency of the service at Port Rowan, and he stated that he was getting two lifeboats made. I will read what the hon. gentleman said:

"I am aware that the boat at that station does not possess all the improvements of the lifeboats of the present day. I have, however, had two of the most approved lifeboats made in Buffalo; and I have had specifications of those made, and they are now ready. I intend to have a number of lifeboats of the most approved pattern in use manufactured as early as possible; and, if the hon. gentleman's statement is correct, that that is the most exposed position in the west, we shall place one of the improved lifeboats at that station."

Again I brought it to his attention in 1885, and he answered me in this way:

"I may say further, that, on the specifications prepared last season of the Dobbins lifeboat, I called for tenders for twelve of them, and six were ordered for construction in Ontario and six in the east. As it is a new work for the boat-builders, some delay occurred, and we were not able to get the boats in time for last fall's service; but I had enquiries made a few weeks ago as to the condition of the work, and I am assured that the boats will be ready for the spring service. They are of the pattern the hon. gentleman describes—self righting and self-bailing. We have procured two of them from the United States, and they are very excellent boats and give great satisfaction."

Now, the hon. gentleman promised on the first occasion that he would send a new lifeboat to Port Rowan. Two years have elapsed, and we have had no addition to the service there. It remains in a very inefficient position. They have only an old-fashioned lifeboat there. They have no life-jackets; they have not even common life-preservers. The system of life-jackets is a very important thing, to which I want to call the Minister's attention. There is a life-jacket in use among the Americans, which I omitted to mention in my statement about the Michigan station. It is called the Merriman rubber jacket. The sailor slips into this jacket, and then it is filled with air, which enables him to float himself and two or three drowning persons. If he has this he can rely upon it, so that he can feel himself perfectly safe in going to the rescue of drowning persons, and can very often save the lives of others. But the service at Port Rowan has not even a common life-preserver. They have nothing. They have to go out under very trying circumstances, and take their lives in their hands, and in some cases their lives are seriously jeopardised. Since last year we have had a change in the Minister of Marine. We have now a young, energetic man at the helm, and I hope that, during the next spring and summer, this service will be supplied with a good boat and with sufficient material to enable those men to protect themselves in case of accident; and I really feel that, as it is one of the most exposed places on the whole chain of lakes, the Government will see that something should be done in that direction.

Mr. FOSTER. The hon. gentleman's statement as to there being no apparatus at Port Rowan and their being without the ordinary life-jackets, is not quite true. Since I have come into the office I have ordered a complete outfit,

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and I think it was sent down there three or four weeks ago. At least, orders were given for it, on the expression of his view by our Chairman in Toronto. At all events, they will be there in readiness for the spring operations.

Mr. JACKSON. I saw the captain in January, when I left, and he said nothing had been sent then.

Motion agreed to.

SCATTERIE FOG-WHISTLE SUPERINTENDENT.

Mr. KIRK moved for:

Copies of all correspondence and telegrams between the Government of Canada, or any member thereof, and the late Superintendent of Scatterie Fog-Whistle, and any other person or persons, and any Order or Orders in Council relative to the dismissal or resignation of the said Superintendent and the appointment of his successor.

He said: During the delivery of the Budget Speech of the Minister of Finance, he spoke of the importance of efficiently lighting the coast of the Dominion, and he complimented very highly the efficient manner in which the ex-Minister of Marine and Fisheries, the hon. member for Northumberland (Mr. Mitchell), had performed the duty while Minister of Marine and Fisheries. It is not only important to have good and efficient lighthouses and fog-alarms established in important places on the sea coast, but it is just as important that they should be well kept. It is useless, in fact, to have lighthouses and fog-alarms unless they are well kept; it is better to be without them altogether unless they are provided with good keepers. Now, Sir, I am credibly informed that the superintendent of Scatterie fog-alarm was dismissed, or, rather, forced to resign, for the alleged reason that he was incapable of performing the duties of that office; and I am credibly informed that the Minister of Marine and Fisheries had already made up his mind to dismiss that official, and a friend of the superintendent, having ascertained that that was a fact, advised him to resign, and he did resign. I understand that the reason the Government decided to take this action was that the superintendent was not capable of making any repairs which might be necessary to the engine or boiler, and that he was forced to resign because he was not sufficient of a mechanic to make the repairs to his engine or boiler. Another was appointed in his place, and, according to the newspaper reports, in the month of July last the boiler broke down, and during a dense fog a steamship, in making Sydney harbor, ran on the shore and became a total wreck. I will read an extract from the *North Sydney Herald*, of July 15th, 1885, which will show the position of affairs in that regard:

"Lost on Scattarie.—S.S. *Colombo* from Oosaw to this port for bunker coal, went ashore on the night of the 9th on Scattarie, during a dense fog, and is a total wreck. A few hours before the *Colombo* went ashore the fog-whistle on the island had broken down, and to this unfortunate event Capt. Payne ascribes the loss of his steamship. The *Colombo* belonged to Watts, of London. She had a cargo of phosphates for Dublin. The crew came to this port on Saturday evening by the tug *Merrimac*."

Now, Sir, I have no reason to find fault with the Government for forcing the resignation of an incapable superintendent. The Government would be perfectly right in doing so, but they should take care to appoint a competent person in his place. I am informed that the man whom they appointed to replace the first one, was not a mechanic either; he was neither an engineer nor a mechanic, and he knew nothing at all about running an engine; he knew nothing at all about a boiler except what he had learned, during a few years, from the superintendent who had been dismissed. I am informed that the reason why the boiler broke down was that the new superintendent was unable to repair it; the boiler sprang a leak and was unable to generate sufficient steam to sound an alarm, and for the want of that alarm the steamer ran ashore. I am informed, also, that

when the steamer ran ashore, the new superintendent was obliged to call in the very man that was dismissed to repair the boiler in order to start the fog-alarm again. I cannot say this is true, but I have it on very good authority. I think people have a right to know whether the Minister of Marine and Fisheries has properly performed his duties in this matter.

Mr. McLELAN. After the remarks of the hon. gentleman I may be allowed to say a word or two. I remember something about a dispute between the keeper of the lighthouse and the keeper of the fog-alarm. I think the one was dependent upon the other for assistance at times, and a quarrel arose. It was desirable to have greater harmony between the two men residing at the station, and also to have men capable of repairing the fog-alarm should it get out of order. The hon. gentleman says that after the new engineer was appointed the boiler gave out, and that an hour or two before, a vessel ran ashore. Well, it is nothing extraordinary that an engine should be idle for a short time while repairs are being made. I may state to the House that while I was in the Department, in order to guard against such accidents, I had contracted for some fifteen or sixteen fog-horns to duplicate all the more important stations, that is, to place two alarms at each so that if one broke down there would be another to start, so as to prevent such an accident as the hon. gentleman says occurred at that station. My recollection of the stranding of the steamer *Colombo*, was not that it occurred in consequence of the fog-alarm being out of order, but that it was complained of by the captain that for the want of a fog-alarm at some point near Sydney harbor, the vessel went ashore. I think it is desirable, in the interest of navigation, that at all the more important stations there should be two alarms, so that when one is disabled the other may be put into operation; and before I left the Department last year I had contracted for some twelve or fifteen, and I suppose my successor is taking steps to have them placed.

Mr. KIRK. The hon. gentleman has not answered the charge at all. He has admitted the necessity of having a superintendent who is capable of repairing the engine and boiler should they get out of order, but he has not explained why he dismissed a superintendent who was able to repair the boiler, and who did repair it, and appointed another man who was not able to repair the boiler. I can understand the hon. gentleman's desire of putting the country to the cost of having a duplicate system of fog-alarms in dangerous places, in order to avoid the necessity of dismissing or displacing some unfortunate superintendents to make room for friends of the hon. gentleman. But it appears to me that if good and efficient superintendents are appointed who are mechanics, there will be no necessity for a duplicate alarm being kept in order that it may be sounded whilst the other one is out of repair. Now, the charge is that the hon. gentleman dismissed a superintendent who was capable of performing his duties—

Mr. McLELAN. No.

Mr. KIRK—and placed a man in his stead who was not capable. Now, the report in the North Sydney *Herald* does not say one or two hours. I do not know how many hours the fog-alarm was idle, but the paper says a few hours. It may have been a dozen hours, and perhaps it was more than that. I daresay the man who was newly appointed would be very reluctant to call in the man who was dismissed to repair the engine. It is likely he would wait an hour or two before attempting to do so. It was only after the steamship was lost the man was called in to make the necessary repairs.

Mr. McLELAN. The hon. gentleman did not make any charge; he did not state whether the report was correct or

not. The hon. gentleman had moved for the papers, and having stated that he was not aware whether the report was correct or not, I did not think it worth while to trouble with it. When the hon. gentleman gets the papers he will obtain all the information on the subject.

Mr. FOSTER. This illustrates what I spoke of the other night, that it is not always the best plan to make a charge before the papers are laid on the Table for the information of the House. I venture to say that the papers, when brought down—I have gone through them, not very carefully, but still I have gone through them—will not substantiate the hon. gentleman's implied charge, namely, that a competent engineer was dismissed and an incompetent one put in his place. The hon. gentleman will find, when he looks over the papers, that the engineer was dismissed for cause, upon the recommendation of one of the best engineers in Nova Scotia, and the recommendation as well of our agent in Nova Scotia; and he was dismissed for incompetency, because his work was not up to what it should have been when it was inspected, and he was not considered to be a competent engineer judged by the work he performed. There was also another point: There were two heads and they were constantly quarrelling, and it was impossible to have the work fairly well carried out.

Mr. KIRK. What about the engineer who was appointed?

Mr. FOSTER. In regard to the engineer who was appointed, so far there has been no charge brought against him of incompetency. The hon. gentleman to-day has not made one. If the hon. gentleman thinks that to take up an item from a newspaper and found a charge on it is the best and fairest way of treating a matter coming before the House, he is entitled to that opinion; but few will agree with him in regard to this. The hon. gentleman said a moment ago that he had stated a fact. Of course, the fact of the wreck was stated, but there is a wide difference between the fact of the wreck and the conclusion that the wreck was due to incompetency on the part of the officials appointed to take charge of the lighthouse.

Motion agreed to.

PORT HOOD HARBOR.

Mr. CAMERON (Inverness). Since I tabled this motion I have received some information relative to the subject which necessitates a change in my notice. I, therefore, deem it necessary to make an explanation as to why I desire that change. In answer to an Order of the House, dated 5th March, 1886, for copies of all correspondence with the Department of Public Works relative to the protection required to the north of Smith's Island to prevent the total destruction of Port Hood harbor, Inverness, N.S., also a copy of the engineer's report thereon, the chief engineer makes very important statements. He says:

"Under the lee of Smith's Island is to be found the safest anchorage on the western coast of Cape Breton, and this great benefit is in a fair way of being destroyed by reason of the inroads which the sea has made, and is still making, on the comparatively low neck of land at the northern end of Smith's Island on the plan herewith."

After referring to the danger of the severance of the island whereby the harbor would be destroyed, the chief engineer states:

"It is stated by residents on the island that thirteen years ago the cliff at the neck of low land extended fully 200 feet beyond its present position, and that the rate of wear or erosion was about fifteen feet per year.

"Assuming that this rate of erosion would not increase, the edge of the bog would be reached in about seventeen years; beyond this point the material being softer would offer less resistance to the action of the sea, and the injury would therefore proceed at a more rapid rate, and probably twenty years might elapse before a complete severance of the island would be effected."

The severance of the island at that point, I repeat, would totally destroy Port Hood harbor, which is one of the most important harbors in the Maritime Provinces. In the north bay and along the north-west coast of Inverness County will be found during the fall of the year the largest fishing fleet from the Maritime Provinces and the United States in any part of Canada, and this is the only safe harbor of refuge available for that fleet from the Magdalen Islands to the Strait of Canso, along St. George's Bay and the north-west coast of Inverness, a sea coast line of about 130 miles. This question was repeatedly brought before the attention of this House. During the discussion on 29th April, 1878, Mr. Tupper said :

"He would like to ask the hon. the Minister of Public Works if the Government had arrived at any conclusion with reference to a work of considerable importance in Nova Scotia, which had been under the consideration of the late Government, and which had been brought to the notice of this Government from time to time. He referred to the closing of Port Hood Harbor, Cape Breton."

Mr. Mitchell, now member for Northumberland, said :

"The work was of great importance; he had seen over 100 vessels in that harbor."

Mr. Macdonnell, member for Inverness, said :

"He had seen over 300 vessels in this harbor at one time during a storm. The only harbor of refuge on the north-west side of Cape Breton, on the gulf side of St. Lawrence and Bay St. George, which formed an almost direct coast line, was that of Port Hood, and for ships blown by storms from any of the ports to the west of it, and other ports on Prince Edward Island and along the northern shores of Nova Scotia and New Brunswick. Many vessels were annually wrecked along this coast. Only last fall in one day 103 vessels had taken refuge in this harbor, and on the following morning 13 others were stranded on the shore. Not a single one of them belonged to the county of Inverness."

This shows that Port Hood harbor is not one of local importance, no vessel being owned in the neighborhood of that harbor, but that the work is one of general importance. After referring to the extent of the coast, Mr. Macdonnell concluded as follows:—

"He hoped the Government would turn attention to this work at once. It was one that could not be constructed piecemeal; but he thought a small grant of \$20,000 or so would be sufficient this season in order that the work would be initiated before another year elapsed. Although the contract might not be entered into till late in the season, it was desirable to procure such material as was necessary."

In answer to these statements, the late Minister of Public Works (Mr. Mackenzie) said :

"The Government would have no hesitation at all about a grant such as the hon. gentleman had named; but he feared it would be utterly impossible to do anything with so small a sum. What he proposed was to have the plans, which were almost complete, and advertise to get tenders and see the minimum sum for which it could be built, then they would know exactly where they stood at the next Session of Parliament."

Since that time, I am given to understand, tenders were asked for, and I am desirous of obtaining the papers so that the House may know the exact figure which the work would cost. Therefore I desire to move my motion with a slight amendment which I hope will be adopted. I move for :

Copies of all correspondence relative to the closing of the northern entrance into Port Hood Harbor, with copies of all reports of Chief Engineers of the Public Works Department in reference to the matter; also copy of the plans, specifications and tenders asked for by the late Minister of Public Works in 1878.

Mr. PAINT. I am happy to be able to concur in all the remarks made by my hon. friend from Inverness (Mr. Cameron). This is a most important harbor, for not only have there been 100 sailing vessels there at one time, but I have known of 300, and three English men-of-war at the same time. It is the only harbor along the western coast of Cape Breton; it is invaluable to the trade of the country and should be preserved at all costs.

Motion agreed to.

Mr. CAMERON (Inverness).

WHITEFISH FRY AT FISH HATCHERIES.

Mr. GORDON moved for :

Return giving the number of whitefish fry at the various fish hatcheries of the Dominion for distribution next spring; also the number of pickerel and black bass; also the instructions that have been given for their distribution.

He said : I will not detain the House very long, but will simply take advantage of this opportunity of earnestly requesting the Minister of Marine and Fisheries to direct that, as early a period as possible, a number of fish fry, of the species enumerated in the order, be sent forward to the lakes of Vancouver Island, in order to test the practicability of these lakes for the reproduction of such fish. There are many lakes on that island varying in length from half a mile to forty miles. The waters of these lakes seem to be well adapted to the production of whitefish, bass and pickerel. At the present time the only fish to be found in them is the species known as the mountain trout, and I am sure that while these hatcheries are going on silently doing their work in this country, the Department, the Government and this House, will feel the importance of extending the field of their labor. I need not make any further remarks, because I am sure the importance of the question will be acknowledged.

Motion agreed to.

DISTURBANCE IN THE NORTH-WEST — POLICE SCOUTS.

Mr. SPROULE moved for :

Return showing the names and number of those who acted as police scouts during the North-West insurrection; also, the names of those who have since applied for a land grant bounty for said services, the same as that given to the volunteers.

He said : I may say that I make this motion with a view of finding out the names and the number of those who were engaged in the insurrection in this capacity. I believe there is a misunderstanding on the part of some of those parties, as they think that having done a duty somewhat similar to the military scouts they are therefore entitled to the same consideration. I am informed that quite a number were engaged in this capacity, and that many of them have since applied for land grant bounties similar to that given to the volunteers, but it has been refused—on what ground they cannot understand. So far as my knowledge gives me information on this subject, I believe they did the same kind of work. The work was dangerous; they were obliged to supply themselves with fire-arms and horses, the amount of wages they received was not sufficient to compensate them, any more than the wages of the volunteers was sufficient to compensate them for the labor they performed; and since the insurrection has been quelled they are now applying for land grant bounties. These bounties have been refused to them and they think that an injustice has been done them. I believe that when the matter is brought to the attention of the Government they will see the reasonableness of changing the resolutions which were passed last year by this House, so as to provide that land grant bounties should be given to these parties. In addition I understand that some of them have asked that, provided the land grant bounty is given, they may be able to turn it in on their pre-emptions. Many of them are settlers in the North-West who have taken homesteads and entered for pre-emptions, and I cannot see any reasonable objection to these bounties being so applied. I believe also that some of them have applied to have the time allowed during which they were engaged as part of the time they have to settle on their lands before getting their deeds. As I said before they did the same kind of work as the military scouts; it was as dangerous work; their pay was only 75 cents per day, after supplying themselves with the

horses and I think they are entitled to the same consideration.

Mr. WHITE (Cardwell). With reference to the last remark of the hon. gentleman I may say that we have allowed the time both of the teamsters and of the scouts who were engaged in the North-West, to apply upon their homesteads, as part of the time of residence.

Motion agreed to.

SPEECHES IN PARLIAMENT.

Mr. CHARLTON moved the following Resolutions:—

1. That the growing practice in the Canadian House of Commons of delivering speeches of great length, having the character of carefully and elaborately prepared written essays, and indulging in voluminous and often irrelevant extracts, is destructive of legitimate and pertinent debate upon public questions, is a waste of valuable time, unreasonably lengthens the Sessions of Parliament, threatens by increased bulk and cost to lead to the abolition of the official Report of the Debates, encourages a discursive and diffuse, rather than an incisive and concise style of public speaking, is a marked contrast to the practice in regard to debate that prevails in the British House of Commons, and tends to repel the public from a careful and intelligent consideration of the proceedings of Parliament.

2. That it is expedient to adopt the following rules to apply in future to the mode of conducting debates in the House of Commons of Canada:

(1). The speech of the Finance Minister, the reply to the same, or the speech of a member moving a motion or resolution shall not exceed two hours each, except by consent of the House obtained at the opening of the debate.

(2). With the exception of the Budget Speech of the Finance Minister, the chief reply to the same, and the mover of a motion or resolution, no member shall in any debate speak at greater length than one hour and a half, except the acting leader of the Government, or of the Opposition, who shall not exceed two hours each, except by the unanimous consent of the House.

(3). After any question shall have been under the consideration of the House for three days, speeches upon the same shall be limited to one hour each, except in the case of the acting leader of the Government, or of the Opposition, who shall not exceed two hours each, except by the unanimous consent of the House.

(4). After any question shall have been under the consideration of the House for five days, the House may, upon the motion of any member, and by three-quarters vote of the members present, restrict the time to be occupied by any member, except the acting leader of the Government, or of the Opposition, to not less than fifteen minutes each.

(5). The above restrictions as to time shall apply to the proceedings of the House when in committee, as well as when Mr. Speaker is in the Chair, but shall not be held to abridge the privileges of a member, when the House is in Committee, except as to the length of time he may speak upon each occasion when he is entitled to address the Chairman.

(6). The foregoing rules as to restriction of time may be suspended for one speech in the case of any individual member, by the unanimous consent of the House.

(7). No member shall be allowed to read his speech from MSS., but this shall not be held to debar from the use of memorandum, and notes of the character of headlines and suggestions.

3. It shall be the duty of Mr. Speaker to enforce the foregoing rules.

He said: The necessity for action in the line of these resolutions will, I presume, be concurred in by nearly every member of this House. It is undisputed that for several years there has been a growing tendency here to make long speeches. I am quite willing to confess that I am a sinner in this regard myself; and for this reason a motion of this kind will come from me with probably as good grace as from almost any other member of the House. We have a large country, with growing wants, a growing population and a growing business; and if this business receives from the House of Commons proper attention, we must adopt some plan for economising our time, some rule for limiting debate, or there must be some general concurrence on the part of members that long speeches are unnecessary and improper. One circumstance that perhaps more than anything else leads to this evil, if we may call it such, is the fact that our *Hansard* affords all members of the House an opportunity to talk to their constituents. Their speeches are carefully reported in *Hansard* and an arrangement can easily be made by which a member may obtain and send to his constituents as many copies of his speech as he chooses to issue. For this reason many members make speeches, not to the House or to the

country at large, but through *Hansard* to their constituents. This evil does not exist to the same extent in England. The English *Hansard* is not, as here, a verbatim report of Parliament; in fact, it is a brief epitome of the debates of Parliament, and if a member wishes his speech to reach his constituents he must arrange to send it by special wire to his local paper; and on account of the expense attending this plan the evil of long speeches is kept within moderate bounds. All who have noticed in this House the effect produced by long speeches must be aware that, except on very rare occasions, they do not receive that attention from the House that shorter speeches would receive. A speech of four or five hours' length, if compressed within a limit of an hour or an hour and a-half, would produce a better effect in this House. I am convinced that long speeches are not read by the country—that not one man in a thousand takes the pains to wade through them. In fact, I believe that a speech over an hour long is a waste of time, so far as the country is concerned.

Mr. WHITE (Hastings). There are no speeches delivered, only read speeches.

Mr. CHARLTON. I beg to differ from my hon. friend as to that. There are speeches delivered in this House that have not been read, speeches of great length and ability and speeches which could only be criticised on the ground that they were too long. It is related of Jeremy Black, a celebrated jurist in the United States, that he had a son who was completing his education at one of the universities. The son spoke to his father about his valedictory address. The old gentleman read it carefully, and advised his son to re-write it and compress it into one-fourth of the space. The boy re-wrote the address, and got it into one-half of the space, and then read it again to his father; the old gentleman said, "if you will re-write that again and compress it one-half, it will be all right." So with long speeches. They may be admirably adapted to bringing out every point in the matter under consideration, and presenting all the details; and they would be admirable in every respect if they could command the attention of the House and country—if the people would only read them; but most people will not follow all these details. I think we should consult every interest by shortening our speeches. We should secure the attention of the House to a greater extent, and produce a greater effect. Parliament is for debating rather than for delivering long essays. Our *Hansard* is a valuable record of our speeches; but it is evident that there is a feeling on the part of members that *Hansard* is overloaded, is too voluminous, costs the country too much, and contains so much matter that the ordinary reader will not go through it; and if we persist in the course we are following, and make the *Hansard* more voluminous every year, the result will be that we shall sacrifice it—some member will bring in a resolution that *Hansard* be discontinued, and the majority will agree with him. Of course this record will be valuable to the future historian and the future student of history. I can imagine that a *Hansard*, no matter how brief, containing an epitome of the proceedings of the Parliament of England in past ages would possess incalculable value at the present day; but if it embraced four ponderous volumes, as ours of last Session did, almost any student of history would shrink from the task of going over the proceedings from year to year. I believe that in the matter of speeches we have sinned perhaps to a greater extent than almost any deliberative body in the world. I notice, by the reports in the press of the proceedings in the British Parliament lately, that Mr. Gladstone introduced his Home Rule scheme in a speech of something over three hours in length, which was the longest speech he ever made in his life, but a considerable portion of it was occupied by the applause of his followers,

so that his speech probably occupied less than three hours; his answers to the criticisms upon the Bill occupied less than an hour; and his speech in introducing the Land Bill occupied an hour and a half. I hold a volume here written by Mr. Lucy, entitled "A Diary of two Parliaments," which contains some interesting matter as to the length of speeches and the opinion of prominent men as to the true course to be adopted to produce effective speaking. Referring to Lord Hartington, he says:

"Without observing any slavish adherence to the hours during which the House has been in session, he generally happened to be present when it was necessary for him to say a desirable word, and he has always managed to say the right thing at the right time.

"He has, moreover, marvellously improved in ability as a speaker. His contribution to the debate on the introduction of the new disciplinary rules was, in point of style and effect, perhaps the best he ever delivered in the House. As a parliamentary speaker he is at least on a par with the leader of the House, and has shown a capacity which, if it proceeds at equal pace during the next two Sessions, will give him a decided advantage over Stafford Northcote. One obvious assistance in acquiring this all-important parliamentary success is his ultimate conversion to the great fact that, in all but very exceptional cases, every minute beyond twenty occupied in the delivery of a speech undermines its strength and tends to nullify its effect. In former times Hartington was accustomed to drone through three-quarters of an hour of ineffective wordiness, his strong common sense and clear views struggling to show their form under the wet blanket of speech cast over them. Now he never takes more than twenty minutes for his speech, and often says all he has to say within the limits of ten minutes or a quarter of an hour."

With regard to Gladstone's great speech on the eastern question Mr. Lucy said he occupied two hours and thirty-five minutes, of which about 20 minutes was taken up by his friends in applause which gave the old gentleman a chance to take refreshments—not ardent spirits,—and he adds that the speech was dangerously long. The evil of long speeches had been felt in the British House of Commons as early as 1849. Mr. Milner Gibson introduced a resolution, which was as follows:—

"To leave out from the word 'that' to the end of the question, in order to add the words 'the speeches of members be limited in duration to one hour; but that the introducers of original motions, and Ministers of the Crown speaking in reply, be exempted from this rule.'"

Mr. Cobden seconded this amendment. Lord John Russell in the course of the debate said:

"He (Lord John Russell) must confess that sometimes when the House had been teased by the garrulity of some members, he felt that a time might come when the House would adopt some rule with regard to the limitation of time."

Mr. Tynte said:

"He thought the love of speaking had increased very much with the perfection to which shorthand writing had attained, and that the House was greatly indebted to those gentlemen up at the back of the Chair for the length as well as the accuracy of the debate. It was an inducement to hon. members to speak when their speeches were sent through the country; and he hoped those gentlemen (the reporters) would use a little patriotic discretion in distinguishing that which was worthy of being reported.

Mr. Cobden said:

"It was when a member had nothing to say, or did not know what he was going to say, that he would have occasion to speak for more than an hour. The right hon. member for Tamworth had referred to the case of Mr. Burke. That was an unhappy instance, for it was well known that Burke generally emptied the House. He was called the 'dinner bell,' and it was said that

'He went on refining,

'And thought of convincing while they thought of dining.'

And he thought if his speeches were cut into four they would read much better than they did. He would limit the time of speaking, for the purpose of saving the time of the House, and the reputation of the House with the country, and therefore he would support the motion.

"The House divided on Mr. Gibson's motion: Yeas, 62; nays, 96; majority, 34."

Since then it has been found necessary in England to adopt a rule limiting the time called the cloture. I find in Bourinot's work the following regulation with regard to Parliamentary procedure:—

"Putting the question. A standing order of the 27th November, 1882, provides as follows for the prompt closing of a debate, when it is the sense of the House that a question has been sufficiently debated.

Mr. CHARLTON.

"That when it shall appear to Mr. Speaker or to the Chairman of Ways and Means in a Committee of the Whole House, during any debate, that the subject has been adequately discussed, and that it is the evident sense of the House, or of the committee, that the question be now put, he may so inform the House or the committee, and, if a motion be made 'that the question be now put,' Mr. Speaker, or the chairman, shall forthwith put such question; and, if the same be decided in the affirmative, the question under discussion shall be put forthwith: provided that the question 'that the question be now put,' shall not be decided in the affirmative, if a division be taken, unless it shall appear to have been supported by more than 200 members, or unless it shall appear to have been opposed by less than forty members, and supported by more than 100 members."

We have also had action taken in this respect, to my surprise, in Canada. In the year 1851, the following motion was moved:

"Mr. Armstrong moved, seconded by Mr. Morrison, and the question being put, that no member shall have leave to speak on any question before the House for more than half an hour; the House divided: and the names being called for they were taken down. Yeas, 33; Nays 22."

So we have had in Canada the half-hour limitation. In the United States I find the amount of business led to the adoption of rules for the limitation of debate as early as 1847.

"The House of Representatives has what is known as the one-hour rule, first adopted in 1847, which provides that no member can occupy more than one hour in debate on any question in the House. It would be a great mistake to infer that this secures any member who wishes to be heard the right to occupy an hour. The life of a Congress is short, and in practice a very few members only secure an hour, the rest being cut off by the previous question, usually asking and procuring 'leave to print,' or being allowed a few minutes of the time of the member who is entitled to an hour to close the debate. Another rule of the House is that no member shall speak more than once to the question, unless he be the mover, in which case he may speak in reply, but not until every member choosing shall have spoken. Both of these last named rules, however, may be and are often suspended by unanimous consent (unless the House is pressing toward a vote). Another rule provides that the Speaker is to name the member who is first to speak, as 'the gentleman from Maine,' etc., when two or more members claim the floor at once. No debate is allowed after the House has ordered the previous question, except one speech from the member reporting the measure; but, as he is entitled to an entire hour, he frequently yields a certain number of minutes of his time to several members for short speeches. No member may call another member by name in debate, or call attention to the views of the other House, but both of these rules are transgressed with great frequency, &c.

I have taken pains to look up the rules in different countries, and I find, in most of the colonies and in various European countries, rules have been adopted in their Parliaments for the purpose of saving time. In the Cape of Good Hope, any member can call for a division and take a vote on his call without a debate. In South Australia, the motion that the House do now divide takes precedence of any other business but it must not be made when a member is speaking. This is constantly done says Mr. Berresford, Clerk of the Assembly, under date 19th November, 1880. In Victoria, the motion that the question be now put is the only mode of checking debate, and it is often used. In Belgium, in the Senate, the close of the debate can be demanded by five members, and in the Chamber of Representatives by ten. If a member is too prolix, he may be called to the question, and if he persists in being prolix, he may have his right to speak stopped altogether for the session. In Austria and Hungary no member shall speak on the same question more than twice. In both Houses of the Reichsrath a motion may be put to close the debate at any time. When the motion is carried each party, for and against the proposition, shall choose one speaker on each side of the question, and then the motion is put. If, however, a member of the Government rises the debate is reopened. In Denmark the President may propose the close of the debate; fifteen members of the Lower House and twelve of the Upper House may demand the close of the debate peremptorily. In France, before declaring the cloture, the President of the Chamber consults the Chamber, and the right to speak against the cloture is only accorded to one speaker. In Germany, if a member wanders from the subject, he can be called to order by the President. If the member persists, he may be

ordered by the House to be no longer allowed to speak. Thirty members may, by signed motion, close a debate. A motion to pass to the Orders of the Day may be made at any time, and only one speaker on each side can be heard. In Portugal only one hour is allowed before beginning the Orders of the Day. After two on each side have spoken, any peer may ask that the vote be taken, and no speaking is then allowed. There is no limitation as to speaking by either the peers or the deputies. In Spain, any deputy can move that the question be not discussed, and his motion has preference over any other. Only three on each side of a question are allowed to speak in each debate. Only in extraordinary cases can four be allowed. These speakers are chosen according to priority of the inscription of their names upon the president's list. No speech can be longer than one sitting without permission. It will be seen by these regulations of various countries that the necessity for rules limiting debate has been felt in other countries beside Canada, and that means have been taken in almost every country to save time by shortening speeches. Mr. Torrens, in his "Reform of Procedure in Parliament," says:

"There is hardly a speech recorded of Wyndham, Chesterfield, Pulteney, Walpole or Carteret, that could in delivery have occupied an hour. Mirabeau was never long; Vergniaud always terse; Berryer comprehensive but concise; Thiers as rapid and brilliant as a shower of sparks from the anvil. The best examples of Irish eloquence are distinguishable from the same characteristic from those of inferior merit; Grattan, Flood and Curran seldom exceed an hour, or Plunket when at his best."

Now, I do not think that it is necessary to enter more fully into the discussion of the question. I have taken the responsibility of introducing these rules, not, perhaps, because I expected that they would be adopted by the House, but to elicit an expression of opinion; and perhaps these rules may form the basis for some arrangement that will facilitate the dispatch of business in this House. I have but two more quotations to make. One is from a speech of Mr. Gladstone, on the 28th April, 1879, in which he says:

"Of the excellent speeches we all make in this House, and which go forth to the public, there is not one in a thousand of the readers who reads all the speech or who goes beyond the half-dozen lines of summary."

The Marquis of Hartington, speaking on the 2nd November, 1882, says:

"We mean by freedom of debate that every subject which is brought before the House shall receive full and adequate discussion, but no more than full and adequate discussion. There is no subject upon which there is more than a certain amount that can be said. When certain arguments have been urged, when certain points have been stated, no more in the way of discussion can usefully take place. Repetition of the same arguments, endless reiteration of the same points do not tend to strengthen the arguments or to make the points clearer. On the contrary, they rather tend to dilute and weaken the force of the arguments, and to obscure the clearness of the points which have been raised. That is the practical view taken by hon. members of the House."

It will be observed that the limit named in the rules proposed by me is a very liberal one, much more liberal than it is in the United States and many of the countries that I have mentioned. The provision in reference to a three-quarters vote to restrict the time of any member except the leaders of both sides, amply guards the rights of the Opposition or the minority. In submitting these resolutions, I hope that no member in the House will take offence who may have made long speeches. I am one in that category, and the evil is not confined to one side. It has been a general evil. The remarks I have made cannot be considered invidious; I do not intend anything of the kind; but I think it is time, for our credit, for the good of the country and for the facilitating of business, that we should adopt some rule for the shortening of the speeches. I think any member who exceeds two hours is wasting his breath and his time.

Sir HECTOR LANGEVIN. The hon. gentleman has shown a great deal of industry, he has shown that he has worked very hard to find all those extracts from newspapers and books in order to sustain the resolutions he has submitted to the House. I am surprised, however, that the hon. gentleman should have given himself so much trouble to curtail the liberty of speech in this House. I did not expect it from that quarter. I thought the hon. gentleman would have been of opinion that the people who send us here require that their sentiments, their wishes, their petitions be not only put before the House, but argued, and argued at such length as to lay before the House the reasons for and against the motions submitted. I do not think that resolutions of this kind are calculated to reduce the length of speeches. The hon. gentleman knows full well by his own experience, he has been long enough in Parliament to know, that, if a member chooses to make a long speech of three, four, five, six or seven hours, he will always find the ways and means to make that speech. He knows that, if a member makes a speech of two hours in length, he may afterwards have a friend to move a motion in amendment, and then he continues his speech. It is only by moral suasion, by the position taken by the House as a whole, that these long speeches will be abandoned, when it is clear that the House does not want to hear them, and therefore I do not think that we should adopt resolutions of this kind. For example the first rule is this:

"The speech of the Finance Minister, the reply to the same, or the speech of a member moving a motion or resolution, shall not exceed two hours each, except by consent of the House obtained at the opening of the debate."

Well, how will the House know at the opening of the debate that a speech requires more than two hours? It is a matter that the House cannot decide before the opening of the debate, and it is only as the member proceeds, and if the matter is a very important one, and one in which the House takes a great interest, and if they see that the member has strong arguments to lay before the House, though the speech may be three or four hours in length, I have no doubt the House will not look at the clock to see how long he has been speaking, but will allow him to proceed. I think that it is not by rules of this kind that we can curtail long speeches. I suppose the hon. gentleman does not think for a moment that his resolutions will be affirmed by the House.

Mr. CHARLTON. Not if the Government oppose them.

Sir HECTOR LANGEVIN. For my part I do not believe these resolutions should be adopted, although we might affirm the first one. By the first resolution we say that very long speeches are not palatable to the House. That the House wishes to get on with the business before it, Nevertheless, there would be exceptions, and I have no doubt that long speeches will be sometimes indulged in. If at any time a rule of that kind should be adopted, I do not think it should be during the present Session, but it might have been properly adopted during a previous Session when we had very long speeches. Nevertheless hon. gentlemen will observe that even under this rule we could not stop these long speeches if hon. members desired to make them. Under these circumstances, if the hon. gentleman does not withdraw his resolutions, I will move that the second and third resolutions be struck out.

Mr. ARMSTRONG. I believe this is a move in the right direction. I think three years ago when a motion was before the House to abolish the *Hansard* altogether, I was one of those who voted for it; and as a matter of expediting business, I could almost wish that it were abolished. However, I do not see that such a thing is practicable. I need not tell the House that the acoustic properties of this Cham-

ber are such that there are not probably a dozen men in the House who have the physical strength necessary to make themselves intelligible to the general membership of the House, and any idea that a member can form of the debate he can only get by reading over the *Hansard* next day. There are other reasons why I do not think it is advisable to abolish the *Hansard* altogether. Still, I think something might be done in this way in order to restrict debate within proper bounds. There is no reasonable doubt, I think, in the mind of any member of this House that the privilege is very often and very much abused—the privilege of making speeches of unlimited length just for the sake of reading them afterwards in the *Hansard*. I intended before I got up to tell the House a secret, however, it has been confessed, and that is, that there has not been a more flagrant offender in this respect than the hon. gentleman who has moved the resolutions. I suppose we ought to hail this as a good sign. It is always encouraging to see signs of reformation, and we have very high authority for asserting that:

“While the lamp holds on to burn
The greatest sinner may return.”

However, Mr. Speaker, I cannot support the resolutions in the form in which they now stand. If you look at them closely you will find that there is a wheel within a wheel. There is an inner circle that sits somewhere down on the front benches, that will be permitted to have unlimited time. They are going to get it in some way or another. After the debate goes on for five days, and all the long speeches have been delivered, then, what comes next? Why, the case amounts just to this: that if we understrapers can muster up courage enough to face the House, after it has been wearied out of all patience and determined to listen to nobody, we can have fifteen minutes to speak. For this reason I cannot support the resolutions which are now before the House. However, as I said before, any fair and just scheme for shortening the debates I shall most heartily support.

Mr. SPROULE. I think there has never been a more important motion before this House—

Some hon. MEMBERS. Hear, hear.

Mr. SPROULE. Some hon. gentlemen seem to be very sensitive on this point. I do not think I have ever reached an hour in this House, consequently I am not a sinner. I say there has been no question before this House for a long time that I believe is so important as this one. It is cheering to know that the hon. member who introduced it has gone so far as to make an open confession: Confession is said to be good for the soul, and it is to be hoped that he will benefit largely by it. However, I noticed that the hon. gentleman, in introducing this question, took twenty-eight minutes to lay it before the House. He may think, of course, that it is an important one, and so no doubt it is. However, I must say that the experience of the last two Sessions in this House has gone a long way to prove the necessity of adopting some rule for curtailing the debates. But it is not consistent, I think, with human nature, to be bound by cast iron rules. A man's judgment ought to be sufficient to enable him to control his conduct in this direction, and to stop when he thinks the subject is exhausted. I was much pleased awhile ago to see the press taking it up. I think this rule would scarcely be necessary if the representatives of the press, from time to time, would take up the subject, as they have done this Session, and criticise it pretty thoroughly. I do not think it would be in harmony with our feelings to be bound by such rules, although, I think, we might go as far as to adopt the first resolution, but to follow it up by adopting the others, I think, would be decidedly wrong. However, I must say,

Mr. ARMSTRONG.

should such principle be carried out, that it would be a great improvement in the debates of Parliament, that it would be more just to those parties who do not occupy much time in the House, if there were some rules introduced, or some understanding come to, that the speeches should be much shorter than they have been heretofore. I think you might pick out a dozen members of this House, and if you could only control them, you might leave it to the judgment of the others as to how long they should speak in debate.

Mr. CHARLTON. The Minister of Public Works has told us the people require that their petitions and interests shall be fully and amply debated in this House. I have no intention in these propositions to limit what is full and ample debate. It is stated that the debates shall be legitimate and pertinent. The hon. gentleman also said that moral suasion is the instrument to be used. I stated when I introduced these rules that they were submitted more as embodying a suggestion than from any expectation that the rules would be adopted. They were submitted for the purpose of eliciting discussion on the subject and ascertaining the sense of the House. I am perfectly willing to leave the subject in its present shape, having elicited an expression of opinion that the feeling of hon. members tends strongly in the direction of a desire to economise time and shorten speeches. I must say that my hon. friend from Middlesex (Mr. Armstrong) was rather severe upon me in saying that I am a sinner above all others in this respect, for I scarcely think I have spoken over two hours, except on two occasions. However, that is a matter of no consequence. As to the criticism in regard to fifteen minutes, the hon. member was also hardly fair, because the House will observe that the rights of members are guarded by requiring that three-fourths of the members shall vote a restriction to fifteen minutes, and it is hardly to be supposed that the Opposition will ever number less than one-quarter of the whole House. I am willing to accept the amendment offered by the Minister of Public Works. I did not expect the resolution would be carried except in a modified form, and if the Government wish to affirm the principle contained in the first paragraph, I am willing to have it affirmed.

Amendment agreed to, and motion, as amended, agreed to.

TRAVELLING EXPENSES OF THE GOVERNOR GENERAL.

Mr. McCRAVEY moved for:

Return giving a complete statement, in detail, of travelling expenses of the Governor General, under Return 150, 1885; an itemized statement of each and every amount paid and charged, under the heading of travelling expenses, since Confederation; to whom paid and for what service; when such expenses were incurred; the nature and extent of the trip, upon which each item of expenditure was incurred: the number of persons comprising the Vice-Regal party, their names, occupations and nationality.

He said: I shall not occupy much of the time of the House on this occasion, but I shall make it my business when the items come up on the estimates to refer to such matters as are covered by this motion.

Sir HECTOR LANGEVIN. The amount that is granted to the Governor General for his travelling expenses is, as appears in the Public Accounts, \$5,000. The Governor General spends that money, with any additional money he chooses, in travelling through the country, and he has no return to make to Parliament of the amount that he receives for that purpose. He goes where he chooses; he takes with him such retinue as is agreeable to him; that retinue is composed of such persons as form his suite; their names, occupations and nationalities we know nothing about. Under the circumstances I think the hon. gentleman cannot expect his motion to be adopted; I hope he will not insist upon passing it, but will withdraw it.

Mr. McCRAANEY. In the Session of 1883, I took it upon myself to examine the Public Accounts in regard to those expenditures, and after working for about two weeks, I found I could make neither head nor tail of the expenditures. In 1884 I moved for a return covering those expenditures. It did not come down that Session; it came down during the session of 1885. After being here three months I discovered the return had been brought down—it had not been printed, and I could not for some time find it. That was an incomplete return. I asked on several occasions last Session to have the return completed, but it was not completed; and I now ask for a detailed statement of those expenditures. I find the hon. Minister refers to a grant of \$5,000 for travelling expenses, and I may say that for seven years this expenditure amounted all told to \$72,441. There are nine years in which there is no expenditure given, and what I want is that a return should be completed giving a detailed statement of that expenditure. I find that instead of \$5,000 for this service, there are, in some instances, \$15,000.

Mr. BLAKE. With reference to the statement of the Minister of Public Works as to the allowance, so-called, of \$5,000, and the fact that for some years past that sum has been voted in bulk in the estimates for travelling expenses, I do not think it would be reasonable to invite the House to call upon the public official to whom it is voted in that way to give us an account of it. Other considerations would apply, of course, to special sums for travelling expenses, and on that question, as some hon. gentlemen will remember, we had some discussion seven or eight years ago. I am more disposed to look to the future than to the past in this matter, with this exception, that we should look to the past so far as the time when we ultimately settled the salary of the Governor General. I remember a debate that we had in this House in the earlier period of the Confederation, as to the salary of the Governor General when the House decided that the salary as fixed in the Confederation Act was excessive and it carried, so far as it could by passing an Act of Parliament, a decision fixing another salary. Upon the occasion upon which we were asked ultimately to agree to the salary fixed by the Confederation Act, the First Minister at that time, who is the First Minister to-day, made a declaration which I regarded as of great importance that in prior times the salary had in effect been eked out by various allowances to the Governor General. That various things had been done for him which in fact made the salary larger than the nominal salary which the people of old Canada had paid, and he made the declaration that under the new arrangement in which he invited the House to concur by which the salary would be £10,000 sterling, that system should have an end. I have only this to say without imputing any particular blame to one party than to another, I am not careful to apportion the blame—that I think the people of this country during the last many years have been paying in respect to Rideau Hall and allowances of various kinds, a sum not far from double the salary of the Governor General. I think the question of keeping up the establishment and paying salaries which are nearer \$100,000 than \$50,000—

Mr. McCRAANEY. Some years \$120,000.

Mr. BLAKE. I have not scrutinised the matter closely, but I say it is entirely in opposition to the understanding upon which we originally granted the salary, and that it is time the whole thing was revised, and if we cannot procure the distinguished personages who are to be the executive heads of Canada to accept that office at a smaller salary than the aggregate of these sums we pay, we had better enlarge the salary rather than carry on a system which is, I think, unworthy of the House itself and unworthy of the country. I think we should give the Governor General such a salary as is adequate to the discharge of the duties of

his high office, but I think the sum we have been paying for a long time is in excess of any reasonable requirements of that office. We should pay a fixed sum and cover everything, but the expenses we are now paying are, I think, entirely in excess of what the country should be asked to pay, and in excess of what the dignity and proper conduct of the office demand. I make no reference to the scale of expenses of the present incumbent, as distinguished from others, but I did not think that I would be doing my duty to my country without giving the House this frank exposition of my views on the subject of these expenditures.

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

After Recess.

Mr. McCRAANEY. I think it is necessary that I should, to some extent, explain how I came to make this motion. In 1884 I moved for a detailed statement of these expenditures, and after waiting for nearly two years an incomplete statement was brought down giving the bulk sums. I asked last Session on several occasions to have that return completed, but so far that has not been done. I may say that I approached this subject with considerable timidity. I know that some people think that it is a great crime to enquire into the sanctity of our vice-regal establishment here, but I wish to say that I give way to no man in my loyalty to our noble Queen or her representatives in this country. I have nothing to say against our representative the Governor General; I believe he is held in the highest esteem by every person in this House. I believe that the Governor General knows nothing about, or very little about, this expenditure. The hon. gentleman said that the sum of \$5,000 was appropriated for travelling expenses. I find that in 1875 the sum expended for travelling expenses was \$13,187.40; in 1876 the full sum was not expended; in 1877 the sum was \$17,554.28; in 1878, \$9,778.45; in 1879, the amount was \$8,943.38. The next two years there appears to be no return given and in this respect the return is not complete. In 1882 the amount was \$11,135.82; in 1882-83 the amount was \$10,841.39; in 1883, \$7,280.19; 1884, \$9,463.97, and last year \$6,951.21. Now, Sir, I need not read the names of the persons on whose account these amounts were paid, as I think, perhaps, it would not be well for me to do so, especially as any person can find them by referring to the Auditor-General's report or the Public Accounts. I think this House is entitled to such a return as I have asked for. My only object is that the people of this country may know how their money is being expended. I find that Rideau Hall in 1869 cost us \$82,000; the Government had previously rented it for two years at \$4,000 per annum; and nearly \$37,000 additional was spent upon it for repairs; making the cost of Rideau Hall at that time, including the two years' rent, some \$127,000. Now, looking at Rideau Hall at the present time, it would not, in my estimation, bring half the money, even from a man worth as much as Rothschild or Vanderbilt. I believe half the money spent on Rideau Hall has been thrown away. I find that we have spent on Rideau Hall, up to 1882-83, for additions, alterations, repairs and maintenance, \$394,458.53. I have asked that that return be completed in detail. This expenditure has now probably reached \$450,000. Since 1869 to 1882-83 we have spent for furniture, two years not included, making fourteen years, the sum of \$85,369.96; and by the Public Accounts I see that the sum will be increased to over \$100,000. I do not know where the furniture is. My impression is that \$10,000 would purchase all the furniture there is at Rideau Hall at the present time; and the whole property, including all the furniture, is not, to-day, in my opinion, worth more than \$50,000.

Mr. SPEAKER. The hon. gentleman is now speaking to another motion which we have not yet reached. The hon. gentleman had better confine himself to each question separately.

Mr. McCRANEY. I am quite willing, if the hon. Minister will permit this motion to pass, to wait until the other motion comes up.

Mr. SPEAKER. You will have another opportunity when the other motion is called.

Motion negatived.

Mr. McCRANEY moved for

A Return, in detail, under the head of contingencies for Rideau Hall, since Confederation, a full complete itemised statement of all sums, classed under the head of contingencies in the Governor General's office; showing to whom each amount was paid, for what service or articles, giving the exact amount for each expenditure.

Sir HECTOR LANGEVIN. This motion, as well as the succeeding ones, are for a number of statements which have been published in the Public Accounts. By referring to the Public Accounts since Confederation, the hon. gentleman would have got the information he requires. The accountant of my Department informs me that all these statements the hon. gentleman wants in detail, to be compiled from the books of the Department, would cost over \$2,082. But every item the hon. gentleman requires is in the Public Accounts for the nineteen years since Confederation; the only difficulty is that the different items are not put together. If the hon. gentleman wants information on any special item, let him say so, and that I shall be glad to give him; but to give him the whole of the information he asks for in these motions, I must say I cannot agree to it unless the House insists, because the expenditure required to obtain it would be a large and useless expenditure. Besides, the information could not be compiled in less than four or five months, because there is one book, and one officer alone could work upon it; and the other officers would have to wait. The accountant of my Department states:

"A statement showing the expenditure to the 30th of June, 1883, under the different headings mentioned in Mr. McCraney's application, was furnished to the House of Commons on the 15th of April, 1883."

So that all this information up to that time is before the House and country. Under these circumstances, I hope the House will not agree to this motion.

Mr. McCRANEY. The information which I got was not such as satisfied me. I spent two weeks in the Session of 1884, with perhaps as good an accountant as there is in this House, going over the Public Accounts trying to get at all this expenditure in detail, and I found that it was utterly impossible to do so; and I defy any hon. gentleman to get at all these items since Confederation from the Public Accounts. Now, I find that for contingencies during these sixteen years the sum of \$199,652.84 has been expended. The hon. gentleman speaks of \$2,000 being expended for this return. That is certainly a large sum, but it is a small one compared with the \$50,000 per annum, which, I believe, is expended on Rideau Hall beyond what is necessary. I find only last year, in the contingencies are the items of three rented pianos, and three new ones purchased at \$2,900; that is supplying plenty of music certainly to Rideau Hall. I shall not occupy the time of the House more over this motion, but I think this House is entitled to know why it is necessary to spend so much money on Rideau Hall. I have no doubt the contingencies amount to \$230,000 or \$235,000.

Mr. PAINT. I hold that we cannot treat the Governor General and his retinue too well. The high position this country holds at present in the Mother Country is owing to the respect we show the representative of the Queen. The employment of instituting an enquiry as regards the expenditure of pin money is not an ennobling occupation.

Mr. McCRANEY.

This matter has already occupied the attention of the House several Sessions. No satisfactory progress has been made, and I think the more it is left alone, the better we will get on as regards our standing in the Old Country. We shall probably have to go to that market for fifty years to come for our loans, and we certainly should not belittle ourselves in the estimation of the finance world by carping at the expenses of the Governor General.

Mr. LANDRY (Kent). After the explanation given by the hon. gentleman who leads the House, I must say, before a vote is taken, that I do not feel at liberty to vote against the Government on this occasion, but I do not wish my vote to be taken as expressing myself entirely satisfied with this large expenditure. I say this in justification of the vote which I will give, on account of the explanations made by the leader of the House as to the expense connected with bringing down the returns asked for, and also as to the fact that in the Public Accounts we will find the information sought for in this motion. But I do not want my vote to be understood as expressing my opinion, because I believe a too large expenditure has been made at Rideau Hall.

Mr. McCALLUM. No doubt the hon. gentleman had good grounds for bringing up this question, for the expenditure of Rideau Hall has increased largely since Confederation. I do not say it is the fault of one Government more than another, but I think it is about time we should call "halt" and if the motion which the hon. gentleman has put on the paper will have that effect he ought to be satisfied. As far as getting the returns are concerned, they say it will cost a great deal of money, and as I understand we have spent the money there is no use crying over it, but let us try and do better in the future.

Mr. WOODWORTH. I feel in the same position as does the hon. member for Kent (Mr. Landry) who has just spoken. I do not wish my vote to be recorded as an expression of my opinion that the expenditures alluded to are justifiable. It is in the discretion of the Government to bring down these details, and I understood the leader of the Opposition expressed himself also as satisfied with the view that the items of travelling expenses should not be brought down, but no doubt a very large expenditure has been made in connection with Rideau Hall, about which the people of this country would be very glad to be informed. We are met continually with petitions for work from laboring men, sometimes for work on the canal or railway or other public works, and we have sometimes insufficient work to give them, and men, at times, who have been in Government employ for a long time, are perhaps discharged because the Government cannot find work for them. While this Government is not more blameable, perhaps, than others in this matter, yet the expenses have grown to grand proportions, and as the hon. member who has just spoken (Mr. McCallum) has said, it is time we should cry "halt." These items of expense are beyond all conception of what should be required to keep up Government House. It is said \$120,000 has been expended in a year, and that is, I believe, quite within bounds. We find "Rideau Hall, sundry accounts," at Bank of Montreal, charged with \$18,000 to \$20,000 a year, and in the years 1883, 1884, 1885, I find in the neighborhood of \$60,000 charged to this account. I find one item of crockery amounting to \$4,000, for which there was no tender, and I find that the same man, a Mr. C. S. Shaw, of Ottawa, who sold it claims nearly as much again for crockery alone. Fuel and light cost \$8,000 each year for the years 1883, 1884, 1885, making \$24,000. Everybody knows that the fuel and light for Rideau Hall never cost \$24,000 in three years; the amount is simply preposterous. Shovelling snow last year cost \$495. A

couple of men would not shovel snow to that amount in six months, I am sure, and I believe that a couple of men would shovel all the snow wanted to be shovelled at Rideau Hall. While we do not wish to be mean and little in this matter, yet the expenditure has grown in undue proportions, and when we cannot keep our own men at public works it is about time we should see how Government House is being run. The Governor General is not to blame, but half-a-dozen dudes residing at present in the city of Ottawa who run the whole thing, are the parties principally responsible. I think the hon. member for Halton (Mr. McCraney) should not be only satisfied, but should receive the thanks of the whole House for bringing up this matter.

Mr. LISTER. Although this matter has been discussed at some length, I do not think it has been longer than its importance warrants. I agree with the hon. gentleman (Mr. Woodworth) that the Governor General is not blameable for this enormous expenditure, nor do I charge the Government with being directly blameable for it, but I agree with the hon. gentleman (Mr. Woodworth) also, in saying that there are a number of men about Rideau Hall who are perpetrating an enormous job, and the Governor General and the Government have to bear all the odium. The Government should take some steps by which this enormous expenditure should be brought under control. It is absurd that whatever money they think fit to expend, whatever liabilities they think proper to incur, their demands should be honored without question. It is different in the United States. At Washington, I believe these matters are under control. At all events, the hon. gentleman who brought forward the motion is entitled to the thanks of the country. It has been talked of in the country; it has been written about in the papers, and it is time that we, as the representatives of the people, should take some action in the matter. I think the time has come when it becomes the imperative duty of the Government to take such measures as to bring this matter under control. It seems anomalous that a small country like ours, with a population under five millions of people, should be spending nearly \$130,000 a year to keep up the Government House, while in the adjoining republic, with a population of nearly 60,000,000, the chief magistrate receives a salary of only \$50,000. If the expenditure is compared, I think it will be found that it is costing us more for our Governor General than the United States pay for their president. This is a matter which exists not only as far as the Dominion is concerned, but in all the Provinces down to the very smallest, where the Lieutenant-Governors are receiving salaries ten times greater than are paid to the Governors of States which have populations ranging up to 5,000,000. This expenditure has become almost, I might say, a scandal in this country, and I believe the time has come when it is the imperative duty of the Government to take some step to curtail this enormous expenditure.

Mr. McMULLEN. I am very glad to find the feeling on both sides of the House is in favor of curtailing the expenses at Rideau Hall. I was rather surprised to find the Minister of Public Works replying to my hon. friend from Halton (Mr. McCraney) that it would take the time of two clerks four months to bring down this return, and that it would cost \$2,000. I cannot understand how it is necessary to pay two clerks to do this work \$2,000 or \$3,000 a year each. Further, the Minister said that, if the hon. gentleman would refer to the Public Accounts, since Confederation, he would be able to pick out the items himself. I do not think it is very courteous of the hon. gentleman to make any member of Parliament a reply of that kind. The hon. member for Halton has a perfect right to bring the motion before the House, and has a right to have the return brought down, and I do not think it is courteous to tell the hon. gentleman to hunt up the Public

Accounts since Confederation. I think he ought to be able to give some other excuse than a reply of that kind. This question is one which requires attention from members of this House, and, if it does not receive that attention from them, I am sure the people of the country will give it their attention, and, when they understand that a very large amount of the people's money is being expended in connection with this Rideau Hall business, they will demand from whoever is on the Treasury benches a curtailment of the expenses. This thing has gone on too far. I do not know to what extent the expenses ran up during the reign of the Reform party; I have no means of knowing; but, if it was bad then, that is no excuse for its being bad now; and in any case it is time to put a stop to it, and I hope hon. gentlemen will take this matter into their serious consideration. I find that, in the contingent expenses of Government throughout we are expending an enormous amount. Last year we expended \$22,159.86 over the appropriation for contingencies in connection with the different departments and Government House. It is time this thing was put a stop to, and I hope the people will insist upon their representatives, no matter who is in power, urging that this shall be put a stop to, and that the people's money shall not be frittered away in the manner it is.

Motion negatived.

Mr. McCRANEY moved for:

Detailed statement, since Confederation, of the Governor General's salary and staff; to whom were salaries paid in Governor General's office, in each year, with names; the amounts paid to each; the occupation of such persons before entering said office, nationality and age.

He said: I find that, in sixteen years, the expenditure on this head has been \$945,340.10, averaging about \$60,000 per annum.

Sir HECTOR LANGEVIN. This is one of the motions I spoke about just now, and I am very sorry that the hon. member for North Wellington (Mr. McMullen) was offended at my referring the hon. gentleman who moved it to the Public Accounts. Really, I do not see to what book I should refer him if not to the Public Accounts, and it is the first time that I have found an hon. gentleman offended at a Minister referring a member to the Public Accounts. I did not intend to offend the hon. gentleman, and the mover did not seem to be offended. However, I am obliged again to refer him to the Public Accounts for this. He will find there, and we will all find there—so it refers to nobody in particular, because we are all in the same position—what are the salaries of the Governor General, of his aides-de-camp, and of the other members of his staff; he will find there the names of those to whom the salaries were paid, the amounts paid, and so on. The only information which, perhaps, he may not find there will be what was the occupation before entering office, the nationality and the age of those employed. If the hon. gentleman was making a special motion for this, no doubt it would be granted, but I think the motion as it is should not be granted. This seems to be the same debate, but I suppose the Speaker would consider it a separate debate for each resolution, so I will not allude to what has been said as to the amount for fuel and light or for the shovelling of snow, and so on. I will answer that when the motion comes up, but I hope the hon. gentleman will not insist on his motion; otherwise I shall have to vote against it.

Motion negatived.

Mr. McCRANEY. I do not desire to press these motions further, but I think that, as the matter has now come before the House, it is well that we should understand the question once for all, and therefore I think it my duty to go on. I move for:

Return since Confederation for fuel and light for Rideau Hall, the exact amount paid for in each year, to whom paid, the quantity and

grade of fuel purchased, the price per cord of wood or ton of coal; and also the amounts paid for light in each year, to whom paid, the price per article, together with the quantities.

Sir HECTOR LANGEVIN. It would be impossible for the Government to give the information asked for by the hon. gentleman, for this reason: Parliament votes every year \$8,000 for fuel and light for Rideau Hall, and the amount is paid quarterly to the Governor General, and with that he furnishes his fuel and light. Of course we know nothing about the quantity and quality of the fuel; that is his own business, therefore we cannot furnish the information asked for. I may say that this amount is voted every year, with the consent of the House, and it was stated some years ago that it was sufficient to cover all expenses for light and fuel.

Mr. McCRANEY. If this Parliament feels that it is bound to vote a sum for the fuel and light for Rideau Hall, I see no reason why we should not vote a sum for the maintenance, the food and drink as well, of the Governor General's staff. I find that in 1878, \$10,211.10 was paid for fuel and light for Rideau Hall; in 1879, \$7,723.06; in 1880, \$9,014.44; in 1881, \$9,312.10; 1882, \$8,200; 1883, \$3,200. Now, Sir, I have only this remark to make in addition to what I have already said. I know something about coal myself, and I have no hesitation in saying that there is enough expended for fuel and light for Rideau Hall to supply 1,000 inhabitants. There are plenty of towns with only 1,000 inhabitants that would not expend more than that sum annually.

Motion negatived.

Mr. McCRANEY moved for:

A detailed statement of gardening and grounds for Rideau Hall, since Confederation, to whom has money been paid for care of grounds or for gardening, rate per day and the class of work done for such wages; also what permanent improvements and value, if any, are included under the head of gardening and grounds.

Sir HECTOR LANGEVIN. I stated just now that these five motions would cost, to prepare the returns, over \$2,000. So far as the Government is concerned we have no objections to give the statements required by these motions, and it is for the House to say whether we shall do so. These works are all under the control of the Government, and have been ordered by the Government, and not only by this Government but by the previous one; and although these statements are in the Public Accounts, if the House thinks that they must be brought together into a special statement, whether it takes five months to prepare the statement, or whether it costs \$1,500 or \$2,000, it is a question for the House to decide. So far as the Government is concerned, we do not object. Therefore, Mr. Speaker, it is left entirely to the House to say whether they want these statements or not.

Mr. McCRANEY. In reply to the hon. gentleman I wish to say that I find that since 1868 there has been \$52,616.16 expended on the gardens and grounds of Rideau Hall. All I have to say is that I would like very much to know where that money has been expended.

Mr. HESSON. The hon. gentleman has got the figures so fully that I do not see why every other hon. gentleman cannot get them for himself as well. In the Auditor General's report you will find page after page of the details of these expenditures. It is for the House, I think, to say whether it is proper to continue this expenditure. The Minister has already said that the Government have no desire to cover up this expenditure in any way, and as it is going to involve an expenditure of \$1,000 or \$2,000 to get this information in one return, I think it would be much better for those gentlemen who are interested to do as my hon. friend from Halton (Mr. McCraney) has done, and get it for themselves. I think he has got that information very carefully, and has evidently given a good deal of atten-

Mr. McCRANEY.

tion to this matter. I have looked through the Auditor General's report, and I find there is a very full statement of all the expenditures in the Governor-General's house. I think we may carefully take into consideration the propriety of continuing to keep these expensive grounds, and whether it is a wise thing to do all this work, or whether it would not be wiser to have a larger and better and more respectable looking place for the Governor, whoever he may be, than to have such a rambling place at such an enormous cost to the country. That question might be fairly discussed by the House, but the fact is, we have made that investment, the place has got to be kept respectable, not only for the sake of the vice-regal party in that House, but for the sake of the country. As it is it is nothing very creditable for a great Dominion like this. I have no hesitation in saying that I think the place is unworthy of the occupants, and I think it is unworthy of the country. Our expenditure in that direction might be fairly considered on the whole with regard to having something respectable and substantial for the price. The hon. gentleman stated that the whole property would not sell for \$50,000, including furniture. Well, I do not quite agree with him in that. Let the hon. gentleman compare that expenditure with the expenditure of other public institutions in the country, for instance, with the Agricultural College of Ontario, which costs about \$334,000 carried to capital account. I presume that property would not sell for anything like the money invested in it by the Province of Ontario, but it has answered its purpose in the past. But it is a question whether it is wise to continue that expense for the future. It is a very expensive property, and we must either let it go to rack and ruin or incur some expense in order to make it respectable looking for the country. I do not wish to be one to oppose the granting of such motions as this. I think it is very proper to ask for returns; but where the Public Accounts are so full, fair and explicit in regard to expenditure connected with this matter, is it unnecessary to ask the Government to expend \$1,000 or \$1,500 in order to submit detailed information which hon. members have under their hands? As hon. members are aware, they can obtain from the Public Accounts all the information required.

Mr. CAMERON (Huron). I really think the House should obtain this return. The Minister does not appear to refuse it, and there was no necessity for the hon. member for Perth (Mr. Hesson) to come to the relief of the Government. No one charged the Government with keeping anything back. A large sum is expended annually on the garden and grounds at Rideau Hall. One has some curiosity to know exactly what the correct amount expended is. When you find that \$4,000, \$5,000 or \$6,000 are spent in a single year for gardening one is startled at the amount. The hon. gentleman says, you will find it all in the Public Accounts. You can do so if you spend a year in searching them, but I think it would take very nearly that time to find the particulars. They are not in one part but scattered all through, and it is almost impossible to find them. It is strikingly like the task of looking for a needle in a haystack to find anything in the Public Accounts. It would be desirable, and I should like to obtain it, to have this information in a concise form, so that we can understand what the cost of Rideau Hall each year has been. I am amazed at the amount. I have been unable to ascertain what has been spent on that old barrack building, but we know that year after year for repairs and maintenance a sum has been expended that is certainly amazing. I think the Government, in their own interest, should have the accounts brought down setting forth what the grounds and gardens cost and so forth, so that the public may be able to learn what sum is annually expended. The Government, in their own interest, I repeat, should have this statement brought down.

Mr. BOWELL. It is quite clear that the hon. member for Halton (Mr. McCraney), asks a great deal more than what has been referred to by the hon. member for Huron (Mr. Cameron). Under this order, if it were adopted, the Government would have to bring down the name of every laborer who has been employed for a single day each year since Confederation. I understand that the Minister of Public Works has no possible objection to giving, if members of the House could not obtain it from the Public Accounts, the amount paid as a whole for gardening and for the other purposes indicated. The Government would also have to enquire into the cost of sewerage, lighting, cutting wood, hauling coal, digging drains, cleaning certain places that are necessary to be cleaned; raking and cutting grass, and so on. The motion also refers to permanent improvements. I suppose, under its head, will be included all improvements made; the walks that have been built, whatever little fencing may have been done, and so on. The hon. gentleman will thus observe that he proposes to impose on the Department an immense amount of details. Probably he does not desire that a large sum should be expended in obtaining such minute details, and the Minister of Public Works has stated that he will not object to a statement such as I have indicated.

Mr. McCRANEY. I am willing to amend the motion so as to limit it to the last five years.

Mr. CAMERON (Huron). If the Minister will consent, the Government might furnish us with information for each year, not in detail, for I quite agree that it would be absurd to bring down statements of laborers' wages for every day, but so as to give the heads of each year's expenditure.

Mr. BOWELL. I think the proposition of the hon. member for Halton is not a fair one, as I hold in my hand a statement showing that the expenditure of the late Government in one year was over \$82,000 over and above the Governor General's salary.

Motion negatived.

Mr. McCRANEY moved for;

Statement, in detail, of additions, alterations, repairs and maintenance of Rideau Hall; showing by whom were additions, alterations and repairs ordered, by whom done, and at what cost for each item, since Confederation.

He said: This is a department where I feel that the expense has been enormous, and, in fact, I do not see where the amount of money has been spent. I find that up to 1882-83 there had been expended for additions, repairs and maintenance on Rideau Hall \$394,458.53. I should like to ask the member for North Perth (Mr. Hesson) how that compares with the Agricultural College of our Province. For the last three years there have been additional repairs to the value of in 1883, \$31,222.86; 1884, \$31,296.45; 1885, \$35,507.94, making altogether for additions, repairs and maintenance at Rideau Hall very nearly half a million. I think that is outrageous.

Mr. HESSON. The hon. gentleman asks my opinion as to the Agricultural College. I did not make a comparison with a view of saying that that was not justified in the interest of the Province. I quite approve of the expenditure there; but I mentioned it as a contrast and showing that neither of those amounts properly represented the expenditures, yet the country might have had advantage. It is desirable to ascertain the cost to the Government of the present grounds and buildings. It is worth considering the propriety of continuing a building like the present Government House that is so expensive to maintain and is not up to the character of a property that should be provided for the Governor General. We can point to our Parliamentary buildings and public buildings with pride; in fact we can point in every other direction except to the

building at Rideau Hall. I think that is one of the most costly expenditures we have, and I say it is well worth considering whether the Government should go further in the way of expending large amounts of public money on that property.

Sir HECTOR LANGEVIN. I have the same objections to this motion that I had to the others; and, indeed, the hon. gentleman goes further than he did in the others, for he asks to have the names of those by whom each piece of work was done; we are to give the name of every man who worked there—every laborer, every mechanic, every clerk of works. He asks also the cost of each item, and it is simply impossible to give that. We do not keep an account of each item of the repairs, additions, alterations and maintenance of Rideau Hall. The hon. gentleman must see that the cost of obtaining such a return—even if it were possible to give all the names of the men who have been employed since 1867—would be very great. I really think that this motion should follow the others.

Mr. CAMERON (Huron). Surely it is not intended that the name of every laborer is to be given. If I understand it aright, it is the name of the contractors—

Sir HECTOR LANGEVIN. The motion says: "by whom done."

Mr. CAMERON (Huron). I suppose the repairs were done by contract or tender in a great many cases, and if so, there can be very little difficulty or expense in providing the information called for. May I ask the Minister if a return of this kind was not brought down in 1883. If my recollection serves me aright, such a return was brought down, in that year, and if so, all that will be required will be to add the expenses for 1883-84-85, and that cannot entail much expense. It is simply evading the point to suppose that it is intended to ask the name of every laborer in the case of work that is done by contract. In such cases what is required is the name of the contractors, the amount of work done, the amount to be expended, and the amount actually paid. It is a matter of some consequence that we should get this information, so that we may have some idea of what the hall costs. At present we have a very vague idea of it, and I venture to say that we have expended enough on repairs for the last four or five years to have built a palace for our Governor General, though what amount has been actually expended in these repairs of one kind or another the Lord only knows, for nobody can tell by the accounts or by the blue-books. That considerably over half a million has been expended in that way, I think is quite manifest. I believe this House and the country desire to have this information, and the expenditure of even a few hundred dollars would be a mere bagatelle in order to obtain it. I do not attach blame to the Government, but at the same time these expenses have assumed gigantic proportions and I think it is desirable that we should know how much has been spent and in what way it has been spent on these old barracks, which have cost the country over a million dollars.

Mr. MULOCK. I understand that we have spent over \$1,250,000 on the maintenance and repairs to Rideau Hall since Confederation, and yet we are told that the people of this country who supplied the money are not to be allowed to know how it has been expended. This Government have become so economical that they will not allow the cost of the clerks' getting this information ready; this Government which in 1884 voted away \$80,000,000 of public money, which voted \$1,000,000 for every day the House sat; a Government which last year inaugurated a system of expenditure wholly unnecessary, at an enormous cost to the country, has suddenly become so economical that it will not

supply the information which will show how the people's money has been expended. I think the return asked for is in substance a perfectly proper one. It is quite in the power of the Minister to amend it, if he desires, so as to eliminate its objectionable features and especially such portions as could not be complied with. I think, however, the Minister travelled unnecessarily wide of the motion when he endeavored to point out what the cost of getting the information in his opinion would amount to, though it will not I believe amount to that sum in fact. I entirely agree with my hon. friend from West Huron (Mr. Cameron) that it is not necessary, if this motion is complied with, that the name of every workman should be given in many cases. Are we to understand that \$1,250,000 have been expended on Rideau Hall in this way, and not a dollar of that sum was expended under contract? Is that the way the public money has been spent since Confederation? I remember, a few years ago, in the Public Accounts Committee, it was brought to the knowledge of the Committee that there were employed by the Government here in connection with the public buildings, in Ottawa, nearly 150 men all the year round, and I believe that the wages they were paid amounted to over \$60,000 for the year 1882 or 1883. Has this work been done, and this money expended in that way? I may also remind the Minister of Public Works that the Public Accounts Committee, established in 1881, that this Government paid on the average \$1.87½ a day for every unskilled laborer employed by them around Ottawa in 1882, and probably this is the explanation to some extent of the reluctance of the Minister in supplying information to which I think the country is entitled.

Sir HECTOR LANGEVIN. The hon. gentleman was probably not in his place when I explained, whilst the other motion was under consideration, that we have no objection personally as a Government to lay all these details before the House, were it at all possible to do so. We stated it was our duty to see what these motions, if carried, would cost, and how long it would take to obtain the information. The hon. gentleman says that in this case we would not require to give the names of the workmen, but if hon. gentlemen opposite want simply a statement of the cost of additions, alterations, repairs and maintenance of Rideau Hall since Confederation, then the motion should appear in that form, and then the information can be supplied and in much shorter time. If hon. gentlemen will be satisfied with that, then, of course, the motion may be amended accordingly.

Mr. CAMERON (Huron). You could give us the names of the contractors when the work was done by contract.

Sir HECTOR LANGEVIN. We may give the names of contractors when there are contractors, but of course a portion of the work must be done by the workmen of the Department.

Mr. SPEAKER. Does the hon. gentleman wish to amend this motion?

Mr. McCRAVEY. No.

Mr. PATERSON (Brant). I suppose there can be no objection that there should be a division stating whether the expenses was on plumbing, alteration or extension of the building, and so on. The hon. gentleman, I understand, wants something more than the mere gross amount; he wants to have some idea of the class of work—not the name of every laborer, but such a statement as would give the public a general understanding of the details of the expenses and the class of work.

Mr. BOWELL. I notice that a motion of a similar character to this House was made during the time the hon. member for East York (Mr. Mackenzie) was leading the

Mr. MULOCK.

Government. I will read to the House the remarks made by the Premier of that day on this question. Mr. Mitchell moved for a return in detail of the expense incurred in reference to the trip of the Governor General to British Columbia, and also to Manitoba and the North-West.

Mr. DAVIES. That is a very different thing altogether.

Mr. BOWELL. Perhaps the hon. gentleman will let me get through. I know he is a little impetuous when his record is being exposed; but the remarks made by the then Premier, I have no doubt the hon. gentleman, who is a little fidgety now, will admit, meet the case very well:

"I must object to the motion. I think there are sufficient details given in the Public Accounts, unless, indeed, the hon. member takes upon himself to assume that, as a matter of course, these accounts have been made out unfaithfully, and that His Excellency and those immediately attending him here have deliberately falsified the Public Accounts. I think it is disrespectful to His Excellency to make it. It is the first time I have ever known such a motion to be made, and I think it is an ill-return for the services of His Excellency during the period he has represented this country. The motion appears as though the hon. member would imply something wrong on the part of the Governor General, and is, in its very essence, almost an insult to the very person to whom we are so greatly indebted. If the hon. member for Northumberland does not withdraw his motion I must ask hon. gentlemen to vote it down."

After a debate had taken place, the late member for Chateaugay, the Hon. Mr. Holton, moved the following amendment:

"That an Order of the House do issue showing the expenses of the trip of His Excellency the Governor General to Manitoba, similar to that contained in the Public Accounts with respect to His Excellency's trip to British Columbia."

The House agreed to that. Now, that is precisely the proposition made by the present leader of the House when he spoke to the first motion, that a return embodying the information in the Public Accounts could be laid before the House were it considered necessary to give it. I think the remarks of the then leader of the Government apply with equal force to the motions made to-night, though perhaps not to the motion immediately under consideration. The motion at that time referred to one particular item of expenditure, and that item included not only the one now under discussion, but also items similar to these. That motion was objected to by the late Government, and I think a large proportion of those gentlemen who have taken part in this debate supported the Government in the position they took. I am quite aware the hon. gentleman about to reply was not here, and therefore he does not consider himself responsible, and can assume another rôle.

Mr. DAVIES. I cannot think the hon. Minister of Customs does not appreciate the distinction between the motion made in 1878 and the motion now before the House. The motion in 1878 called for details of certain personal expenditures of the Governor General on a trip, which I may say was an official trip in the interest of the country at large; and I think the answer of the leader of the Government was a very appropriate answer under the circumstances. But here we have the leader of the House declaring that the expenditure of which the items are asked is an expenditure directly under the control of the Government of the day, for which the Government are directly responsible; and I think, after the discussion which has taken place to-night, and the statements which have been made on both sides of the House, that the Government are very ill-advised in refusing to bring that information down. There are many in the country who will imagine, if this is refused, that there is something wrong in the Public Accounts. I do not think anyone in this House, and I hope no one outside of the House will think that His Excellency is responsible in any way for that expenditure. It is not an expenditure which His Excellency is responsible for. It is one in regard to which it is charged with some degree of fairness that there are understrappers who take advantage of the expenditure on Rideau Hall itself and its

surroundings, that the Government submit to be muled, and that great extravagance takes place, for which the Governor General and his immediate officials are not directly responsible, but for which the Government is responsible. I think, therefore, that the motion the hon. gentleman has made cannot be answered fairly by saying that it will involve some little time and expense to get it up. It is absurd to say that the name of every workman who has been paid anything is to be brought down. That is not the spirit of the motion; the spirit of the motion has been correctly stated by the hon. member for West Huron (Mr. Cameron) and the hon. member for South Brant (Mr. Paterson), as calling for substantially the names of those to whom the money has been paid. We hear it stated inside and outside of the House that men are unnecessarily employed, particularly at election times, not only in connection with Rideau Hall grounds, but in connection with the grounds surrounding this building. I presume the Minister of Customs remembers that the subject of the expenditure about these grounds came up before the Public Accounts Committee; and while it was generally acknowledged that unbounded extravagance prevailed, the answer was that equal extravagance had prevailed in previous years. That is no answer; and the country will not accept it as an answer. The hon. gentleman has stated that it would not be necessary to bring down some of these returns asked for, and the motions for them were not carried; but here is an item asked for, and the next succeeding item which I think the hon. member for Halton (Mr. McCraney) might be advised to press for, and I hope he will press for them, and that the House will grant them. I think the country will not be satisfied if we vote this motion down.

Mr. MACKINTOSH. Will the hon. gentleman say what amount was expended on the grounds in Ottawa?

Mr. DAVLES. I am not prepared at present to state it, but I remember distinctly that it was an enormous sum of money, and the members on both sides stood aghast at it.

Mr. MACKINTOSH. I am aware that the subject came before the Public Accounts Committee. It was stated in the newspapers of the opposite party that some \$67,000 was expended on repairs to the grounds, and reiterated in that committee; and when the investigation took place, it was established that that amount covered the whole expenditure for looking after these buildings, Rideau Hall, and various other interests the Government had to look after.

Some hon. MEMBERS. No, no.

Mr. MACKINTOSH. I was there and heard that. My hon. friend appears also to be laboring under the idea that Rideau Hall is in the city of Ottawa. I can inform him that his geography is gone astray, for it is in the constituency of the hon. member for Russell, and, therefore, if my hon. friend thinks that, in order to secure my seat, I have to rely on those little political exigencies which were practised in the time the Reform party upheld the standard of purity, he is mistaken. That expenditure takes place altogether in the county of Russell, and has nothing to do with Ottawa.

Mr. WHITE (Cardwell). I move:

That all the words after "ordered" be struck out, and the following inserted instead: With the names of the contractors when the work was done by contract.

The only object I have is to avoid the mass of details which is asked for in the motion as it stands. There is no possible objection to giving the return, except that I think the House may well consider whether it is desirable to move for papers dating back to Confederation. We have every year brought down the Public Accounts and the Auditor-General's report, giving greater details than the

Public Accounts. We have a Public Accounts Committee appointed by this House, and which sits periodically during the Session; this committee is charged with the investigation of all these items, and where there is not sufficiency of detail, it has power to summon the officers and get the information necessary, on which to form a judgment and report, if required. Under that system, these accounts are, year by year, investigated, and it seems to me that the proposal, at a time like this, to go back nineteen years, and obtain details in relation to which, presumably at least, an investigation has taken place, or, if not, should have taken place, if there was anything in the accounts which indicated improper expenditure or misappropriation of public money, cannot lead to any useful result. In the early part of the Session, a question came up as to the expenditure in connection with long returns such as those now called for, and the principle was laid down by the leader of the Opposition that the Government were responsible for the expenditure in connection with the returns if the Government consented to the motions, and we could not throw the exclusive responsibility upon the members of the Opposition generally. But here is a proposal that we shall have brought down for nineteen years back, details—some of which may be exceedingly elaborate—which could not, in the very nature of things, come down this Session, as they involve a labor too great to be finished in time. I think no good purpose that any one can possibly see, can be served by bringing down these papers, for this reason, that we have already in the aggregate the expenditure for each year, and they form the basis for any reasonable discussion as to the policy pursued with reference to Rideau Hall. It ought in fairness to be stated, with regard to this large expenditure in excess of the salary of the Governor General, that a good portion of it has relation to the Governor General's Office, the expenditure of which, like that of any other Department, is open to investigation by the Public Accounts Committee, and a good portion of it is in relation to travelling expenses. These expenses may be high in the estimation of some hon. gentlemen, but I am quite certain they will admit that the Governor General, the representative of Her Majesty, travelling, not altogether for his own pleasure, but in the performance of a public duty, making himself familiar in all parts of the country, coming in contact with the people in all parts of the country, and in that way performing a very important public duty, the advantage of which is found in the fact that we have in the former Governors General very warm friends of Canada, who are familiar with every part of it, and are able, in the Old World, to discuss Canadian questions and represent Canadian interests in a manner which shows the great advantage to Canada resulting from their enquiries—I say hon. gentlemen will admit that the travelling expenses must not be on a parsimonious scale. We do not desire that the Governor should travel singly; he must travel in some degree of state. He cannot help it, and it is simply unfair to His Excellency and to ourselves, as gentlemen, to say nothing of our characters as public men, that we should endeavor to excite public feeling outside with reference to the manner and state in which the Governor General travels. Then there is the maintenance of Rideau Hall. I have no hesitation in expressing my conviction, that at the outset, the purchase of Rideau Hall was a mistake. We purchased it at a time when our expenses made it desirable that it should cost as little as possible. The building was too remote from the centre of business, from the public offices here, and in the next place it was too small altogether for the residence of the Governor General. Therefore, additions had to be made, and the result followed, which every gentleman knows would follow in his own case, if he undertook to add to his house year after year; he would get a miserable rattletrap requiring in the end an expenditure far greater than what

would be required if he had pulled down the building and put up a new one in its place. The policy of additions was adopted, however, and followed by both parties. Hon. gentlemen opposite found it necessary to make great additions, and I have not a word to say against their policy, but the additions have been going on requiring heavy outlay. Then there are the grounds around Rideau Hall which must be also kept in proper order. An hon. gentleman referred to what happened already in the Public Accounts Committee. I believe, Mr. Speaker, it is not in order to refer to what goes on in any Committee, because we have no record here to apply to, to sustain any recollections we may have in regard to the past. But there is no doubt whatever that when the particular item of \$68,000 which appeared in the Auditor's General's report for labor connected with the grounds of Parliament, was referred to, and the Auditor General and other officers were examined before the Committee, it was found that \$6,000 or \$7,000 of the expense was in connection with the grounds, and over \$60,000 in connection with repairs of the Parliament and departmental buildings, and the hon. member for East York (Mr. Mackenzie), who was a member of the Public Accounts Committee, and, as we all know, thoroughly familiar with our public works, declared his conviction, after having heard the evidence of the officers brought before the Committee, that the expenditure was not too high, and he used the very strong expression that the system of architecture adopted here was an invention of the devil to give work to mechanics and laboring people in keeping the buildings in order. That was the expression my hon. friend used, and, with the frankness which always characterised him in the Committee of Public Accounts, he would not say the expenses were too high. But all these expenses have been going on, and it does seem exceedingly unreasonable and not likely to result in any practical advantage, to order these returns. However, if the hon. gentleman still desires them, he has the word of the Minister of Public Works, who is chiefly responsible for this expenditure, that there is no objection to bringing down the returns for which the Government especially may be held to be responsible. I think, however, after the statement of the hon. member for West Huron (Mr. Cameron), in which I think he concurred that all these expense of details asked for are unnecessary, and, with the amendment I have suggested, the motion might fairly pass without division at all.

Mr. GILLMOR. I do not think it is the desire of any hon. gentleman on this side of the House to criticise the Governor General. I do not believe that is the object or intention of this discussion. But I am impressed with the idea that we are not going to get the information we want. There is an impression that the gentlemen on the Treasury benches have an opportunity of making themselves very popular with the workingmen in this locality by means of this large expenditure. There is no doubt about that. Last summer, during the long Session, I saw an old gentleman of about seventy or eighty years old in the summer house, who was appointed to look after that building, of course at a salary. I talked with him, and I found that he was a voter here. This is the sort of information we wish to get at. I know that these hon. gentlemen are very popular with the workingmen. There was a meeting here the other night, and they seem to have the faculty of getting the goodwill of the workingmen. I remember a few years ago that the workingmen in Ottawa were in great distress, and we found them in the Parliament Buildings trying to get employment. I am satisfied that a great number of workingmen are being employed here extravagantly at the public expense, and I am satisfied that these large sums of money have not been expended in the interest of the public. I do not wish to be niggardly, and I do not wish anything that

Mr. WHITE (Cardwell.)

is necessary to be done to be neglected, but, when so much of the people's money is expended in this way, the Government ought to be anxious to show the people that the money is fairly and not extravagantly expended. I know this is a delicate matter here, but it is not so delicate when we get home to talk to the people. I believe that this information should be furnished. I do not think the Government can be expected to go into some of the details which are asked, but they should give sufficient information to show that this money is not extravagantly used. It is surprising, it is monstrous, to think that \$300,000 or \$400,000 or \$500,000 has been expended upon Rideau Hall and the grounds surrounding it. I cannot see anything like it there. I cannot conceive where it can have been expended. I hope, if the information cannot be furnished, this discussion will at least caution the gentlemen who are the guardians of the public purse to withhold this expenditure to a certain extent. We cannot compare the expenditure on these grounds when they were being taken out of their natural state with the expenditure after they were complete; and when are the grounds about Rideau Hall to be complete? They have been nineteen years approaching completion, and when is it to end? It occurs to me, and it is not a very extravagant idea, that the Government are employing rather too many workingmen around the grounds of the public buildings and the grounds around Rideau Hall.

Mr. McCRANEY. Before the motion is put, I wish to say that, sooner than accept the amendment, I would prefer to withdraw the motion if the House will permit me.

Amendment agreed to.

Mr. MILLS. I do not see what object the hon. gentleman has in moving this amendment, or what information is to be given to the House by it.

Mr. WHITE (Caldwell). We give the hon. gentlemen all the information asked for.

Mr. MILLS. That is beside the question.

Mr. WHITE (Cardwell). We give the hon. gentleman this information:

"A statement in detail of additions, alterations, repairs and maintenance of Rideau Hall; showing by whom were additions, alterations and repairs ordered, with the names of the contractors where the work was done by contract."

Mr. LANDERKIN. I would like to enquire of the Minister of Public Works what was the original cost of Rideau Hall?

Sir HECTOR LANGEVIN. I have a good memory, but I cannot give that to the hon. gentleman. If the hon. gentleman had asked me at the beginning of the sitting, I would have had the information by this time.

Mr. McCRANEY. I can supply the hon. gentleman with the information. Rideau Hall cost \$82,000 in the first place.

Mr. LANDERKIN. I find in the report of the Minister of Public Works for last year an amount of \$31,193.76 for repairs, and I find the total expenditure given by the Minister of Public Works as being \$236,785.48 for construction, and \$512,041.96 for repairs. The repairs have exceeded the construction by about 250 per cent. It would have been much cheaper had the Government purchased a site and constructed a building originally, and then these extravagant repairs would have been saved.

Mr. MILLS. I called the hon. gentleman's attention to the proposed amendment rather with the view of eliciting what it meant. I do not see by this amendment as it stands that we will get any other information except as to the work done.

Mr. BLAKE. Nor is there any distinction made between the work done by contract and the work not done by contract, so that it is worthless.

Mr. MILLS. If the hon. gentleman will give us a statement as to the value of the work done otherwise than by contract each year, and the aggregate value of the work done by contract, we will get some information.

Mr. WHITE (Cardwell). There is no objection to that.

Mr. BLAKE. The additions and alterations to the motion are as bad as the additions and alterations to the hall.

Mr. WHITE (Cardwell). You should construct a proper motion to begin with.

Mr. BLAKE. The same with the hall.

Mr. CAMERON (Huron). I understood that the Ministry were willing to give us the aggregate cost each year, and, in addition to that, the amount where it was let by contract. It appears now that this is not given by the amendment, and, if not, it is utterly useless.

Mr. LANDERKIN. It appears that some very ingenious statements will be required to induce the people of this country to believe that they have got value for their money in the expenditure of more than half a million of dollars for repairs to this building. The whole thing, it appears to me, would be dear at \$80,000.

The motion, finally amended as follows, was agreed to:—

A statement in detail of the cost of the additions, alterations, repairs and maintenance of Rideau Hall, stating by whom ordered, and distinguishing between the work done by contract and otherwise, with the names of the contractors when the work was done by contract.

Mr. McCRANEY moved for:

A detailed statement of cost of Rideau Hall, purchase, rent and furniture, since Confederation; by whom and from whom were the articles under this head of furniture purchased; also a list of said articles and the prices, and if any of such articles were disposed of, the names of the persons who obtained each article and the price paid, if any.

He said: I find, Sir, that since 1868 there have been expended \$85,369.96 on furniture for Rideau Hall, which, added to the cost of the purchase of the domain, \$82,000, makes a total of \$167,369. Now, Sir, as I remarked at the outset, I had no other object in moving these motions than to call the attention of this House and the people of the country to the way that money has been expended around this place called Rideau Hall. I do not at all blame the Governor General, because I am perfectly satisfied that he is not responsible for this large expenditure. I may say that I have frequently looked at Rideau Hall, and I have been ashamed that we had not a more respectable place for our Governors General. As has been already remarked, I think enough money has been expended on Rideau Hall to have built half a dozen very respectable residences, and I am sure there are dozens of gentlemen living in this country who occupy far finer residences which cost less than \$50,000. I think it is about time we stopped spending money on Rideau Hall, and either apply ourselves to making the place more respectable, or else dispose of the property and make the most we can out of it. I am in favor of spending money when it is judiciously done; and when money in this country is expended properly I like to see it done. I like to see public works going on, and surely we have enough of railways and useful public works to carry on without wasting money on these old barracks that have been referred to. Although I felt considerable timidity at first in referring to these matters I do not think we should be, mealy-mouthed when we see such a large sum of money has been wasted in the manner I have pointed out.

Motion agreed to.

HOMESTEAD ENTRIES IN THE NORTH-WEST.

Mr. CAMERON (Huron) moved for:

Return showing: 1. The number of homesteads—where entries were regularly made—in the North-West Territories, cancelled or abandoned in the years 1882, 1883, 1884 and 1885; 2. The section or part of section—the township and range where such homestead is situated; 3. The name of the person whose entry was cancelled, or who abandoned his homestead; 4. The reasons for such cancellation or abandonment.

Mr. WHITE (Cardwell). I may tell the hon. gentleman that if the House grants this motion, there is not the slightest chance of his getting it this year. The granting of it will involve a great deal of labor, and unless the hon. gentleman can give some reason other than appears on the surface, to my mind it will be utterly useless. The number of homesteads where entries were regularly made in the North-West and cancelled and abandoned, in the several years, can be given; there is no difficulty about that. But I cannot see that the public interest is to be served by giving all the details which follow, that is, the range, the township and the section in which these are to be found, the names of persons, and the reasons for the cancellations. There is, in fact, practically, but one reason for cancellation of homesteads, and that is the non-fulfilment of homestead duties. Any other reason is, so far as I am able to find out, unknown. If a man leaves his homestead and it is found vacant, under the old plan, there were a great many homesteads cancelled, and I think, perhaps, too quickly, without sufficient consideration; that is to say, a claim jumper, as he was called in the North-West, going there and seeing the homestead without a settler upon it, simply made representation to the agent, and in too many cases the agent cancelled the homestead. As it is now, when a representation is made, the homestead inspector is sent to examine the place, notice is given to the party, and the greatest possible care is exercised that no cancellation may take place without cause; at any rate, every effort is made to give due notice to the party. I ought, perhaps, to say that this change has not been made since I came into the Department, but before; and so far, therefore, as it is meritorious, I have no credit for it. Under these circumstances, Mr. Speaker, the attempt to give this information, which is not to be found in the Department here, but which will have to be obtained in its details from the agencies all over the North-West, will involve a very long time, a great deal of labor, and will, after it is obtained, be practically of no use. I do not say it is the case in the present instance, but unfortunately it is sometimes the case that an immense amount of information is asked for simply that some particular fact may be obtained. If the hon. gentleman is anxious to obtain any particulars as to any particular homestead that has been cancelled, improperly or otherwise it may be, I shall be very glad, indeed, to do everything I can to secure any information, but to go beyond the general statement of the number of homesteads cancelled, I must ask the House to reject the other parts of this motion.

Mr. CAMERON (Huron). I may explain that the reason I put that notice on the paper was that a strong political friend of hon. gentlemen opposite has communicated with me several times during the present Session of Parliament, and pointed out several cases where, he alleges, great hardship has been suffered. He alleges some cases where entries have been cancelled without any reason or justification. Whether that is true or not, I do not know, and I venture no opinion on the subject. I can only discover that when the papers come down. I think the object of the motion will be served by limiting the return to perhaps half a dozen cases. I will, in the meantime, communicate with the hon. Minister and inform him as to the particular information I desire. I have no wish to have a sort of roving commission issued to travel all over the North-West, or to have a large amount of the time of the Department occu-

pied in preparing returns, a large majority of which would be useless.

Mr. BLAKE. I hope the hon. gentleman will not propose any alteration in the motion in that respect to which the Minister has acceded because I conceive the matter of great public interest apart altogether from the question to which the hon. gentleman has now referred. It is of great consequence how many of the homesteads each year were cancelled or abandoned. As to the statement of ranges, lots, and so forth, of course, if, as the hon. gentleman has intimated, an enormous amount of investigation is required, there are a good many homesteads cancelled and abandoned. If there are only a few the hon. gentleman would not have made so long a speech about the time it would take to obtain particulars. If a large number of homesteads are cancelled and abandoned, some general description, which the hon. gentleman might cause to be prepared without giving minute details, might be given so that hon. members might have some idea of the number of cancellations in certain portions of the country, or blocks or areas, such, for instance, as a certain distance from the Canadian Pacific Railway belts and certain provisional districts or land districts. We would then be able to see whether or not settlement had taken place, because I believe many of the homesteads were speculatively taken up, we would see to what extent there had been *bond fide* settlement, and what homesteads had been cancelled or given up for one reason or another. As to the reason why the hon. gentleman objects to giving information I am afraid his statement will, while it answers itself in so far as it would be objectionable to give details, it would leave the hon. member for Huron (Mr. Cameron) very little information, because the hon. gentleman objected strenuously to the motion on the ground of the immense trouble it would cause, and he yet told us that there was but one reason for the cancellation, and that was non-compliance with the conditions. If so, this could be stated at the head of the return. What I would suggest is that the return the hon. gentleman should give is, as far as possible, particulars of the localities in which homesteads were cancelled or abandoned in each year in as much detail as possible, without resorting to an extraordinary effort; and that as regards the half dozen cases which the hon. member for Huron has mentioned an Order of the House might be allowed to pass unopposed for detailed information in regard to those cases.

Mr. WHITE (Cardwell). If the hon. gentleman will send a memorandum of any particular case, I will have the information furnished. The hon. member for West Durham (Mr. Blake) is not quite correct in saying that the length of time implies that there must have been a great number of cases. I am afraid there were a great number of cases for one cause or another. But whether there were many or few the task involves going over the whole books in the agency, and that will take up a great deal of time. I think we might furnish the information if it were confined to agency districts, which in Manitoba are pretty close together. With that understanding, and striking out the latter part of the motion, I will supply the information by agency districts; and then if the hon. gentleman will give me any case he wants to get particulars about, I will give him the information he desires.

Motion amended so as to read:

Return showing the number of homesteads where entries were regularly made in each agency district in Manitoba and the North-West Territories cancelled or abandoned in the years 1882, 1883, 1884 and 1885.

Motion, as amended, agreed to.
Mr. CAMERON (Huron).

RETURNS ORDERED.

Copies of all Orders in Council, petitions and correspondence; also a copy of the report of the Engineer (including plan and estimates of cost of construction) relating to the proposed branch railway from a point on the Intercolonial, at or near Stellarton, Pictou county, to the town of Pictou, N.S.—(Mr. Kirk.)

Copies of all correspondence connected with the survey of land at Edmonton and St. Albert on the river lot principle, including representations made on behalf of the settlers by the Rev. Father Leduc and Mr. Daniel Maloney, and the action of the Department of the Interior thereon.—(Mr. Taylor.)

Copies of all petitions, despatches and correspondence, reports to Council and Orders in Council touching upon and relating to the disallowance of railway charters in Manitoba, not already brought down.—(Mr. Watson.)

Statement of the names of all cases in which judgment has been given by the Supreme Court of Canada, the reports of which have not yet been published, together with the respective dates on which such judgments were delivered.—(Mr. Barker.)

Copy of the Report of Mr. Justice Hensley upon the trial of Alexander Gillis for murder at Charlottetown in January last, together with a copy of the Report of the Minister of Justice recommending a commutation of the sentence of death passed upon Gillis, and all telegrams and letters upon the subject.—(Mr. Davies.)

Return of all moneys paid in to the Treasurer of Intercolonial Railway, on account of sale of empty oil barrels, in each of the last three years from 1st January, 1883, to 1st January, 1886; and by whom paid in.—(Mr. Langelier.)

Copies of all petitions, correspondence or other documents relating to the establishment of a post office at a certain place called "Les Fonds," in the parish of St. Antoine, county of Lotbinière.—(Mr. Rinfret.)

Copies of all despatches from, or correspondence with, the Imperial Government, respecting the complaint of the Legislature or Government of Prince Edward Island, that the terms of Union between that island and the Dominion have not been carried out, or with respect to the mission of delegates to the Imperial Government from Prince Edward Island on the subject of such complaint.—(Mr. McIntyre.)

Sir HECTOR LANGEVIN. Moved the adjournment of the House.

THE LATE MR. THOMPSON, M.P.

Mr. BLAKE. I wish to give expression to the deep regret—a feeling in which I think I shall be joined by every member of the House—with which we learned to-day of the decease of our late friend, Mr. Thompson. Mr. Thompson represented the same constituency in Parliament, ever since Confederation, that he represented for several years before Confederation, in the Parliament of the Province of Canada. Although a young man he was therefore a very old man of Parliament. He sat for twenty-three years consecutively in the Legislature of this country and although a man of pronounced political opinions, and frank and free in the expression of them, I believe he was able to secure not merely the respect and attachment of those whom he was politically associated, but was respected and regarded amongst us all on both sides of the House while he lived, and I am sure we all deeply mourn his death.

Sir HECTOR LANGEVIN. I certainly concur in the remarks made by the leader of the Opposition on the death of our friend Mr. Thompson. I must say when we heard of his death this morning we heard the news with deep regret, especially those of us who had the pleasure of sitting in Parliament with him. I have been twenty-three years sitting with him in Parliament, and I do not think that during those twenty-three years he ever had an enemy in Parliament, and therefore I certainly express the sentiments of my friends when I join with the leader of the Opposition in saying that we all deplore his loss.

Motion agreed to; and the House adjourned at 10.20 p. m.

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FOURTH SESSION, FIFTH PARLIAMENT, 1886.

Abbreviations of well-known words and Parliamentary expressions are used in the following:—1^o, 2^o, 3^o, First Reading, Second Reading, Third Reading; 3 m. h., 6 m. h., 6 w. h., Three Months' Hoist, Six Months' Hoist, Six Weeks' Hoist; *, without remark or debate; Acts., Accounts; Adj., Adjourn; Adjd., Adjourned; Amt., Amendment; Amts., Amendments; Amalg., Amalgamation; Ans., Answer; Ass., Assurance; B., Bill; B. C., British Columbia; Can., Canada or Canadian; C.P.R., Canadian Pacific Railway; Com., Committee; Co., Company; Conc., Concur, Concurred, Concurrence; Consd., Consider; Consdn., Consideration; Cor., Correspondence; Deb., Debate; Dept., Department; Depts., Departments; Div., Division; Dom., Dominion; Govt., Government; His Ex., His Excellency the Governor General; H., House; H. of C., House of Commons; Incorp., Incorporation; Ins., Insurance; I.C.R., Intercolonial; Man., Manitoba; Mess., Message; M., Motion; Ms., Motions; m., moved; Neg., Negatived; N. B., New Brunswick; N.W.T., North-West Territories; N.S., Nova Scotia; O.C., Order in Council; Ont., Ontario; P.E.I., Prince Edward Island; P.O., Post Office; Par., Paragraph; Priv. and Elec., Privileges and Elections; Prop., Proposed; Q., Quebec; Ques., Question; Recom., Recommit; Ref., Refer, Referred, Reference; Rep., Report, Reported; Repts., Reports; Res., Resolution; Ret., Return; Ry., Railway; Rys., Railways; Sel., Select; Sen., Senate; sp. Special; Stmt., Statement; Sup, Supply; Suppl., Supplement, Supplementary; Wthdn., Withdrawn; Wthdrl., Y, N., Yeas and Nays; Names in italic and parentheses are those of the movers.

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Railways—Capital: I. C. R. (Claims) 1752 (ii).

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Almonds, conc. in Ways and Means, 748 (i).

Ammunition, clothing, &c., in Com. of Sup., 1302 (ii).

Archives, care of, in Com. of Sup., 1090 (ii).

Baking powder, conc. in Ways and Means, 749 (i); in Com., 1584 (ii).

Barbed wire-fencing, &c., conc. in Ways and Means, 772 (i).

Batteries, Cavalry Schools, in Com. of Sup., 1547 (ii).

Bayfield Harbor, repairs (M. for Cor.) 383 (i).

Bolts and nuts, &c., in Com. on Ways and Means, 1584 (ii).

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Can. and Antwerp Steamship Subsidy, in Com. of Sup., 1371 (ii).

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C.P.R. Act Amt. B. 131 (Mr. *McLelan*) on Amt. (Mr. *Watson*) to M. for 3°, 1346 (ii).

— bonds, release of, in Com. on Res., 1017, 1021 (ii).

— confirmation of Agreement, in Com. on Res. (Mr. *McLelan*) 941 (ii).

— expenditure in B.C., in Com. of Sup., 1448 1744 (ii).

— lands, sale of, by Company (Ques.) 543 (i).

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Canso and Port Hood Steamship Subvention, in Com. of Sup., 1372 (ii).

Cape Breton Island Ry., on prop. Res., 1455 (ii).

Cape Race Lighthouse transfer B. 100 (Mr. *Foster*) in Com. on Res., 672 (i)

Caraquet Ry. Subsidy, in Com. on Res., 1605 (ii).

Carriage hardware, conc. in Ways and Means, 1720 (ii).

Chignecto Marine Transport Ry. B. 105 (Mr. *Pope*) on prop. Res., 681 (i).

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Cobourg, relief of town, *re* construction of Harbor, on pro. Res. (Mr. *McLelan*) 866 (ii).

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Cologne water, &c., conc. in Ways and Means, 770 (i).

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Consolid. Fund, Receipts and Expenditures. (M. for Ret.*) 35 (i); (Ques.) 1076 (ii).

Consolid. Inland Rev. Acts Amt. B. 101 (Mr. *Costigan*) on prop. Res., 601; in Com. on Res. (fusil oil and distillery refuse) 682; (malt) 634; (methylated spirits) 685 (i).

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Cook, Mr. H., Timber Dues, on M. to ref. to Pub. Accts. Com., 1420 (ii).

Cordage, manilla and sisal, in Com. on Ways and Means, 1584 (ii).

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Cotton fabrics, printed or dyed, conc. in Res. rep. from Com. on Ways and Means, 769 (i).

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 ——— salaries, &c., in Com. of Sup., 1541 (ii).
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 ——— expenses under, in Com. of Sup., 1698 (ii).
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 ——— St. Charles branch, in Com. of Sup., 1452 (ii).
 ——— Stellarton and Pictou branch B. 57 (Mr. *Pope*) on M. for 2° and in Com., 604, 614, 618, 624; on M. for 3°, 665 (i).
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 Northern and Pacific Junction Ry. Co.'s B. 25 (Mr. *McCarthy*) on M. to trans. Sen. Amts. to Govt. Orders, 1664; on Amt. (Mr. *Mulock*) to M. to conc. in Sen. Amts., 1678 (ii).
 N.W. Central Ry. Co.'s Act. Amt B. 17 (Mr. *Beaty*) on Amt. (Mr. *Mitchell*) to M. for Com., 988; in Com. on Res., 1631 (ii).
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Fishing rights of Indians on Lakes Huron and Nipissing, Pets, &c., on M. for copies, 696 (i).

Life-boat service and rewards, in Com. of Sup., 1374 (ii).

Oleomargarine, &c., on prop. Res. (Mr. Taylor) 1191 (ii).

SUPPLY :

Civil Govt. (Interior Dept. of) 542 (i).

Ocean and River Service (Rewards and Life-boat service) 1374 (ii).

Gunn, Mr. A., Kingston.

Land Grants to Militia B. 142 (Mr. White, Cardwell) in Com. on Res., 1457 (ii).

Mounted Police, in Com. of Sup., 1657 (ii).

Sugars, conc. in Ways and Means, 774 (i), 1724 (ii).

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Hackett, Mr. E., Prince, P. E. I.

Can. Temp. Act, 1878, Amts. Bs. 92, 99 and 118, on Amt. (Mr. Cameron, Victoria) to place on Govt. Orders, 1221 (ii).

Cape Breton Island Ry. B. 143 (Sir Hector Langevin) in Com. on Res., 1488 (ii).

Chignecto Marine Transport Ry. B. 105 (Mr. Pope) on prop. Res., 675 (i).

Chinese Immigration Act Amt. B. 106 (Mr. Chapleau) in Com., 1238 (ii).

Farm or Real Estate Banks, in Com. on Res. (Mr. Orton) 583 (i).

Franchise, Electoral, Act Amt. B. 138 (Mr. Thompson) in Com. 1468 (ii).

Harbors and Rivers, in Com. of Sup., 1263 (ii).

Home Rule for Ireland, on Amt. (Mr. McMullen) to Amt (Mr. Costigan) to Res. (Mr. Blake) 1115 (ii).

I. C. R. Stellarton and Picou branch B. 57 (Mr. Pope) in Com., 615 (i).

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Lobster Fishing in P. E. I. (Ques.) 31 (i).

Northern Light and winter communication with P. E. I., on M. for Cor., 849 (ii).

Northumberland Straits Tunnel Ry. Co.'s (B. 128, 1^o*) 1014; in Com., 1466 (ii).

Riel, Louis, case of, Pets. from Provincial Govts. (Ques.) 634 (i).

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Administration of Justice, 889 (ii).

Public Works—Income: Harbors and Rivers (P. E. I.) 1263 (ii).

Haggart, Mr. J. G., South Lanark.

Can. Atlantic Ry. Co.'s incorp. Act Amt. B. 43 (Mr. Mackintosh) in Com., 555, 612 (i).

Gananoque, Perth and James' Bay Ry. Co.'s Subsidy, in Com. on Res., 1624 (ii).

North Canadian Pacific Ry. Co.'s incorp. (B. 73, 1^o*) 426 (i).

Northern and Pacific Junction Ry. Co.'s B. 25 (Mr. McCarthy) on M. for Com. (Ques. of Order) 1316 (ii).

Haggart, Mr. J. G.—Continued.

Prince Albert Colonisation Co., on M. (Mr. Edgar) for Sel. Com., 491 (i).

Printing of Parlt., on M. to conc. in Fourth Rep. of Com., 1198 (ii).

Privilege, Ques. of, Timber Limits *re* applications, 1143; refutation of charges, 1634 (ii).

Subsidies (money) to Rys. B. 146 (Mr. Pope) in Com. on Res., 1624 (ii).

Timber, Land and Coal Leases in N.W.T., on Res. (Mr. Charlton) in Amt to Com. of Sup., 1073 (ii).

Hall, Mr. R. N., Sherbrooke.

Consentini, Girolamo, naturalisation (B. 37, 1^o*) 93 (i).
Copyright, laws relating to, on M. (Mr. Edgar) for Sel. Com., 381 (i).

Disturbance in the N.W., duty of Govt. to bring down further papers (Amt) to Res. (Mr. Blake) 505; agreed to. (Y. 110, N. 63) 511 (i).

Northern and Pacific Junction Ry. Co.'s B. 25 (Mr. McCarthy) on Amt. (Mr. Mulock) to M. to conc. in Sen. Amts, 1676 (ii).

Hesson, Mr. S. R., South Perth.

Bounty on Pig Iron B. 150 (Mr. McLelan) in Com. on Res., 1718 (ii).

Chinese Immigration Act Amt. B. 106 (Mr. Chapleau) in Com., 1239 (ii).

Consolid. Inland Rev. Acts Amt. B. 101 (Mr. Costigan) in Com. on Res. (oleomargarine) 688 (i).

Dom. Exhibition, in Com. of Sup., 1091 (ii).

Dom. Lands, in Com. of Sup., 539 (i).

Experimental Farm Stations establishment B. 124 (Mr. Carling) on M. for Com. on Res., 962; in Com. on B., 1150 (ii).

Farm or Real Estate Banks, on M. (Mr. Orton) for Com. on Res., 430; in Com., 433, 437, 572, 583 (i).

Flour and Coal duties, abolition of, on Res. (Mr. Mitchell) in Amt. to Com. of Sup., 1430 (ii).

Fruit, green, conc. in Ways and Means, 751 (i).

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Legal services, in Com. of Sup., 1160 (ii).

Mounted Police, in Com. of Sup., 1656 (ii).

Logs, &c., in Com. on Ways and Means, 1589; conc., 1727 (ii).

N. W. Central Ry. Co.'s Act Amt. B. 17 (Mr. Beaty) on Amt. (Mr. Mitchell) to M. for Com., 994; on M. to adjn. deb., 1004; in Com., 1013 (ii).

Oleomargarine, &c., on Amt. (Mr. Bowell) to Amt (Mr. Paterson, Brant) to conc. in Ways and Means, 761, 765 (i).

Printing and Stationery Bureau B. 132 (Mr. Chapleau) in Com., 1565 (ii).

Public Buildings, in Com. of Sup., 1160 (ii).

Rideau Hall, additions, alterations, repairs, &c., on M. for Stmt., 797 (i).

Hesson, Mr. S. R.—*Continued.*

Rideau Hall, gardening and grounds, amounts paid, on M. for Stmt., 796 (i).

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Arts, Agriculture, &c. (Dom. Exhibition) 1091 (ii).

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Immigration (general vote) 1387 (ii).

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Ways and Means—The Tariff, 751, 761-765, 777 (i), 1579, 1727 (ii).

Weights and Measures and Gas, in Com. of Sup., 1545.

Hickey Mr. C. E., *Dundas.*

Animals Contagious Diseases B. 19 (Mr. *Mulock*) M. to adjn. deb., 911 (ii).

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Fruit, green, conc. in Ways and Means, 752 (i).

Land Grants to Militia B. 142 (Mr. *White, Cardwell*) in Com. on Res., 1456 (ii).

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Hilliard, Mr. G., *West Peterborough.*

Trent Valley Canal, on M. for Ret., 901 (ii).

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Holton, Mr. E., *Chateauguay.*

Customs Seizures at Montreal, on M. for Com. of Sup., 1684 (ii).

Geological Survey, in Com. of Sup., 542 (i).

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Homer, Mr. J. A. R., *New Westminster.*

Dom. Lands in B.C., settlement, on M. for Cor., 497 (i).

Shuswap and Okanagan Ry. Co.'s incorp. (B. 33, 1°*) 92 (i).

Hurteau, Mr. H., *L'Assomption.*

Repentigny Wharf, expenditure (Ques.) 634 (i).

Ste. Ursule, &c., and Lake Temiscamingue Ry. Co.'s incorp. (B. 74, 1°*) 426 (i); 3° m., 957 (ii).

Innes, Mr. J., *South Wellington.*

Guelph Junction Ry. Co.'s incorp. Act Amt. (B. 78, 1°*) 460 (i).

Ingersoll, London and Chatham Ry. Subsidy, in Com. on Res., 1599 (ii).

Pensions, N.W. Rebellion, in Com of Sup., 1742 (ii).

Printing and Stationery Bureau B. 132 (Mr. *Chapleau*) on M. for 2°, 1528; in Com., 1558 (ii).

Subsidies (money) to Rys. B. 146 (Mr. *Pope*) in Com. on Res., 1598 (ii).

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Irvine, Mr. D., *Carleton, N. B.*

Consolid. Inland Rev. Acts Amt. B. 101 (Mr. *Costigan*) in Com. on Res. (oleomargarine) 688 (i).

Customs Appointment at Woodstock, N. B. (Ques.) 1075 (ii).

Experimental Farm Stations establishment B. 124 (Mr. *Carling*) on M. for Com. for Res., 967 (ii).

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Harbors and Rivers, in Com. of Sup., 1264 (ii).

I. C. R., Stellarton and Pictou branch. B. 57 (Mr. *Pope*) in Com., 628 (i).

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Ives, Mr. W. B., *Richmond and Wolfe.*

Animals Contagious Diseases B. 19 (Mr. *Mulock*) on M. to consdr. B., 910 (ii).

Business of House on M. to take Thursdays, 512 (i).

I. C. R., Stellarton and Pictou branch B. 57 (Mr. *Pope*) on M. for 3°, 666 (i).

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Jackson, Mr. J., *South Norfolk.*

- C. P. R. bonds held by Govt. (Ques.) 495 (i).
 Consolid. Inland Rev. Acts Amt. B. 101 (Mr. *Costigan*)
 in Com. on Res. (oleomargarine) 686 (i).
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 conc. in Ways and Means, 758 (i).
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 ——— or Port Royal, harbor of refuge (M. for Ret.)
 65 (i).
 Steamboat Inspection Act Amt. B. 103 (Mr. *Foster*) in
 Com., 1087 (ii).
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Jamieson, Mr. J., *North Lanark.*

- Can. Temp. Act, 1878, Amt. (B. 92, 1°) 599 (i); Bs.
 92, 99 and 118, on Amt. (Mr. *Cameron, Victoria*) to
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Beaty) 904 (ii).
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 Com. of Sup., 1285 (ii).

Jenkins, Mr. J. T., *Queen's, P.E.I.*

- Experimental Farm Stations establishment B. 124 (Mr.
Carling) in Com., 1149 (ii).
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 Com., 1329 (ii).
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Kaulbach, Mr. C. E., *Lunenburg.*

- Cape Breton Island Ry. B. 143 (Sir *Hector Langevin*)
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 146, 1636 (ii).
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magny) censuring Govt., 323-325 (i).
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Kilvert, Mr. F. E., *Hamilton.*

- Northern and North-Western Junction Ry. Co.'s (B.
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King, Mr. G. G., *Queen's, N.B.*

- Dredging, in Com. of Sup., 1269 (ii).
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 I.C. R., Stellarton and Pictou branch B. 57 (Mr. *Pope*)
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Kinney, Mr. J. R., *Yarmouth.*

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Pope) in Com., 626 (i).
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 1638; (personal explanation) 1639; in Com.,
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Kirk, Mr. J. A., *Guysborough.*

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chell) in Amt. to Com. of Sup., 1429 (ii).
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 ——— Stellarton and Pictou branch B. 57 (Mr. *Pope*)
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- Lighthouses and Fog alarms, in Com. of Sup., 1376 (ii).
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- Can. Temp. Act, 1878, Amt. B. 104 (Mr. *Orton*) M. to place on Govt. Orders, 1218; neg. (Y. 35, N. 134) 1223 (ii).
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- Animals Contagious Diseases B. 19 (Mr. *Mulock*) on M. for 2^o, 861; in Com., 864 (ii).
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- Subsidies (land) to Rys. B. 147 (Mr. *White, Cardwell*) in Com., 1710 (ii).
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- Sultan*, steam-tug, award of Dom. Arbitrators (M. for copy) 904 (ii).

Mitchell, Hon. P.—Continued.

- Superannuation, Civil Service, on M. for Ret., 1182, 1184 (ii).
- SUPPLY:
- Charges of Management* (Asst. Financial Inspector) 520 (i).
- Civil Government* (Militia, contingencies) 1744 (ii).
- Legislation*: Miscellaneous (Faucher de St. Maurice on Parliamentary Procedure) 1741; (Franchise Act, expenses) suppl., 1698 (ii).
- Mail Subsidies, &c.* (N.B. and P.E.I. to G.B.) 1756 (ii).
- Militia* (draining Citadel) 1743 (ii).
- Public Works—Income*: Harbors and Rivers (N.S.) 1754 (ii).
- Railways—Capital*: C.P.R. (B.C.) 1744. I.C.R. (Claims) 1752 (ii).
- United States fishing vessels and inshore fisheries (M. for Ret.*) 392 (i).
- Ways and Means—The Tariff*, 1584, 1586 (ii).

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- Ammunition, clothing, &c., in Com of Sup., 1304 (ii).
- Animals Contagious Diseases Act Amt. (B. 19, 1°*) 58 (i); 2° m., 858; consdn. of B. m., 909; on M. to adjn. deb., 911 (ii).
- Brigade Majors salaries, &c., in Com. of Sup., 1300 (ii).
- B.C. Penitentiary, in Com. of Sup., 896 (ii).
- Cab-hire and travelling expenses, in Com. of Sup., 872 (ii).
- C. P. R. expenditure in B.C., in Com. of Sup., 1744 (ii).
- Port Arthur to Red River, in Com of Sup., 1697 (ii).
- Cartridge Factory at Quebec (Ques.) 543 (i).
- Chinese Immigration Act Amt. B. 106 (Mr. *Chapleau*). in Com., 1233; on Amt. (Mr. *Mitchell*) to M. for 3°, 1242 (ii).
- Citadel, draining of, in Com. of Sup., 1742 (ii).
- Cod Liver Oil and Guano industries, in Com. of Sup., 1757 (ii).
- Consolid. Ry. Act, 1879, Amt. (B. 4, 1°) 31; withdn., 858 (ii).
- Consolid. Ry. Act, 1879, Amt., B. 8 (Mr. *McCarthy*) in Com., 857 (ii).
- Deposits in Govt. and P. O. Savings Banks (Ques.) 634 (i).
- Dom. Lands Act, 1883, Amt. B. 94 (Mr. *White, Cardwell*) in Com., 922 (ii).
- Extra Clerks, in Com. of Sup., 883 (ii).
- Factory legislation (Ques.) 634 (i).
- Franchise, Electoral, Act Amt. B. 138 (Mr. *Thompson*) in Com., 1473, 1508, 1510, 1665, 1668, 1672 (ii).
- Act, expenses under, in Com. of Sup., 1699, 1747 (ii).
- instructions to Revising Officers, on M. for copies, 55 (i).
- Food Supply to Indians in the N.W. (M. for Ret.*) 58 (i).
- Geological Survey, in Com. of Sup., 1649 (ii).
- Immigration, in Com. of Sup., 1387 (ii).
- Indians, in Com. of Sup., 1650 (ii).
- Insurance B. 111 (Mr. *Thompson*) in Com., 1385 (ii).
- Justice, Administration of, in Com. of Sup., 887 (ii).

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- Land Claims Commission, N.W., Rep. (Ques.) 1421 (ii).
 Land Grants to Militia Force B. 142 (Mr. *White, Cardwell*) in Com. on Res., 1457 (ii).
 Man. Penitentiary, in Com. of Sup., 895 (ii).
 Maritime Court of Ont. Jurisdiction B. 5 (Mr. *Allen*) in Com., 563, 569 (i).
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 N.W. Central Ry. Co.'s Act Amt. B. 17 (Mr. *Beaty*) on M. for Com. (Amt.) 1011; neg. (Y. 55, N. 82) 1012 (ii).
 N.W.T. Law Amt. B. 133 (Mr. *Thompson*) in Com., 1460 (ii).
 Obscene Publications (remarks) on M. for Com. of Sup., 1746 (ii).
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 St. Catharines Milling Co. law costs, in Com. of Sup., 1769 (ii).
 Savings Banks, Govt. deposits in (Ques.) 495 (i).
 Subsidies (money) to Rys. B. 146 (Mr. *Pope*) in Com. on Res., 1621 (ii).
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- Geological Survey*, 1649 (ii).
Immigration (general vote) 1387 (ii).
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Militia (Ammunition, clothing, &c.) 1304; (Brigade Majors salaries, &c.) 1300; (draining Citadel) 1742; (permanent batteries, &c.) 1771; (Royal Military College) 1308; (salaries, District and Branch Staff) 1298 (ii).
Miscellaneous (Forged Bond, payment for) 1764; (St. Catharines Milling Co. law costs) 1769 (i).
Penitentiaries (B. C.) 896; (Man.) 895 (ii).
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O'Brien, Mr. W. E., Muskoka.

- Ammunition, clothing, &c., in Com. of Sup., 1305 (ii).
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 — works in, B. 130 (Sir *Hector Langevin*) on M. for 2°, 1248 (ii).
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 Rebellion losses, claims, &c., in Com. of Sup., 1766 (ii).

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Subsidies (money) to Rys. B. 146 (Mr. *Pope*) in Com. on Res., 1614 (ii).

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Indians (B.C.) 1652; (grant to suppl. fund) 1650; (Man. and N.W.T.) 1653 (ii).

Legislation: Miscellaneous (Franchise Act, expenses under) 1699 (ii).

Militia (Ammunition, clothing, &c.) 1305; (Brigade Majors salaries, &c.) 1300; (Drill instruction and Drill pay) 1306; (salaries, Branch and District Staff) 1295 (ii).

Miscellaneous (Rebellion, losses, &c.) 1766 (ii).

Public Works—Income: Buildings (N.W.T.) 1166; (Ont.) 1163 (ii).

Ways and Means—The Tariff, 1726 (ii).

Orton, Mr. G. T., Centre Wellington.

Animals Contagious Diseases Act Amt. B. 19 (Mr. *Mulock*) on M. for 2°, 859 (ii).

C. P. R. Act Amt. B. 131 (Mr. *McLelan*) on Amt. (Mr. *Watson*) to M. for 3°, 1345 (ii).

Can. Temp. Act, 1878, Amt. (B. 104, 1°) 710 (i).

— legislation respecting (Ques.) 912 (ii).

Chinese Immigration Act Amt. B. 106 (Mr. *Chapleau*) in Com., 1233 (ii).

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Riel, Louis, Execution of, on Res. (Mr. *Landry*, *Mont. magny*) censuring Govt., 301–307 (i).

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in Com. on Res., 1490; (remarks) on intrdn. of B., 1638 (ii).

Cod Liver Oil and Guano industries, in Com. of Sup., 1758 (ii).

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Flour and Coal duties, abolition of, on Res. (Mr. *Mitchell*) on Amt. to Com. of Sup., 1431 (ii).

Govt. Steamers, maintenance and repairs, in Com. of Sup., 1372 (ii).

Lennox Passage Bridge Co.'s (B. 81, 1°*) 487 (i).

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Port Hood Harbor, closing of, on M. for Cor., 788 (i).

Port Mulgrave and East Bay Steamship Subsidy, in Com. of Sup., 1371 (ii).

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Rideau Hall, contingencies, on M. for Ret., 794 (i).

Subsidies (money) to Rys. B. 146 (Mr. *Pope*) on M. to introd., 1636, 1638 (ii).

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Paterson, Mr. W., South Brant.

Animals Contagious Diseases Act Amt. B. 19 (Mr. *Mulock*) on M. for 2°, 860; in Com., 864; on M. to consdr. B., 909 (ii).

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Consolid. Inland Rev. Acts Amt. B. 101 (Mr. *Costigan*) in Com. on Res. (malt) 684 (i).

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Immigration, in Com. of Sup., 1389 (ii).

Indian Administration of the N. W., on Res. (Mr. *Cameron*, *Huron*) in Amt. to Com. of Sup., 733–739 (i).

Indian Lands Letters Patent B. 102 (Sir *Hector Langevin*) on M. for 2°, 808 (ii).

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- Indians, in Com. of Sup., 1654 (ii).
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 Lake Erie, Essex and Detroit River Ry. Co.'s Subsidy, in Com. on Res., 1610 (ii).
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 Oleomargarine, &c., on conc. in Ways and Means (Amt.) 758; on Amt. (Mr. *Bowell*) 767 (i); on prop. Res. (Mr. *Taylor*) 1188, 1195; in Com. on B. 101, 1204 (ii).
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 Six Nation Indians, Minutes of Councils (M. for copies*) 58 (i).
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 Sugar, conc. in Ways and Means, 773, 775 (i), 1772 (ii).
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- SUPPLY:
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Patterson, Mr. J. C., North Essex.

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Platt, Mr. J. M., Prince Edward, Ont.

- Barbed wire fencing, &c., conc. in Ways and Means, 772 (i).
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- Life-boat service, Rewards, &c., in Com. of Sup., 1373 (ii).
 Oleomargarine, &c., on Amt. (Mr. *Bowell*) to Amt (Mr. *Paterson, Brant*) to M. to conc. in Ways and Means, 759 (i); on prop. Res. (Mr. *Taylor*) 1194 (ii).
- SUPPLY:
- Ocean and River Service* (Rewards, &c., and Life-boat service) 1373 (ii).
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Pope, Hon. J. H., Compton.

- Agriculture, Deptl. Rep. (presented) 60 (i).
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 ——— B. C. Section (Ans.) 121 (i).
 ——— leased lines, amounts paid by Co. as rent, &c (Ans.) 368 (i).
 ——— Northern Pacific Ry., agreement (Ans.) 633 (i).
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 Consolid. Ry. Act, 1879, Amt. B. 4 (Mr. *Mulock*) on M. for 2°, 858 (ii).
 Consolid. Ry. Act Amt. B. 8 (Mr. *McCarthy*) in Com., 857 (ii).
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 ——— claims arising out of construction, in Com. of Sup., 1752 (ii).
 ——— earnings and working expenses (Ans.) 62 (i).
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- SUPPLY:**
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 ——— Valley Canal, on M. for Ret., 903 (ii).
 ——— payments for right of way (Ans.) 843 (ii).
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Pruyn, Mr. M. W., *Lennox.*

- Emerson and North-Western Ry. Co.'s incorp. (B. 39, 1°*) 93 (i).

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- Convict Labor in Dorchester Penitentiary (Ques.) 1075 (ii).

Rinfret, Mr. C. J., *Lotbinière.*

- Les Fonds, establishment of Post Office at (M. for Cor., &c.*) 802 (i).
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Robertson, Mr. A., *West Hastings.*

- Bow River Coal Mine and Transportation Co.'s incorp. (B. 44, 1°*) 119 (i).
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Robertson, Mr. T., *Hamilton.*

- Birrell, Flora, Relief (B. 129, 1° on a div.) 1014; 2°, agreed to (Y. 85, N. 33) 1172 (ii).
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 Franchise Act, instructions to Revising Officers, on M. for copies (remarks) 50 (i).
 Ingersoll, London and Chatham Ry. Subsidy, in Com. on Res., 1599 (ii).
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- American fishermen, depredations by (Ques.) 783 (i).
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Ross, Mr. A. W., *Lisgar.*

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- BARKER, MR. F. E. : Returned as Member elect for St. John (N.B.) City, 1 (i).
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- BATOCHÉ, BATTLE OF, REP. OF OFFICER SECOND IN COMMAND : Ques. (Mr. *Casey*) 369 (i).
- BATOCHÉ, PAPERS FOUND AT, DIARY OF RIEL, &c. : M. for copies* (Mr. *Laurier*) 58 (i).
- BAYFIELD HARBOR REPAIRS : M. for Cor. (Sir *Richard Cartwright*) 383 (i).
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- BELLEVILLE AND NORTH HASTINGS RY. CO.'S SUBSIDY : prop. Res. (Mr. *Pope*) 1551 ; in Com., 1626 (ii).
- BILLS ASSENTED TO : 1776 (ii).
- BILL (No. 1) Respecting the administration of Oaths of Office.—(Sir *John A. Macdonald*).
1°*, 1 (*pro forma*) (i).
- BILL (No. 2) To amend the Criminal Law, and to declare it a misdemeanor to leave unguarded and exposed holes cut in the ice on any navigable or frequented waters.—(Mr. *Robertson, Hamilton*).
1°, 31 ; 2°, 707 (i) ; in Com. and 3°*, 856 (ii). (49 *Vic.*, c. 53.)
- BILL (No. 3) For the further amendment of the Law of Evidence in certain cases.—(Mr. *Robertson, Hamilton*).
1°, 31 (i) ; 2° agreed to (Y. 86, N. 52) 858 ; in Com., 911 ; Amt. (Mr. *Desjardins*) 6 m. h., neg. (Y. 59, N. 68) 911 ; 3° on same div. reversed, 912 (ii).
- BILL (No. 4) To amend the Consolidated Railway Act, 1879, and amendments thereto.—(Mr. *Mulock*).
1°, 31 (i) ; 2° m., Order dschgd. and B. withdn., 858 (ii).
- BILL (No. 5) To extend the jurisdiction of the Maritime Court of Ontario.—(Mr. *Allen*).
1°*, 37 ; 2° m., 149 ; 2°*, 437 ; in Com., 559 (i).
- BILL (No. 6) For constituting a Court of Railway Commissioners for Canada, and to amend the Consolidated Railway Act, 1879.—(Mr. *McCarthy*).
1°, 37 ; 2° m., 585 ; Order dschgd. and B. withdn., 599 (i).
- BILL (No. 7) Respecting Carriers by Land.—(Mr. *McCarthy*).
1°, 38 ; 2° m., Order dschgd. and B. withdn., 707 (i).
- BILL (No. 8) To amend the Consolidated Railway Act of 1879.—(Mr. *McCarthy*).
1°, 38 ; 2°*, 707 (i) ; in Com., 857 ; 3°*, 858 (ii).
- BILL (No. 9) Respecting the Revised Statutes of Canada.—(Mr. *Thompson*).
1°, 38 ; 2°* and in Com., 513 ; ref. to Sel. Com., 555 (i) ; in Com., 1224 ; 3°* 1229 (ii). (49 *Vic.*, c. 4.)
- BILL (No. 10) Respecting Real Property in the North-West Territories.—(Mr. *Thompson*).
1°, 40 ; 2° m., 668 ; 2°* and ref. to Sp. Com., 670 (i) ; prop. Res., 1015 ; in Com. on B., 1516 ; in Com. on Res., 1532 ; Res. conc. in and 3°*, 1552 (ii). (49 *Vic.*, c. 26.)
- BILL (No. 11) For the more effectual prevention of Cruelty to Animals.—(Mr. *Charlton*).
1°, 41 ; 2° m., 438 ; 2° and ref. to Sel. Com., 439 (i).
- BILL (No. 12) To amend the Act relating to interest on moneys secured by mortgage on real estate.—(Mr. *McMullen*).
1°, 41 ; 2° m., 439 ; 2°, 441 (i).
- BILL (No. 13) To limit the appellate jurisdiction of the Supreme Court as respects matters of a purely local nature in the Province of Quebec.—(Mr. *Landry, Montmagny*).
1°, 41 (i).

- BILL (No. 14) To reduce the capital stock of the Bank of New Brunswick.—(Mr. *Weldon*.)
1°*, 48; 2°*, 66; in Com. and 3°*, 614 (i). (49 *Vic.*, c. 59.)
- BILL (No. 15) Further to amend an Act respecting Insolvent Banks, Insurance Companies, Loan Companies, Building Societies and Trading Corporations.—(Mr. *Edgar*.)
1°, 48; 2°, 437 (i); in Com., 907, 1179; 3°*, 1180; M. to trans. Sen. Amts. to Govt. Orders, 1592 (ii). (49 *Vic.*, c. 46.)
- BILL (No. 16) To incorporate the Medicine Hat, Dunmore and Benton Railway Company.—(Mr. *McCallum*.)
1°*, 48; 2°*, 102 (i); withdn., 1309 (ii).
- BILL (No. 17) To amend the Act respecting the North-West Central Railway Company.—(Mr. *Beaty*.)
1°*, 58; 2°*, 102 (i); M. for Com., 974; Amt. (Mr. *Mitchell*) 3 m. h., 979; neg. (Y. 59, N. 86) 1011; Amt. (Mr. *Mulock*) neg. (Y. 55, N. 82) in Com. and 3°*, 1013 (ii). (49 *Vic.*, c. 74.)
- BILL (No. 18) To incorporate the Midland (title changed to "Anglo-Canadian") Bank of Canada.—(Mr. *Ward*.)
1°*, 58; 2°*, 102; in Com., 494; 3°*, 555 (i). (49 *Vic.*, c. 64.)
- BILL (No. 19) To amend "The Animal Contagious Diseases Act."—(Mr. *Mulock*.)
1°, 58 (i); 2° m., 858; 2° and in Com., 864; consdn. of B. m., 909; Amt. (Mr. *White, Renfrew*) 910; neg. (Y. 36, N. 99) and 3°, 911 (ii). (49 *Vic.*, c. 43.)
- BILL (No. 20) To punish Seduction and like offences, and to make better provision for the protection of women and girls.—(Mr. *Charlton*.)
1°*, 60; 2° m., 441; 2° agreed to (Y. 114, N. 47) 444; M. for Com., 570; ref. to Sel. Com., 571; in Com. of W., 704; 3°*, 707 (i); M. to conc. in Sen. Amts., 1326 (ii). (49 *Vic.*, c. 52.)
- BILL (No. 21) Further to amend "The Supreme and Exchequer Court Act."—(Mr. *Edgar*.)
1°, 60 (i).
- BILL (No. 22) Respecting interest in the Province of British Columbia.—(Mr. *Baker, Victoria*.)
1°, 61 (i); M. to place 2° on Govt. Orders, 1218; Amt. (Mr. *Blake*) to add B. (No. 92) neg. (Y. 68, N. 88) 1218; Amt. (Mr. *Kranz*) to add B. No. 104, 1218; Amt. to Amt. (Mr. *Cameron, Victoria*) to add Bs. Nos. 92, 99 and 118, 1219; neg., Y. 22, N. 149) 1222; Amt. (Mr. *Kranz*) neg. (Y. 35, N. 134) 1223; 2° m., 1143; 2° and in Com., 1244; 3°*, 1270 (ii). (49 *Vic.*, c. 44.)
- BILL (No. 23) To further amend the Law of Evidence in criminal cases.—(Mr. *Cameron, Huron*.)
1°, 66; 2° m, 707; 2° neg. (Y. 57, N. 80) 709 (i).
- BILL (No. 24) To incorporate the Kingston and Pembroke Mutual Aid and Insurance Company (Limited).—(Mr. *White, Renfrew*.)
1°*, 66; 2°*, 240 (i); in Com. and 3°*, 907 (ii). (49 *Vic.*, c. 65.)
- BILL (No. 25) Respecting the Northern and Pacific Junction Railway Company.—(Mr. *McCarthy*.)
1°*, 66; 2°*, 240 (i); M. for Com., 1311; in Com., 1318; 3° m., Amt. (Mr. *Mulock*) 1325; neg. (Y. 48, N. 90) and 3°, 1326; M. to conc. in Sen. Amts., 1605; Amt. (Mr. *Mulock*) 1640; M. to trans. Sen. Amts. to Govt. Orders, 1662; M. to conc. in Sen. Amts., 1673; Amts. (Mr. *Mulock*) 1676, 1684; neg. (Y. 45, N. 90) 1684 (ii). (49 *Vic.*, c. 76.)
- BILL (No. 26) To incorporate the Tecumseh Insurance Company of Canada.—(Mr. *Macmillan, Middlesex*.)
1°*, 67; 2°*, 119; in Com. and 3°*, 614 (i). (49 *Vic.*, c. 93.)
- BILL (No. 27) To amend the Act to incorporate the West Ontario Pacific Railway Company.—(Mr. *Macmillan, Middlesex*.)
1°*, 67; 2°, 240; in Com. and 3°*, 614 (i). (49 *Vic.*, c. 70.)
- BILL (No. 28) To amend the Criminal Law of Canada.—(Mr. *Robertson, Hastings*.)
1°, 67 (i); 2° m., 1185; neg., 1186 (ii).
- BILL (No. 29) To amend the Dominion Elections Act, 1884.—(Mr. *McCarthy*.)
1°, 67 (i); 2° m. and neg. (Y. 42, N. 80) 1186 (ii).
- BILL (No. 30) To incorporate the E. B. Eddy Manufacturing Company.—(Mr. *Wright*.)
1°*, 92; 2°*, 119; in Com. and 3°*, 757 (i). (49 *Vic.*, c. 106)
- BILL (No. 31) To incorporate the Alberta Railway Company.—(Mr. *Shanly*.)
1°*, 92; 2°*, 119 (i); withdn., 1309 (ii).
- BILL (No. 32) To incorporate a Community of Religious Ladies under the name of "The Sisters Faithful Companions of Jesus."—(Mr. *Royal*.)
1°*, 92; 2°*, 240; in Com. and 3°*, 473 (i). (49 *Vic.*, c. 111.)
- BILL (No. 33) To incorporate the Shuswap and Okanagan Railway Company.—(Mr. *Homer*.)
1°*, 92; 2°*, 240; in Com. and 3°*, 614 (i); Sen. Amts. conc. in, 1171 (ii). (49 *Vic.*, c. 82.)
- BILL (No. 34) To incorporate the Lake Superior Mineral Railway Company.—(Mr. *Dawson*.)
1°*, 92; 2°*, 119; in Com. and 3°*, 757 (i). (49 *Vic.*, c. 81.)
- BILL (No. 35) To amend the Act to incorporate the Lake Nipissing and James' Bay Railway Company.—(Mr. *Sutherland, Oxford*.)
1°*, 92; 2°*, 119; in Com. and 3°*, 614 (i). (49 *Vic.*, c. 77.)
- BILL (No. 36) To grant certain powers to the Sable and Spanish Boom and Slide Company of Algoma (Limited).—(Mr. *Sutherland, Oxford*.)
1°*, 92; 2°*, 119; Order for Com. read, 494; in Com., 782; 3°*, 783 (i). (49 *Vic.*, c. 108.)
- BILL (No. 37) To naturalise Girolamo Consētini, commonly called Baron Girolamo Consentini.—(Mr. *Hall*.)
1°*, 93; 2°*, 240; in Com. and 3°*, 473 (i). (49 *Vic.*, c. 112.)
- BILL (No. 38) Respecting the Niagara Grand Island Bridge Company.—(Mr. *Baker, Victoria*.)
1°*, 93; 2°*, 240; in Com. and 3°*, 494 (i). (49 *Vic.*, c. 88.)
- BILL (No. 39) To incorporate the Emerson and North-Western Railway Company.—(Mr. *Pruyn*.)
1°*, 93; 2°*, 342 (i); withdn., 897 (ii).

- BILL (No. 40) Relating to the Canada Southern Bridge Company.—(Mr. Baker, Victoria.)
1°*, 93; 2°*, 240; in Com. and 3°*, 494 (i). (49 Vic., c. 90.)
- BILL (No. 41) To reduce the Capital Stock of the Union Bank of Lower Canada, and to change the corporate name thereof to the "Union Bank of Canada."—(Mr. Bossé.)
1°*, 93; 2°*, 119; in Com. and 3°*, 704 (i). (49 Vic., c. 58.)
- BILL (No. 42) Respecting the Saskatchewan Land and Homestead Company (Limited).—(Mr. Orton.)
1°*, 93; 2°*, 119; in Com. and 3°*, 757 (i). (49 Vic., c. 101.)
- BILL (No. 43) To amend the Act incorporating the Canada Atlantic Railway Company.—(Mr. Mackintosh.)
1°*, 93; 2°*, 119; in Com., 555, 612; 3°*, 614 (i). (49 Vic., c. 72.)
- BILL (No. 44) To incorporate the Bow River Coal Mine and Transportation Company.—(Mr. Robertson, Hastings.)
1°*, 119; 2°*, 265; in Com. and 3°*, 757 (i). (49 Vic., c. 87.)
- BILL (No. 45) Respecting the Dominion Lands Colonisation Company (Limited).—(Mr. Beatty.)
1°*, 11; 2°*, 240; in Com. and 3°*, 614 (i). (49 Vic., c. 100.)
- BILL (No. 46) To repeal the Act intituled: "An Act for facilitating the navigation of the River St. Lawrence in and near the Harbor of Quebec."—(Mr. Langelier.)
1°, 119 (i).
- BILL (No. 47) Respecting the railway from Esquimalt to Nanaimo, in British Columbia.—(Mr. Pope.)
1°, 119; 2° m., 515; 2° and in Com., 517; 3° m., 602; 3°*, 604 (i). (49 Vic., c. 15.)
- BILL (No. 48) To amend the Act to incorporate the Niagara Frontier Bridge Company.—(Mr. Rykert.)
1°*, 149; 2°*, 240 (i); in Com. and 3°*, 1153 (ii). (49 Vic., c. 89.)
- BILL (No. 49) To incorporate the Ontario, Minnesota and Manitoba Railway Company.—(Mr. Royal.)
1°*, 149; 2°*, 342 (i); withdn., 897 (ii).
- BILL (No. 50) Respecting the Pictou Bank.—(Mr. Tupper.)
1°*, 149; 2°*, 265; in Com. and 3°*, 614 (i). (49 Vic., c. 62.)
- BILL (No. 51) To amend the Act to incorporate the Nova Scotia Steamship Company (Limited).—(Mr. Kinney.)
1°*, 149; 2°*, 265; in Com. and 3°*, 614 (i). (49 Vic., c. 96.)
- BILL (No. 52) To reduce the Capital Stock of the Union Bank of Halifax.—(Mr. Stairs.)
1°*, 149; 2°*, 265; in Com. and 3°*, 704 (i). (49 Vic., c. 60.)
- BILL (No. 53) To incorporate the Calvin Company (Limited).—(Mr. Small.)
1°*, 149; 2°*, 265; in Com. and 3°*, 474 (i). (49 Vic., c. 107.)
- BILL (No. 54) To incorporate the Medicine Hat Railway and Coal Company.—(Mr. Small.)
1°*, 149; 2°*, 265; in Com. and 3°*, 494 (i). (49 Vic., c. 86.)
- BILL (No. 55) To incorporate the Portage la Prairie and Lake of the Woods Railway and Navigation Company.—(Mr. Watson.)
1°*, 185; 2°*, 265 (i); withdn., 1309 (ii).
- BILL (No. 56) To incorporate the Nova Scotia and Western Railway Company.—(Mr. Dodd.)
1°*, 185; 2°*, 342 (i).
- BILL (No. 57) Respecting the extension of the Intercolonial Railway from a point at or near Stellarton to the Town of Pictou.—(Mr. Pope.)
1°, 185; 2° and in Com., 604, 614; 3° m., 663; 3°*, 668 (i). (49 Vic., c. 13.)
- BILL (No. 58) To incorporate the St. Lawrence and Atlantic Junction Railway Company.—(Mr. Colby.)
1°*, 226; 2°*, 342; in Com. and 3°*, 757 (i). (49 Vic., c. 78.)
- BILL (No. 59) To incorporate the First Synod in the Dominion of Canada of the Reformed Episcopal Church, and for other purposes connected therewith.—(Mr. Beatty.)
1°*, 226; 2°*, 342; in Com. and 3°*, 757 (i). (49 Vic., c. 110.)
- BILL (No. 60) To incorporate the Colonial (title changed to "Continental") Bank of Canada.—(Mr. Macmillan, Middlesex.)
1°*, 226; 2°*, 342; in Com., 473; 3°*, 473 (i). (49 Vic., c. 66.)
- BILL (No. 61) Respecting the Canada Copper Company.—(Mr. White, Hastings.)
1°*, 301; 2°*, 368 (i); in Com. and 3°*, 907 (ii). (49 Vic., c. 99.)
- BILL (No. 62) Respecting the Anglo-American Iron Company.—(Mr. White Hastings.)
1°*, 301; 2°*, 368 (i); in Com. and 3°*, 907 (ii). (49 Vic., c. 97.)
- BILL (No. 63) To incorporate the Rock Lake, Souris and Brandon Railway Company.—(Mr. Small.)
1°*, 301; 2°*, 368 (i); withdn., 1309 (ii).
- BILL (No. 64) To amend the Act incorporating the Pictou Coal and Iron Company.—(Mr. Stairs.)
1°*, 368; 2°*, 474; in Com. and 3°*, 783 (i). (49 Vic., c. 98.)
- BILL (No. 65) Respecting the Northern and North-Western Junction Railway Company.—(Mr. Kilvert.)
1°*, 393; 2°*, 474 (i); in Com. and 3°*, 1281 (ii).
- BILL (No. 66) To incorporate the Forbes' Trochilic Steam Engine Central Company of Canada.—(Mr. Patterson, Essex.)
1°*, 393; 2°*, 474 (i); in Com. and 3°*, 907 (ii). (49 Vic., c. 109.)
- BILL (No. 67) Respecting the Central Ontario Railway Company.—(Mr. White, Hastings.)
1°*, 393; 2°*, 474; in Com. and 3°*, 783 (i). (49 Vic., c. 71.)

- BILL (No. 68) To incorporate the Brockville and New York Bridge Company.—(Mr. Wood, Brockville.)
1°*, 393; 2°*, 474 (i); in Com. and 3°*, 856 (ii). (49 Vic., c. 91.)
- BILL (No. 69) Respecting the Bank of Yarmouth.—(Mr. Kinney.)
1°*, 393; 2°*, 474 (i); in Com. and 3°*, 1085 (ii). (49 Vic., c. 63.)
- BILL (No. 70) Respecting the Manitoba and North-Western Railway Company of Canada.—(Mr. Ross.)
1°*, 393; 2°*, 474 (i); in Com. and 3°*, 957 (ii). (49 Vic., c. 75.)
- BILL (No. 71) For the discharge of Insolvent Debtors whose Estates have been distributed rateably among their Creditors.—(Mr. Edgar.)
1°*, 393 (i).
- BILL (No. 72) Respecting the Union Suspension Bridge.—(Sir Hector Langevin.)
1°*, 393; 2° and in Com., 518; 3°*, 604 (i). (49 Vic., c. 31.)
- BILL (No. 73) To incorporate the North Canadian Pacific Railway Company (title changed to "Winnipeg and North Pacific Railway Company").—(Mr. Haggart.)
1°*, 426; 2°*, 494 (i); in Com. and 3°*, 1153 (ii). (49 Vic., c. 84.)
- BILL (No. 74) To incorporate the Ste. Ursule, Mattawan and Lake Temiscamingue Railway Company (title changed to Maskinongé and Nipissing Railway Company).—(Mr. Hurteau.)
1°*, 426; 2°*, 494 (i); in Com. and 3°*, 957 (ii). (49 Vic., c. 79.)
- BILL (No. 75) To incorporate the School Savings Bank.—(Mr. Massue.)
1°*, 426; 2°*, 474 (i); in Com. and 3°*, 1085 (ii). (49 Vic., c. 67.)
- BILL (No. 76) Respecting the Burlington Bay Canal.—(Sir Hector Langevin.)
1°, 426; 2° and in Com., 518; 3°*, 604 (i). (49 Vic., c. 32.)
- BILL (No. 77) To amend the Post Office Act, 1875—(D) from the Senate.—(Sir Hector Langevin.)
1°*, 437; 2° and in Com., 519; recom., 711; 3° on a div., 712 (i). (49 Vic., c. 21.)
- BILL (No. 78) To amend the Act to incorporate the Guelph Junction Railway Company.—(Mr. Innes.)
1°*, 460; 2°*, 614; in Com. and 3°*, 783 (i). (49 Vic., c. 69.)
- BILL (No. 79) Respecting the Napanee, Tamworth and Quebec Railway Company.—(Mr. White, Hastings.)
1°*, 460; 2°*, 614 (i); in Com. and 3°*, 1386 (ii). (49 Vic., c. 68.)
- BILL (No. 80) Further to amend the Interpretation Act—(C) from the Senate.—(Mr. Thompson.)
1°*, 488; 2° m., 519; 2°, 671; in Com., 712; 3°*, 713 (i). (49 Vic., c. 2.)
- BILL (No. 81) To incorporate the Lennox Passage Bridge Company.—(Mr. Paint.)
1°*, 487; 2°*, 614 (i); withdn., 1378 (ii).
- BILL (No. 82) Respecting the application of certain Fines and Forfeitures.—(Mr. Thompson.)
1°, 488; 2°, 671; in Com., 713; 3° m. and Amts. (Mr. Blake) 714; 3° agreed to (Y. 47, N. 106) 715 (i). (49 Vic., c. 48.)
- BILL (No. 83) To amend the Act incorporating the Board of Trade of the city of Ottawa.—(Mr. Mackintosh.)
1°*, 511; 2°*, 614 (i); in Com. and 3°*, 907 (ii). (49 Vic., c. 57.)
- BILL (No. 84) To make further provision respecting Summary Proceedings before Justices and other Magistrates—(A) from the Senate.—(Mr. Thompson.)
1°*, 519; 2°, 671; in Com., 715 (i), 805; 3°*, 913 (ii). (49 Vic., c. 49.)
- BILL (No. 85) To amend the several Acts relating to the Board of Trade of the city of Toronto—(E) from the Senate.—(Mr. Small.)
1°*, 519; 2°*, 614; in Com. and 3°*, 704 (i). (49 Vic., c. 56.)
- BILL (No. 86) To incorporate the North American Telegraph Company.—(Mr. Taylor.)
1°*, 543; 2°*, 704 (i); in Com. and 3°*, 1281 (ii). (49 Vic., c. 94.)
- BILL (No. 87) To incorporate the Columbia Valley Railway Company (title changed to "The Kootenay and Athabasca Railway Company").—(Mr. Tupper.)
1°*, 569; 2°*, 704 (i); in Com. and 3°*, 1386 (ii). (49 Vic., c. 83.)
- BILL (No. 88) To provide Banking and Loan Facilities to those engaged in Agricultural pursuits.—(Mr. Orton.)
Res. prop., 427; in Com., 432, 1°* of B., 585 (i).
- BILL (No. 89) To incorporate the Kootenay Railway Company of British Columbia.—(Mr. Small.)
1°*, 599; 2°*, 704 (i); incorp. with B. 87.
- BILL (No. 90) To amend and consolidate the Acts relating to the Montreal Board of Trade.—(Mr. Curran.)
1°*, 599 (i); 2°, 856; in Com. and 3°*, 1055 (ii). (49 Vic., c. 55.)
- BILL (No. 91) To incorporate the Yarmouth Steamship Company (Limited).—(Mr. Kinney.)
1°*, 599; 2°*, 704 (i); in Com. and 3°*, 1085 (ii). (49 Vic., c. 95.)
- BILL (No. 92) Further to amend the Canada Temperance Act, 1878.—(Mr. Jamieson.)
1°, 599 (i); Ms. to place on Govt. Orders, neg. (Y. 68, N. 88) 1218; neg. (Y. 22, N. 149) 1222 (ii).
- BILL (No. 93) To provide for the distribution of the Assets of Insolvent Debtors.—(Mr. Macmillan, Middlesex.)
1°*, 599 (i).
- BILL (No. 94) Further to amend the Dominion Lands Act, 1883.—(Mr. White, Cardwell.)
1°, 600; 2°*, 748 (i); in Com., 913, 1078, 1085; 3°*, 1243; Sen. Amts. conc. in, 1568 (ii). (49 Vic., c. 27.)
- BILL (No. 95) To incorporate the Victoria and Sault Ste. Marie Junction Railway Company.—(Mr. Dawson.)
1°*, 630; 2°*, 757 (i); in Com. and 3°*, 1153 (ii). (49 Vic., c. 80.)

- BILL (No. 96) Respecting the protection of Navigable Waters.—(Mr. Foster.)
1° 630 (ii); 2° m., 946; in Com., 951; 3°, 1015 (ii). (49 Vic., c. 36.)
- BILL (No. 97) Respecting the London and Ontario Investment Company (Limited)—(F) from the Senate.—(Mr. Beaty.)
1°*, 644; 2°*, 704 (i); in Com. and 3°*, 1326 (ii). (49 Vic., c. 102.)
- BILL (No. 98) To consolidate the borrowing powers of the Canada Permanent Loan and Savings Company, and to authorise the said Company to issue Debenture Stock—(H) from the Senate.—(Mr. Small.)
1°*, 644; 2°*, 704 (i); in Com. and 3°*, 1085 (ii). (49 Vic., c. 104.)
- BILL (No. 99) Relating to Druggists—(J) from the Senate.—(Mr. Hickey.)
1°*, 691 (i); M. to place 2° on Govt. Orders, 1219, 1222; neg. (Y. 22, N. 149) 1222 (ii).
- BILL (No. 100) Respecting the transfer of the Lighthouse at Cape Race, Newfoundland, and its appurtenances, to the Dominion of Canada.—(Mr. Foster.)
Res. prop., 513; in Com., 672; 1°* of B., 673; 2° and in Com., 748 (i); 3°*, 805 (ii). (49 Vic., c. 20.)
- BILL (No. 101) To amend the Consolidated Inland Revenue Act, 1883, and the Act amending the same.—(Mr. Costigan.)
Res. prop., 601; in Com., 681; 1°* of B., 688 (i); 2°* and in Com., 1204; 3°*, 1223 (ii). (49 Vic., c. 39.)
- BILL (No. 102) To expedite the issue of Letters Patent for Indian Lands.—(Sir Hector Langevin.)
1°, 692; 2° m., 807; 2° and in Com., 808; 3°*, 868 (ii). (49 Vic., c. 7.)
- BILL (No. 103) Further to amend The Steamboat Inspection Act, 1882.—(Mr. Foster.)
Res. prop. and 1°* of B., 710 (i); 2° and in Com., 1086; 3°*, 1144 (ii). (49 Vic., c. 34.)
- BILL (No. 104) To amend The Canada Temperance Act, 1878.—(Mr. Orton.)
1°, 710 (i); M. to place 2° on Govt. Orders, 1218; neg. (Y. 35, N. 134) 1223 (ii).
- BILL (No. 105) To amend the Act to provide for the granting of a subsidy to the Chignecto Marine Transport Railway Company, limited.—(Mr. Pope.)
Res. prop., 513; M. for Com., 673; in Com., 681; conc. in and 1°* of B., 712 (i); 2°* and in Com., 957; 3° on a div., 1015; Sen. Amts. conc. in, 1381 (ii). (49 Vic., c. 18.)
- BILL (No. 106) To amend an Act to restrict and regulate Chinese immigration into Canada.—(Mr. Chapleau.)
1°, 746 (i); 2° and in Com., 1229; 3° m., Amt. (Mr. Mitchell) 1240; neg. (Y. 60, N. 114) 1242; Amt. (Mr. Shakespeare) and 3°*, 1243 (ii).
- BILL (No. 107) To amend the Act relating to the representation in the House of Commons of the Province of British Columbia.—(Mr. Baker, Victoria.)
1°, 746 (i).
- BILL (No. 108) To amend The Adulteration Act.—(Mr. Costigan.)
1°*, 747 (i); 2°* and in Com., 957; 3°*, 1015 (ii). (49 Vic., c. 41.)
- BILL (No. 109) In further amendment of the Weights and Measures Act of 1879.—(Mr. Costigan.)
Res. prop., in Com. and 1°* of B., 747 (i); 2° and in Com., 957; 3°*, 1015 (ii). (49 Vic., c. 40.)
- BILL (No. 110) Respecting Commissions to Public Officers of Canada.—(Mr. Chapleau.)
1°*, 781 (i); 2° and in Com., 958; 3°*, 1015 (ii). (49 Vic., c. 5.)
- BILL (No. 111) Respecting Insurance—(G) from the Senate.—(Mr. Thompson.)
1°*, 842; 2°, 957; in Com. and 3°*, 1385 (ii). (49 Vic., c. 45.)
- BILL (No. 112) To consolidate the borrowing powers of the Western Canada Loan and Savings Company, and to authorise the said Company to issue Debenture Stock—(M) from the Senate.—(Mr. Beaty.)
1°*, 805; 2°*, 856; in Com. and 3°*, 1085 (ii). (49 Vic., c. 105.)
- BILL (No. 113) To consolidate the borrowing powers of the Freehold Loan and Savings Company, and to authorise the said Company to issue Debenture Stock—(L) from the Senate.—(Mr. Beaty.)
1°*, 805; 2°*, 856; in Com. and 3°*, 1085 (ii). (49 Vic., c. 103.)
- BILL (No. 114) To amend the Act incorporating the British Canadian Bank.—(Mr. Dawson.)
1°*, 865; 2°*, 907; in Com. and 3°*, 1085 (ii). (49 Vic., c. 61.)
- BILL (No. 115) Respecting the representation of the North-West Territories in the Parliament of Canada.—(Sir John A. Macdonald.)
1°, 866; Res. prop., 1143; Res. conc. in and ref. to Com. on B., 1223; 2° m., 1205; 2°* and in Com., 1213; in Com., 1249; 3° m., Amts. (Messrs. Mills and Watson) and 3°*, 1271 (ii). (49 Vic., c. 24.)
- BILL (No. 116) To incorporate The St. Gabriel Levee and Railway Company.—(Mr. Curran.)
1°* and 2°*, 876; in Com. and 3°*, 1153 (ii). (49 Vic., c. 85.)
- BILL (No. 117) To amend an Act to authorise the granting of subsidies in land to certain Railway Companies.—(Mr. White, Cardwell.)
1°, 876; 2°* and in Com., 973; M. for 3°, 1015; 3°*, 1017 (ii). (49 Vic., c. 12.)
- BILL (No. 118) To amend the Acts respecting the Traffic in Intoxicating Liquors.—(Mr. Beaty.)
Res. prop., 903; in Com. and 1°* of B., 904; M. to place 2° on Govt. Orders, 1219; neg. (Y. 22, N. 149) 1222 (ii).
- BILL (No. 119) To amend the Act to incorporate the Winnipeg and Hudson's Bay Railway and Steamship Company.—(Mr. Royal.)
1°, 912; 2°, 1085; in Com. and 3°*, 1386 (ii). (49 Vic., c. 73.)

- BILL (No. 120) To make further provision respecting the administration of the Public Lands of Canada in British Columbia.—(Mr. *White, Cardwell*.)
1° 912; 2°* and in Com., 1202; 3°, 1223 (ii). (49 *Vic.*, c. 28.)
- BILL (No. 121) To regulate the employment of children and young persons and women in the Workshops, Mills and Factories of the Dominion of Canada.—(Mr. *Bergin*.)
1°*, 946 (ii.)
- BILL (No. 122) For the relief of the Corporation of the Town of Cobourg.—(Mr. *McLelan*.)
Res. prop., 866; M. for Com., 957; in Com. and 1°* of B., 958; 2°* and in Com., 1144; 3°*, 1199 (ii). (49 *Vic.*, c. 33.)
- BILL (No. 123) To explain the Act 48 and 49 Victoria, Chapter 50, intituled: "An Act for the final settlement of the Claims made by the Province of Manitoba on the Dominion."—(Mr. *McLelan*.)
Res. prop., 866; in Com., 959; 1°* of B., 960; 2° m., 1145; 2°* and in Com., 1146; 3°, 1199. (49 *Vic.*, c. 8.)
- BILL (No. 124) Respecting Experimental Farm Stations.—(Mr. *Carling*.)
Res. prop., 866; M. for Com., 960; in Com. and 1°* of B., 973; 2°* and in Com., 1146, 1204; 3°*, 1204 (ii). (49 *Vic.*, c. 23.)
- BILL (No. 125) To amend the Law relating to the salaries of certain Judges of the Supreme Court of Judicature for Ontario.—(Mr. *Thompson*.)
Res. prop., 877; in Com. and 1°* of B., 973; 2°* and in Com., 1201; 3°*, 1223 (ii). (49 *Vic.*, c. 6.)
- BILL (No. 126) To amend the Law respecting Crown Cases reserved.—(Mr. *Thompson*.)
1°, 974; 2° and in Com., 1202; 3°*, 1223 (ii). (49 *Vic.*, c. 47.)
- BILL (No. 127) To extend the boundaries of the District of Keewatin, and to amend the Law respecting such District.—(Mr. *Thompson*.)
1°, 974; withdn., 1485 (ii.)
- BILL (No. 128) To incorporate the Northumberland Straits Tunnel Company—(K) *from the Senate*.—(Mr. *Hackett*.)
1°*, 1014; 2°*, 1085; in Com., 1465; 3°*, 1467 (ii). (49 *Vic.*, c. 92.)
- BILL (No. 129) For the relief of Flora Birrell—(I) *from the Senate*.—(Mr. *Robertson, Hamilton*.)
1° on a div., 1014; 2° agreed to (Y. 85, N. 33) 1172; in Com. and 3° on a div., 1326 (ii). (49 *Vic.*, c. 113.)
- BILL (No. 130) Respecting certain Works constructed in or over Navigable Waters.—(Sir *Hector Langevin*.)
1°, 1075; 2° m., 1246; 2°*, 1249; in Com., 1270; 3°*, 1271 (ii). (49 *Vic.*, c. 35.)
- BILL (No. 131) Further to amend the Act respecting the Canadian Pacific Railway.—(Mr. *McLelan*.)
Res. prop. (confirmation of agreement) 622 (i); M. for Com., 930; in Com., 941; Res. prop. (release of bonds) 913; 1°* of B., 1078; 2°* and in Com., 1199; 3° m., 1343; Amt. (Mr. *Watson*) 1345; neg. (Y. 49,
- N. 116) 1357; Amt. (Mr. *Cameron, Huron*) neg. on a div., 1357; Amt. (Mr. *Trow*) 1357; recom., 1358; 3° m. and Amt. (Mr. *McCarthy*) 1358; neg. (Y. 37, N. 120) 1369; Amt. (Mr. *Platt*) and 3°*, 1369 (ii). (49 *Vic.*, c. 9.)
- BILL (No. 132) Respecting the Department of Public Printing and Stationery.—(Mr. *Chapleau*.)
M. to introd. and 1°* of B., 1217; 2° m., 1517; 2°*, 1532; in Com., 1552; 3°*, 1568; M. to conc. in Sen. Amts., 1728 (ii). (49 *Vic.*, c. 22.)
- BILL (No. 133) Further to amend the Law respecting the North-West Territories.—(Mr. *Thompson*.)
Res. prop., 1015; M. for Com., 1202; in Com., 1203; conc. in and 1°* of B., 1223; 2°* and in Com., 1383; in Com., 1458; 3° m. Amt. (Mr. *Weldon*) 1483; neg. (Y. 42, N. 70) and 3°*, 1485 (ii). (49 *Vic.*, c. 25.)
- BILL (No. 134) To amend "An Act respecting a Reformatory for certain Juvenile Offenders in the County of Halifax, in the Province of Nova Scotia"—(O) *from the Senate*.—(Mr. *Thompson*.)
1°*, 1254; 2°*, 1272; in Com., 1381; 3°*, 1381 (ii). (49 *Vic.*, c. 54.)
- BILL (No. 135) To amend "An Act respecting Offences against the Person"—(N) *from the Senate*—(Mr. *Thompson*.)
1°*, 1254; 2°, 1272; in Com. and 3°*, 1382 (ii). (49 *Vic.*, c. 51.)
- BILL (No. 136) Further to amend the Act respecting Fishing by Foreign Vessels.—(Mr. *Foster*.)
1°, 1310; 2° m., 1421; 2° and in Com., 1423; 3°*, 1455; M. to conc. in Senate Amts., 1703 (ii.)
- BILL (No. 137) Respecting the Carleton City of Saint John Branch Railway.—(Mr. *Thompson*.)
1°, 1310; 2° and in Com., 1434; 3°*, 1455 (ii). (49 *Vic.*, c. 16.)
- BILL (No. 138) To amend the Act respecting the Electoral Franchise and the Dominion Elections Act, 1874.—(Mr. *Thompson*.)
M. to introd. and 1°* of B., 1342; 2°* and in Com., 1467; in Com., 1493, 1665; 3° m., Amt. (Mr. *Mills*) 1672; neg. (Y. 54, N. 92) and 3°*, 1673 (ii). (49 *Vic.*, c. 3.)
- BILL (No. 139) Respecting Tolls over the Dunnville Dam and Bridge connecting works constructed over the Grand River.—(Sir *Hector Langevin*.)
1°, 1378; 2°* and in Com., 1467; 3°*, 1482 (ii). (49 *Vic.*, c. 30.)
- BILL (No. 140) Respecting the improvement of the harbor of Quebec.—(Mr. *McLelan*.)
Res. prop., 1342; in Com., 1383; 1°* of B., 1385; 2°* and in Com., 1467; 3°*, 1482 (ii). (49 *Vic.*, c. 19.)
- BILL (No. 141) To amend the Law of Evidence in certain cases—(P) *from the Senate*.—(Mr. *Thompson*.)
1°*, 1385; 2°* and in Com., 1464; 3°*, 1485 (ii). (49 *Vic.*, c. 50.)
- BILL (No. 142) To make further provision respecting grants of land to members of the Militia Force on active service in the North-West.—(Mr. *White, Cardwell*.)

- M. to introd. B., 1420; Res. in Com., 1455; 1° of B., 1458; 2° m., 1568; 2°* and in Com., 1572; 3°*, 1573 (ii). (49 *Vic.*, c. 29.)
- BILL (No. 143)** to authorise the construction of a railway from the Straits of Canso, as a public work.—Sir *Hector Langevin.*
- Res. prop., 1455; M. for Com., 1485; in Com., 1486; Res. conc. in and 1° of B., 1515; 2°* and in Com., 1628; 3°*, 1635 (ii). (49 *Vic.*, c. 14.)
- BILL (No. 144)** Respecting certain Subsidies for a railway from Metapediae, on the Intercolonial Railway, to Paspebiac.—(Sir *Hector Langevin.*)
- Res. prop., 1455; M. for Com., 1482; in Com., 1496; M. to conc. in Res., 1515; 1° of B., 1516; 2° m., 1628; 3°*, 1635 (ii). (49 *Vic.*, c. 17.)
- BILL (No. 145)** For granting to Her Majesty certain sums of money required for defraying certain expenses of the Public Service, for the years ending respectively the 30th June, 1886, and the 30th June, 1887; and for other purposes relating to the Public Service.—(Mr. *McLelan.*)
- Res. in Com., conc. in, 1°, 2° and 3°* of B., 1775 (ii). (49 *Vic.*, c. 1.)
- BILL (No. 146)** to authorise the granting of the subsidies therein mentioned for and in aid of the construction of certain railways.—(Mr. *Pope*)
- Res. prop., 1551; M. for Com., 1595; in Com., 1596, 1610; Res. conc. in, 1635; 1° of B., 1636; 2° and in Com., 1704; 3°*, 1709 (ii). (49 *Vic.*, c. 10.)
- BILL (No. 147)** To authorise the grant of certain subsidies in land for the construction of the Railways therein mentioned.—(Mr. *White, Cardwell.*)
- Res. prop., 1551; in Com., 1630; Res. conc. in, 1639; 1° of B., 1640; 2° and in Com., 1709; 3°*, 1714 (ii). (49 *Vic.*, c. 11.)
- BILL (No. 148)** Further to amend the Acts relating to Duties of Customs and the importation or exportation of goods into or from Canada.—(Mr. *McLelan.*)
- 1°*, 2°, in Com. and 3°*, 1728 (ii). (49 *Vic.*, c. 37.)
- BILL (No. 149)** To prohibit the manufacture and sale of substitutes for Butter (title amended by adding word "certain" before "substitutes for Butter.")—(Mr. *McLelan.*)
- 1°*, 2° in Com. and 3°*, 1728 (ii). (49 *Vic.*, c. 42.)
- BILL (No. 150)** Respecting the Bounty on Pig Iron manufactured in Canada from Canadian Ore.—(Mr. *McLelan.*)
- Res. prop., 1661; M. for Com., 1714; in Com., 1715; Res. conc. in, 1°, 2°, in Com. and 3°, on a div., 1746 (ii). (49 *Vic.*, c. 38.)
- Birrell, Flora, Relief B. No. 129** (I) from the Sen. (Mr. *Robertson, Hamilton.*) 1° on a div., 1014; 2° agreed to (Y. 85, N. 33) 1172; in Com. on a div. and 3° on a div., 1326 (ii). (49 *Vic.*, c. 113.)
- BOLTS AND NUTS**: in Com. on Ways and Means, 1584 (ii).
- BONDS, COUNTERFEIT, GOVT.**: Ques. (Mr. *Landerkin*) 121 (i).
- BOND, FORGED, PAYMENT FOR**: in Com. of Sup., 1764 (ii).
- BOOKS PURCHASED FOR DEPARTMENTS**: in Com. of Sup., 882 (ii).
- BOUCHERVILLE ISLANDS, OBSTRUCTIONS IN CHANNEL**: Ques. (Mr. *Benoit*) 495 (i).
- Boundaries of Keewatin.** See "KEEWATIN."
- BOUNDARIES OF ONT. AND IMPERIAL LEGISLATION**: M. for Cor.* (Mr. *Mills*) 66 (i).
- LEGISLATION RESPECTING: Ques. (Mr. *Mills*) 59 (i).
- WEST AND NORTH, EXPENSES INCURRED BY DOM. SINCE 1870: M. for Stmt.* (Mr. *Cameron, Huron*) 438 (i).
- Bounty on Pig Iron B. No. 150** (Mr. *McLelan.*) Res. prop., 1661; M. for Com., 1714; in Com., 1715; Res. conc. in, 1°, 2°, in Com. and 3° on a div., 1746 (ii). (49 *Vic.*, c. 38.)
- Bow River Coal Mine and Transportation Co.'s incorp. B. No. 44** (Mr. *Robertson, Hastings.*) 1°*, 119; 2°*, 265; in Com. and 3°*, 757 (i). (49 *Vic.*, c. 87.)
- BOXES, WRITING DESKS, &c.**: conc. in Ways and Means, 749 (i).
- BLACK ROD, GENTLEMAN USHER**: Messages from His Ex. summoning Commons to Senate, 1 (i), 1776 (ii).
- BLUEING**: conc. in Ways and Means, 749 (i).
- BRANCH AND DISTRICT STAFF**: in Com. of Sup., 1295 (ii).
- BRANT MEMORIAL**: in Com. of Sup., 1166 (ii).
- BRIAR AND LONG ISLANDS TELEGRAPH COMMUNICATION, GISBORNE'S REP.**: M. for copy* (Mr. *Vail*) 393 (i).
- BRIGADE MAJORS SALARIES, &c.**: in Com. of Sup., 1300 (ii).
- BRITISH AMERICAN BANK NOTE PRINTING CO., CHARGES AGAINST**: Ques. (Mr. *Lister*) 62 (i).
- British Canadian Bank incorp. Act Amt. B. No. 114** (Mr. *Dawson.*) 1°*, 865; 2°*, 907; in Com. and 3°*, 1085 (ii). (49 *Vic.*, c. 61.)
- BRITISH COLUMBIA**:
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- SHUSWAP AND OKANAGAN RY. CO. See B. 33.
- VANCOUVER RY. RESERVES, SQUATTERS PRE-EMPTION RECORDS: Ques. (Mr. *Gordon*) 369 (i).
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- Brockville and New York Bridge Co.'s incorp. B. No. 68** (Mr. *Wood, Brockville.*) 1°*, 393; 2°*, 474 (i); in Com. and 3°*, 856 (ii). (49 *Vic.*, c. 91.)
- BROKOVSKI, E., COMPLAINTS AGAINST**: M. for copy* (Mr. *Cameron, Middlesex*) 438 (i).
- BROOKLYN BREAKWATER, N.S., REPAIRS**: Ques. (Mr. *Forbes*) 265 (i).
- BUCTOUCHE AND MONCTON BRANCH OF I. C. R.**: Ques. (Mr. *Cockburn*) 330 (i).

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- Burlington Bay Canal B. No. 76** (Sir *Hector Langevin*). 1°, 426; 2° and in Com., 518; 3°*, 604 (i). (49 *Vic.*, c. 32.)
- BUSINESS OF THE HOUSE**: M. (Sir *Hector Langevin*) to take in Thursday, 512 (i). See "GOVT. BUSINESS."
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- BUTTERNUT RIDGE, N.B., POSTMASTER**: Ques. (Mr. *Weldon*) 1075 (ii).
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- BUTTER SUBSTITUTE**. See "OLEOMARGARINE."
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- CAMPBELL, SIR ALEX., MEMO. OF, re RIEL, COST OF PUBLISHING**: Ques. (Mr. *Laurier*) 66, 67 (i).
- Canada Atlantic Ry. Co.'s Act Amt. B. No. 43** (Mr. *Mackintosh*). 1°*, 93; 2°*, 119; in Com., 555, 612; 3°*, 614 (i). (49 *Vic.*, c. 72.)
- CANADA ATLANTIC RY. SUBSIDY**: prop. Res. (Mr. *Pope*) 1551; in Com., 1617 (ii).
—— AND ANTWERP STEAMSHIP SUBVENTION: in Com. of Sup., 1371 (ii).
—— AND GERMANY MAIL SUBSIDY: in Com. of Sup., 1756 (ii).
- Canada Copper Co.'s B. No. 61** (Mr. *White, Hastings*). 1°*, 301; 2°*, 368 (i); in Com. and 3°*, 907 (ii). (49 *Vic.*, c. 99.)
- Canada Permanent Loan and Savings Co. consolidated. B. No. 98** (H) from the Sen. (Mr. *Small*). 1°*, 644; 2°*, 704 (i); in Com. and 3°*, 1085 (ii). (49 *Vic.* 104.)
- Canada Southern Bridge Co.'s B. No. 40** (Mr. *Baker, Victoria*). 1°*, 93; 2°*, 240; in Com. and 3°*, 494 (i). (49 *Vic.*, c. 90.)
- Canada Temperance Act, 1878, Amt. B. No. 104** (Mr. *Orton*). 1°, 710 (i); M. to place 2° on Govt. Orders, 1218; neg. (Y. 35, N. 134) 1223 (ii).
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 INDEMNITY OF MEMBERS : prop. Res. (Mr. Farrow) Amt. (Sir Hector Langevin) to proceed to consdn. of Res. (Mr. Landry Montmagny) respecting execution of Riel, 121; agreed to (Y. 105, N. 61) 124 (i). See.
 INDIAN ADMINISTRATION IN THE N. W. : Res. (Mr. Cameron, Huron) in Amt. to Com. of Sup., 718-730; neg. (Y. 65, N. 114) 746 (i).
 INTEREST IN B. C., B. 22 (Mr. Baker, Victoria) : on M. to place 2° on Govt. Orders, Amt. (Mr. Blake) to add B. 92, neg. (Y. 68, N. 88) 1218; Amt. (Mr. Kranz) to add B. 104, 1218; Amt. to Amt. (Mr. Cameron, Victoria) to add Bs. 92, 99 and 118, 1219; neg. (Y. 22, N. 149) 1222; Amt. (Mr. Kranz) neg. (Y. 35, N. 134) 1223 (ii).

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- NORTHERN AND PACIFIC JUNCTION RY. CO.'S B. 25 (Mr. McCarthy) : Amt. (Mr. Mulock) to recom., 1325; neg. (Y. 48, N. 90) 1326 (ii).
 NORTHERN AND PACIFIC JUNCTION RY. CO.'S B. 25 (Mr. McCarthy) : on M. to conc. in Sen. Amts., Amt. (Mr. Mulock) neg. (Y. 45, N. 90) 1684 (ii).
 NORTH-WEST CENTRAL RY. CO.'S B. 17 (Mr. Beatty) : on M. for Com., (Mr. Mitchell) 3° m. h., 979; neg. (Y. 59, N. 86) 1011; Amt. (Mr. Mulock) to recom. to Sel. Studg. Com. on Rys., &c., neg. (Y. 55, N. 82) 1012 (ii).
 NORTH-WEST TERRITORIES LAW AMT. B. 133 (Mr. Thompson) : on M. for 3°, Amt. (Mr. Weldon) to recom., 1483; neg. (Y. 42, N. 70) 1485 (ii).
 PRINCE ALBERT COLONISATION CO. : on prop. Res. (Mr. Edgar) charging members with using their position to influence Govt. in granting lands, Amt. (Sir Hector Langevin) 489; agreed to on a div., main M., as amended, agreed to (Y. 150, N. 1) 491 (i).
 PUBLIC EXPENDITURE : Res. (Sir Richard Cartwright) in Amt. to Com. of Sup., 1647; neg. (Y. 36, N. 70) 1648 (ii).
 RIEL, LOUIS, EXECUTION OF : on M. (Mr. Amyot) for Rets., Amt. to proceed to consdn. of Res. censuring Govt., 186; agreed to (Y. 116, N. 75) 194 (i).
 — OF : on Res. (Mr. Landry, Montmagny) censuring Govt. 68; Amt. (Sir Hector Langevin) previous question, 77; agreed to (Y. 126, N. 73) 368 (i); Res. neg. (Y. 52, N. 146) 368 (i).
 ROCHE, MATTHEW, OF LINGAN, N.S. : Res. (Mr. Blake) for Sel. Com. to enquire into conduct of certain M.P.'s, 1173; Amt. (Mr. Orton) to substitute 2° of B. 104, 1335; Amt. to Amt. (Mr. Bergin) to resume adjd. deb. on Mr. Taylor's Res. (oleomargarine) 1337; Amts. neg. and main motion neg. (Y. 51, N. 89) 1341 (ii).
 SENATE, CONSTITUTION OF : Res. (Mr. Mills) in Amt. to Com. of Sup., 1272-1275; neg. (Y. 57, N. 89) 1295 (ii).
 STELLARTON AND PIOTOU BRANCH RY., I.C.R., EXTENSION B. 57 : on M. for 3°, Amt. (Mr. Vail) to recom., 664; neg. (Y. 51, N. 107) 668 (i).
 SUBSIDY (MONEY) TO N.S. RE-ADJUSTMENT : on prop. M. (Mr. Kirk) Amt. (Mr. Cameron, Inverness) 455; neg. (Y. 16, N. 82) 456 (i).
 TIMBER LAND AND COAL LEASES IN N.W.T. (INDEPENDENCE OF PARLT., BREACH OF) : Res. (Mr. Charlton) in Amt. to Com. of Sup., 1030-1041; neg. (Y. 43, N. 99) 1074 (ii).
 DODD, MURRAY, M.P. : Res. (Mr. Blake) for Sel. Com. to enquire into charges against, 1173 (ii).
 Dom. Elections Act, 1884, Amt. B. No. 29 (Mr. McCarthy). 1°, 67; 2° m. and neg. (Y. 42, N. 89) 1186 (ii).
 DOM. ELECTIONS ACT AMT. : Remarks (Sir Hector Langevin) on M. to introd., 877 (ii).
 DOM. EXHIBITION : in Com. of Sup., 1091 (ii).
 Dom. Lands Act further Amt. B. No. 94 (Mr. White, Cardwell). 1°, 600; 2°*, 748 (i); in Com., 913, 1078, 1085; 3°*, 1243; Sen. Amts. conc. in, 1568 (ii). (49 Vic., c. 27.)
 Dom. Lands Colonisation Co.'s B. No. 45 (Mr. Beatty). 1°*, 119; 2°*, 240; in Com. and 3°*, 614 (i). (49 Vic., c. 100.)
 DOM. LANDS :
 DEBATE, IN COM. OF SUP., 527-542 (i).
 GRAZING LAND AND GRAZING LAND LEASES : M. for Ret.* (Mr. Charlton) 392 (i).
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- DOMINION LANDS—Continued.**
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 PRE-EMPTION ENTRIES, &c., AMOUNTS OWING AND UNPAID: M. for Ret.* (Mr. Glen) 393 (i).
 — IN MAN., REDUCTION IN PRICE: Ques. (Mr. Watson) 369 (i).
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 [See also "C. P. R.," "INDIANS," "LANDS," &c.]
- DOM. NOTES IN CIRCULATION AND GOLD HELD BY GOVT.: M.** for Ret.* (Mr. McMullen) 438 (i).
- DOM. RY. ACT AMT., re COMPENSATION: Ques.** (Mr. Lister) 426 (i).
- DOM. \$2 NOTES, COUNTERFEIT: Ques.** (Mr. Tassé) 865 (ii).
- DORCHESTER PENITENTIARY, CONVICT LABOR: Ques.** (Mr. Ray) 1075 (ii).
 — in Com. of Sup., 892 (ii).
- DREDGING: in Com. of Sup.,** 1269 (ii).
- DRILL INSTRUCTION AND DRILL PAY: in Com. of Sup.,** 1306 (ii).
- Druggists B. No. 99 (J) from the Sen.** (Mr. Hickey). 1^o*, 691 (i); Ms. to place 2^o on Govt. Orders, 1219, 1222; neg. (Y. 22, N. 149) 1222 (ii).
- DUCK, GEO., DOM. LAND AGENT AT PRINCE ALBERT, REP.** OF: M. for copies* (Mr. Edgar) 58 (i).
- DUFFERIN GATE, QUEBEC, CLAIMS OF H. J. BEEMER: Ques.** (Mr. Kirk) 1661 (ii).
- Dunnville Dam and Bridge Tolls B. No. 139 (Sir Hector Langevin).** 1^o, 1378, 2^o* and in Com., 1467; 3^o*, 1482 (ii). (49 Vic., c. 30.)
- DURHAM, EAST, ELECTORAL DIST.: Vacancy and Return of Member elect,** 1 (i).
- DURHAM TO GEORGIAN BAY RY.: Remarks (Mr. McMullen)** on M. that Com. rise, 1628 (ii).
- EARNINGS AND WORKING EXPENSES, &c., I.C.R.: M. for Ret.* (Mr. Weldon)** 392 (i).
- EARTHENWARE: conc. in Ways and Means,** 1719, (ii).
- EASTER, ADJMT. FOR: Remarks (Mr. Blake)** 747 (i).
- Eddy, E. B., Manufacturing Co.'s incorp. B. No. 30 (Mr. Wright).** 1^o*, 92; 2^o*, 119; in Com. and 3^o*, 757 (i). (49 Vic., c. 106.)
- EDMONSTONE AND RIVIÈRE DU LOUP RY. SUBSIDY: Ques.** (Mr. Weldon) 570 (i).
- EDMONTON AND ST. ALBERT LAND SURVEYS: M. for Cor., &c.* (Mr. Taylor)** 802 (i).
- ELGIN STATION, L'ISLET: Ques. (Mr. Casgrain)** 544 (i).
- Emerson and North Western Ry. Co.'s incorp. B. No. 39 (Mr. Pruyn).** 1^o*, 93; 2^o*, 342 (i); withdn., 897 (ii).
- ENGINEERS' CERTIFICATES: Mess. from His Ex. (Sir Hector Langevin)** 599 (i).
- ENTOMOLOGIST, FRENCH, APPOINTMENT OF: Ques. (Mr. Landry, Montmagny)** 634 (i).
- Esquimalt and Nanaimo Ry. B. No. 47 (Mr. Pope).** 1^o, 119; 2^o m., 515; 2^o and in Com., 517; 3^o m., 602; 3^o*, 604 (i). (49 Vic., c. 15.)
- ESQUIMALT AND NAINAIMO RY., INSPECTION, &c.: Ques. (Mr. Gordon)** 369 (i).
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- ESTIMATES, THE, FOR 1886-87: Mess. from His Ex., presented (Mr. McLelan)** 368 (i); suppl. for 1885-86, 1550; suppl. for 1887, 1633 (ii).
- EVERETT, MR. C.: introduced as Member elect for St. John, N.B., City and County,** 1 (i).
- EXCISE: in Com. of Sup.,** 1543 (ii).
- EXPENSE IN PRODUCING RETURNS: M. for Ret. (Mr. Valin)** 386 (i).
- EXPENSES OF MEMBERS OF GOVT. IN ENGLAND: M. for Ret.* (Mr. Somerville, Brant)** 57 (i).
- Experimental Farm Stations B. No. 124 (Mr. Carling).** Res. prop., 866; M. for Com., 969; in Com. and 1^o* of B., 973; 2^o* and in Com., 1146, 1204; 3^o*, 1204 (ii). (49 Vic., c. 23.)
- EXPERIMENTAL FARM STATIONS ESTABLISHMENT: Deb. on M. for Com. on Res. (Mr. Carling)** 960; (Sir Richard Cartwright) 960; (Messrs. Wallace [York] and Watson) 961; (Messrs. Mills and Hesson) 962; Messrs. McNeill and Charlton) 963; (Messrs. McCallum and Ferguson, Welland) 964; (Mr. Wigle) 965; (Messrs. McMullen and Cochrane) 966; (Mr. Irvine) 967; (Mr. Farrow) 968; (Mr. Sproule) 969; (Mr. Bain, Wentworth) 971 (ii).
- EXPERIMENTAL FARMS: in Com. of Sup.,** 1659 (ii).
- EXPORTS AND IMPORTS, VALUE: Ques. (Sir Richard Cartwright)** 1240 (ii).
 — STATEMENT OF: M. for Ret.* (Sir Richard Cartwright) 35 (i).
- EXTRA CLERKS: in Com. of Sup.,** 880, 883 (ii).
- FABRE, HECTOR, REP. FROM: Ques. (Mr. Desjardins)** 1631 (ii).
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- Factories Regulation B. No. 121 (Mr. Bergin).** 1^o*, 946 (ii).
- FACTORY LEGISLATION: Ques. (Mr. Mulock)** 634 (i).
- FAIRFIELD, N.B., POSTMASTER: Ques. (Mr. Weldon)** 1661 (ii).
- FANCY GOODS: conc. in Ways and Means,** 749 (i).
- Farm or Real Estate Banks B. No. 88 (Mr. Orton).** Res. and M. for Com., 427; in Com., 432, 571, 577, 1^o* of B. 585 (i).
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 — LICENSE FEES : Ques. (Mr. Cameron, Middlesex) 1076 (ii).
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Fishing by Foreign Vessels Act further Amt. B. No. 136 (Mr. Foster). 1^o*, 1254; 2^o, 1272; in Com. and 3^o*, 1382 (ii). (49 Vic., c. 51.)

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Woodworth) 1441; (Mr. Mitchell) 1444; (Mr. Everett) 1446; neg. (Y. 46, N. 119) 1447 (ii).

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— EXPENSES UNDER : in Com of Sup., 1699 (ii).

— INSTRUCTIONS TO REVISING OFFICERS : M. for copies (Mr. Casey) 43; Deb. (Mr. Chapleau) 46; (Mr. Cameron, Huron) 47; (Mr. Cook) 51; (Messrs. Dundas and Lister) 52; (Mr. Landerkin) 53; (Mr. Paterson, Brant) 54; (Messrs. Mills, Weldon and Mulock) 55; (Mr. Casey) 56 (i).

— O. C., &c., RESPECTING PUTTING IN FORCE OF ACT, &c. : Instructions to Revising Officers &c., M. for copies* (Mr. Cameron, Huron) 58 (i).

— PRINTING FOR DISTRIBUTION : Remarks (Mr. Dawson) 1746 (ii).

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— ELECTORAL ACT, WORKING OF : Cor. presented (Mr. Chapleau) 1482 (ii).

Franchise, Electoral, Act Amt. B. No. 133 (Mr. Thompson). M. to introd. and 1^o* of B., 1342; 2^o* and in Com., 1467; in Com., 1498, 1665; 3^o m., Amt. (Mr. Mills) 1672; neg. (Y. 54, N. 92) and 3^o*, 1673 (ii). (49 Vic., c. 3.) See "DOMINION."

FREDERICTON TO PRINCE WILLIAM RY. SUBSIDY : prop. Res. (Mr. Pope) 1551; in Com., 1624 (ii).

Freehold Loan and Savings Co.'s B. No. 113 (L) from the Sen. (Mr. Beaty). 1^o*, 805; 2^o*, 855; in Com. and 3^o*, 1085 (ii). (49 Vic., c. 103.)

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FRUIT, DRIED AND GREEN : CODC. in Ways and Means, 750-755 (i).

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GANANOQUE, PERTH AND JAMES' BAY RY. Co.'s SUBSIDY : prop. Res. (Mr. Pope) 1551; in Com., 1624 (ii).

- GAS, WATER AND SOIL PIPES: conc. in Ways and Means, 755 (i).
- GEOLOGICAL DISPLAY AND COLONIAL EXHIBITION: Ques. (Mr. *Holton*) 692 (i).
- SURVEY EXPENDITURE: Ques. (Mr. *Holton*) 633 (i).
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- GEORGIAN BAY ISLAND, TIMBER SALES: Ques. (Mr. *Landerkin*) 898 (ii).
- GERMAN REPRESENTATION IN THE SEN.: Ques. (Mr. *Kranz*) 1661 (ii).
- GILLIS, TRIAL OF FOR MURDER, REP. OF JUDGE: M. for copy* (Mr. *Davies*) 802 (i).
- GIMPS, CORDS, BRAIDS, &C.: conc. in Ways and Means, 755 (i).
- GISBORNE, MR., REP. *re* TELEGRAPHIC COMMUNICATION IN DIGBY Co.: M. for copy* (Mr. *Vail*) 393 (i).
- GLENANNAN TO WINGHAM RY. SUBSIDY: prop. Res. (Mr. *Pope*) 1551; in Com., 1015 (ii).
- GLOVES AND MITTS: conc. in Ways and Means, 756 (i).
- GAOL AND LUNATIC ASYLUM AT REGINA: in Com. of Sup., 1747 (ii).
- GOVT. BUILDINGS, QUEBEC, WATER SUPPLY: Ques. (Mr. *Langelier*) 844 (ii).
- GOVT. BUSINESS: M. to take in Wednesdays (Sir *Hector Langevin*) 1014 (ii).
- M. to take in Saturdays and Mondays, 1592 (ii).
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- GOVT. DEPOSITS IN SAVINGS BANKS: Ques. (Mr. *Mulock*) 495 (i).
- GOVT. MEASURES, FURTHER: Ques. (Mr. *Blake*) 1703 (ii).
- MENTIONED IN SPEECH FROM THRONE: Remarks (Mr. *Blake*) 1198 (ii).
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- GOVT. SAVINGS BANKS DEPOSITS: M. for Stmt. (Sir *Richard Cartwright*) 392 (i).
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- GOVERNOR GEN'L'S AND STAFF'S SALARIES: M. for Stmt. (Mr. *McCraney*) 795 (ii).
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- TRAVELLING EXPENSES: M. for Ret. (Mr. *McCraney*) 792 (i).
- GRAHAM, MR., APPOINTMENT AS LEGAL AGENT AT HALIFAX: Ques. (Mr. *Mills*) 1514, 1633 (ii).
- GRAPE VINES IMPORTED UNDER VALUATION: Ques. (Mr. *Lister*) 370 (i).
- GRAZING LANDS. *See* "DOM. LANDS."
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- GREASE: conc. in Ways and Means, 780 (i).
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- Guelph Junction Ry. Co.'s incorp. Act Amt B. No. 78** (Mr. *Innes*). 1^o*, 460; 2^o*, 614; in Com. and 3^o*, 783 (i). (49 *Vic.*, c. 69.)
- HAIR-CLOTH: conc. in Ways and Means, 756 (i).
- HALDIMAND, ISSUE OF WRIT FOR AND RETURNING OFFICER: Ques. (Mr. *Landerkin*) 1144, 1172 (ii).
- HALDIMAND, ISSUE OF WRIT FOR: M. (Mr. *Landerkin*) 912, 1015, 1077, 1144, 1171 (ii).
- HALF-BREEDS' CLAIMS COMMISSION, 1877, REPS. OF: M. for Ret. (Mr. *Landerkin*) 634 (i).
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- ENUMERATION OF, REP. OF COMMISSION: M. for copies* (Mr. *Laurier*) 58 (i).
- PRISONERS IN THE N.W.T.: M. for copies of O. C.* (Mr. *Desaulniers*, *Maskinongé*) 60 (i).
- HAMOND, EUGÈNE, EMPLOYMENT OF BY GOVT.: Ques. (Mr. *Langelier*) 1379 (ii).
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- HARBORS AND RIVERS: in Com. of Sup., 1261, 1754 (ii).
- HARBOR MASTER AT SARNIA: Ques. (Mr. *Lister*) 692 (i).
- HARDWARE AND RY. SUPPLIES PURCHASED IN HALIFAX: M. for Ret.* (Mr. *Forbes*) 58 (i).
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- HAY TAX IN THE N.W.T.: Ques. (Mr. *Landerkin*) 121 (i).
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- HEBERT, HUBERT, REVISING OFFICER AT MONTMAGNY: Ques. (Mr. *Langelier*) 569 (i).
- HENEY, JOHN, CLAIM OF FOR REFUND OF TOLLS: M. for Ret.* (Mr. *Landerkin*) 392 (i).
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- HENSLEY, MR. JUSTICE, REP. OF, *re* TRIAL OF GILLIS FOR MURDER: M. for copy* (Mr. *Davies*) 802 (i).
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MCDONALD, ANGUS, APPOINTMENT AS CENSUS ENUMERATOR : M. for copy* (Mr. Kirk) 438 (i).

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SURVEY OF RAILWAY ROUTES IN CAPE BRETON : Ques. (Mr. Campbell, Vic.) 266 (i).

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 ——— in Com. on B. 101 (Inland Rev. Act Amt.) 1204 (ii).
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PARRY SOUND COLONISATION RY. CO.'S SUBSIDY: Res. in Com., 1614 (ii).
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 PORT ROWAN OR PORT ROYAL HARBOR OF REFUGE: M. for Ret. (Mr. *Jackson*) 65 (i).
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 RENFREW TO EGANVILLE RY. SUBSIDY: in Com. on Res., 1626 (ii).
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 TIMBER ISLAND, LAKE ONT., SALE OF: Ques. (Mr. *Platt*) 784; (Mr. *Fisher*) 784 (i).
 TIMBER LICENSES IN DISPUTED TER.: Ques. (Mr. *Wallace, York*) 41 (i).
 TIMBER SALES ON GEORGIAN BAY ISLANDS: Ques. (Mr. *Landerkin*) 898 (ii).
 TORONTO BOARD OF TRADE ACTS AMT. See B. 85.
 THUNDER BAY COLONISATION RY. CO.'S SUBSIDY: Res. in Com., 1613 (i).
 VICTORIA AND SAULT STE. MARIE JUNCTION RY. CO. See B. 95.
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 WINDSOR, ONT., HARBOR MASTER AT: Ques. (Mr. *Lister*) 785 (i).
 WOODRUFF, J. A., AMOUNTS PAID TO: Ques. (Mr. *Somerville, Brant*) 68 (i).
 ORANGEVILLE AND CLANDEBOYE, OUTRAGES UNDER SCOTT ACT: Ques. (Mr. *McCraney*) 1661 (ii).
 ORDER, PRIVILEGE AND PROCEDURE:
 ORDER:
 CATHOLICS AND POLITICS: Ques. (Mr. *Tassé*) containing a statement of facts, of which the House has no knowledge, objected to by Mr. *Mills* as being out of order. Rule read by Mr. *Speaker* respecting Questions, and decided that same should not be asked unless Govt. choose to answer it, 1380 (ii).
 CUSTOMS SEIZURES AT MONTREAL: Member, in asking a Ques., not in order to discuss the subject (Mr. *Speaker*) 1343 (ii).
 EXPERIMENTAL FARM STATIONS: Reference to National Policy or other foreign subject in discussing B. not in order, 968, 973 (ii).
 FRENCH CANADIANS, APPEALS AGAINST: Letter published in *Winnipeg Siftings* and alleged to have been written by Sir *John A. Macdonald*. Objection taken to Ques. by Mr. *Mackenzie*, 1378 (ii).
 HALDIMAND, WRIT FOR: Member declared out of order (Mr. *Speaker*) in making personal remarks respecting Premier not issuing writ under Speaker's warrant, 1171 (ii).
 HOME RULE FOR IRELAND: on Mr. *Speaker's* ruling respecting Can. Temp. Amts. Bs., vote on above subject cited by Mr. *McCarthy* as a parallel case. Objection taken by Mr. *Blake*, and sustained by Mr. *Speaker*, 1220 (ii).
 IMMIGRATION AND EMIGRATION: Members requested to confine themselves to subject before the House (Mr. *Speaker*) 637, 640, 643. Objection (Mr. *White, Cordwell*) taken to latitude of debate; Ruled (Mr. *Deputy Speaker*) that member having been attacked has the right of reply, 653 (i).
 INDEPENDENCE OF PARLT.: Charge against a Member, Member requested to withdraw Stmt. (Mr. *Speaker*) 1061 (ii).
 IRRELEVANCY OF DEBATE: 637, 640, 643, 667, 668 (i), 968, 973, 1002, 1009, 1171, 1221, 1317 (ii).
 MEMBERS INDIGNITY ACT AMT.: M. to introduce B. declared out of order (Mr. *Speaker*), it creating a charge on the Public Treasury should originate by Res. in Com. with consent of the Crown, 38 (i).
 NORTH-WEST CENTRAL RY. CO.: Reference to or reading letters respecting charge made by Mr. *Woodworth* against Mr. *Beaty*, ruled out of order, 1009 (ii).
 NORTHERN AND PACIFIC JUNCTION RY. CO.: Reference to parties who tendered for building the road objected to by Mr. *Haggart*; reference in order, 1316 (ii).
 OLEOMARGARINE: Reference to a previous deb. not in order, 1193 (ii).

ORDER, PRIVILEGE AND PROCEDURE—Continued.

ORDER—Continued.

OPENING OF DEBATE: Objection taken by Mr. White (Cardwell), to Member re-opening deb. on a question of Privilege; Remarks (Mr. Speaker) irregular to make speech on such an occasion, some other opportunity, such as Supply, in order, 1575 (ii).

PARLIAMENTARY LANGUAGE: Member called to order. Rule quoted from "May," 1580; 1583, 1635, 1701, 1704 (ii).

PRINTING OF PARLIAMENT: Fourth Rep. of Com, conc. in objected to by Mr. Blake, notice not having been given. Ruled (Mr. Speaker) notice must be given unless Rep. is adopted by unanimous consent of House, 1239 (ii).

RIEL, LOUIS, EXECUTION OF: on Mr. Amyot's prop. M. for Ret. respecting non-commutation and Sir Hector Langevin's Amt. that the 17th Order be called, Mr. Edgar moved an Amt. adding to original motion. Ruled (Mr. Speaker) not in order and "Bourinot" quoted to sustain same, 187 (i).

— Execution of: On Res. (Mr. Farrow) respecting Indemnity to Members, Sir Hector Langevin moved an Amt. that the 35th Order be called. Objection (Mr. Blake) Govt. pressing on deb, House not being in possession of materials to discuss subject; Amt. ruled in Order (Mr. Speaker) 122 (i).

RULES OF THE HOUSE: M. to alter Rule 31. Ruled (Mr. Speaker) that notice must be given, 842 (ii).

TIMBER LANDS AND COAL LEASES IN N.W.T.: Member not referring to subject under discussion, called to order (Mr. Speaker) 1057 (ii).

PRIVILEGE:

BOGUS TELEGRAMS READ IN HOUSE AND DISTRIBUTION OF SPEECH OF AN HON. MEMBER: personal Explanation and denial (Mr. Edgar) 781 (i).

CANADIAN PACIFIC RY.: Personal explanation (Sir John A. Macdonald) re report of remarks in Opposition press and Mr. McCarthy's position in Northern Ry. Co., 1483 (ii).

COLONISATION LANDS, APPLICATION FOR: Remarks (Mr. Gault) 1198; (Mr. Charlton) 1199, 1421 (ii).

DEBATES, OFFICIAL REP.: Remarks (Mr. Laurier) re alleged omission, 186 (i); remarks (Mr. Kirk) on headings to extra copies, 631; (Mr. Cameron, Inverness) on paragraph in Ottawa Free Press indirectly charging him with dishonorable conduct, 693 (i).

DISTURBANCE IN THE N.W.T.: Personal explanation (Mr. Amyot) article in Toronto Mail reflecting on his character as a soldier, 331 (i).

FRANCHISE ACT AMT.: Remarks (Mr. Small) on paragraph in Globe, re revising officer's clerk, letter read, 1635; remarks (Mr. Edgar) 1701 (ii).

HOME RULE FOR IRELAND: Explanation (Mr. Bergin) of vote on Res., 1311 (ii).

— Personal explanation (Mr. Coughlin) on paragraph in Ottawa Free Press, re Vote, 1168 (ii).

INDEPENDENCE OF PARLT.: Personal explanation (Messrs. Paint and Cameron, Inverness) on paragraph in Globe insinuating their obtaining a charter for personal profit, 463 (i).

INTERNATIONAL RY. Co.: Personal explanation (Mr. Ives) and denial of paragraph in Globe charging him with being a director of the Co., 1077 (ii).

PRINCE ALBERT COLONISATION CO.: Attention of House called to M. on Order Paper insinuating certain charges (Mr. Bowell) 488 (i).

PONTIAC AND PACIFIC JUNCTION RY.: Personal explanation (Mr. Bryson) and denial of charge made by an hon. member, 1077 (ii).

REPROBATION OF A CLERGYMAN IN INVERNESS CO.: Explanation (Mr. Cameron, Inverness) 1541; in the N.W.T.: Remarks (Mr. Ferguson, Leeds) 1592 (ii).

RETURN, COMPILATION OF AND HANDLING: Personal explanation (Mr. Blake) respecting remarks made by the Minister of Interior, 842 (ii).

RIEL, LOUIS, EXECUTION OF: Explanation (Mr. Curran) re paragraph in Evening Journal reflecting on Mgr. Taché, 301 (i).

— SANITY OF: Personal explanation (Mr. Chapleau) Rep. of speech in London Advertiser, 393 (i).

ORDER, PRIVILEGE AND PROCEDURE—Continued.

PRIVILEGE—Continued.

NORTHERN AND PACIFIC JUNCTION RY. Co.: Personal explanation (Mr. McCarthy) and denial of statement in Globe, 1310 (ii).

ONTARIO AND PACIFIC RY. BONUS: Personal explanation (Mr. White, Renfrew) and denial of statement made by member in the House, 1096 (ii).

SLANDERING MEMBERS OF PARLT.: Remarks (Mr. Oton) on paragraph in Globe, 513; (personal explanation) 601 (i).

TIMBER LAND AND COAL LEASES: Personal explanation (Mr. Costigan) and denial of statement made by member, 1634; Personal explanation (Mr. Haggart) and denial of statements made by member in the House, 1096, 1143, 1634; Personal explanation (Mr. Charlton) re application of Mr. McCarthy, M. P., 1514 (ii); Personal explanation (Sir John A. Macdonald) in repudiation of statement made by member, 1702 (i).

TIMBER LIMITS: Statement made in House by Members reflecting on others: Remarks (Mr. Cook) 1167; personal explanation (Mr. Dickinson) on paragraph in Globe, 1168 (ii).

PROCEDURE:

CAN. TEMP. ACT, 1878: AMT. (Mr. Cameron, Victoria) to place Bs. 92, 99 and 118, on Govt. Orders. B. 92 having been negatived, it was contended by the mover that the placing of same in conjunction with Bs. 99 and 108 was not inconsistent with vote. Objection having been taken, Mr. Speaker ruled that B. 92 could not be added to Govt. Orders, 1220; questions can be divided, rule read, 1221 (ii).

CRIMINAL LAW AMT. (SEDUCTION) B: Amts. made by the Sen. reported by Mr. Speaker, 1326; Sir Hector Langevin suggested that Amts. remain before House for consdn., 1326; 2^o of Amts. moved; rule 23 respecting Amts. made by Sen. read and practice quoted from Bourinot's "Parliamentary Procedure" (Mr. Speaker) 1327 (ii).

HOME RULE FOR IRELAND: Despatch sent to English press. Attention of House called by Mr. Mills to a telegram in the London Times calculated to be misleading. Attested copy of Res. passed by House sent to High Commissioner by Mr. Speaker, 1381 (ii).

— Communicating a Res. passed by House of Commons, Mr. Speaker has no power or authority to transmit same to Prime Minister of England, except as a private communication, 1139 (ii).

INDEMNITY TO MEMBERS: Res. objected to by Mr. Blake, as same should have originated in Com. and assent of Crown obtained. Ruled (Mr. Speaker) that Res. being an abstract one and barren of result, within the power of House to adopt same, but B. could not be founded upon it, 122 (i).

PRINCE ALBERT COLONISATION CO.: M. (Mr. Laurier) to add members to Sel. Com. on Privileges and Elections, precedent quoted, 492; objection (Mr. Ives) 493; Ruled (Mr. Speaker) out of order, as such motions require notice, 494 (i).

NORTHERN AND PACIFIC JUNCTION RY.: Amts. made by Sen. reported by Mr. Speaker, reading of same objected to and reference to a Com. suggested by Mr. Blake, 1605; right of Sen. to pass Amts. involving money expenditure questioned by Mr. Mulock; Ruled (Mr. Speaker) that the B. being a private one and the Amt. one affecting the interests of the Crown in the contract, in order for House to confirm same, 1607 (ii).

STELLARTON AND PICTOU BRANCH RY.: 3^o objected to by Sir Richard Cartwright, clause 3 of B. authorising the grant of public money should have originated by Res. in Com., 665; suggestion (Mr. Speaker) and clause modified, 666 (i).

RIEL, LOUIS, EXECUTION OF: Objection by Mr. Blake to Sir Hector Langevin's M. to place Res. censuring Govt. first on Order Paper; objection sustained (Mr. Speaker) unanimous consent of House being required, 119 (i).

OTTAWA, ADDITIONAL PUBLIC BUILDINGS: in Com. of Sup., 1154 (ii).

Ottawa City Board of Trade Act Amt. B. No. 83 (Mr. Mackintosh). 1^o*, 511; 2^o*, 614 (i); in Com. and 3^o*, 907 (ii). (49 Vic., c. 57.)

- PALMERSTON AND GEORGIAN BAY RY.:** Remarks (Mr. *Landerkin*) on M. that Com. rise, 1627 (ii).
- PAPER HANGINGS, &c.:** in Com. on Ways and Means, 1587; conc., 1720 (ii)
- "PARISIAN" S.S., SMALL POX AND QUARANTINE:** in Com. of Sup., 1417 (ii).
- PARLIAMENT, 5th, FOURTH SESSION, 1886, 49 VICTORIA:** Opening and Speech from the Throne, 1 (i); Bills assented to, 1776; Prorogation, 1778 (ii). See "HOUSE OF COMMONS."
- PARLIAMENTARY LANGUAGE:** Members called to order (Mr. *Speaker*) 1580, 1635 (ii).
- PARRY SOUND COLONISATION RY. Co.'s SUBSIDY:** prop. Res. (Mr. *Pope*) 1551; in Com., 1614 (ii).
- PENETANGUISHENE LIGHTHOUSE:** Ques. (Mr. *Cook*) 1515 (ii).
- PENITENTIARIES:** in Com. of Sup., 891-897, 1692 (ii).
- PENSIONS:** in Com. of Sup., 1153, 1742; conc., 1771 (ii).
- PENSIONS TO VOLUNTEERS WOUNDED AT DUCK LAKE:** Ques. (Mr. *Ross*) 633 (i); (Sir *Richard Cartwright*) 1193 (ii).
- PERSONAL EXPLANATIONS BY MEMBERS:** Remarks (Mr. *Speaker*) 1198 (ii).
- PERTH CENTRE STATION TO PLASTER ROCK ISLAND RY. SUBSIDY:** prop. Res. (Mr. *Pope*) 1551; in Com., 1624 (ii).
- PETERBOROUGH POST OFFICE SITE:** Ques. (Mr. *Landerkin*) 843 (ii).
- PHILOSOPHICAL INSTRUMENTS, GLOBES, &c.:** conc. in Ways and Means, 781 (i).
- PHOTOGRAPHS OF PUBLIC WORKS, &c., CONTINGENCIES:** in Com. of Sup., 881 (ii).
- PICKERING POST OFFICE IRREGULARITIES:** M. for copies of Reps. (Mr. *Edgar*) 60 (i).
- Pictou Bank B. 50** (Mr. *Tupper*). 1°*, 149; 2°*, 265; in Com. and 3°*, 614 (i). (49 *Vic.*, c. 62.)
- Pictou Coal and Iron Co.'s Act Amt. B. No. 64** (Mr. *Stairs*). 1°*, 368; 2°*, 474; in Com. and 3°*, 783 (i). (49 *Vic.*, c. 98.)
- PIG IRON.** See "BOUNTY."
- PIPES, GAS AND WATER, &c.:** conc. in Ways and Means, 755 (i).
- PITON, SEPTIMUS AND ABLESS SEPTIMUS:** Ques. (Mr. *Lesage*) 544 (i).
- PLANTE, JEAN BAPTISTE, CLAIM OF.** M. for copy (Mr. *Amyot*) 696 (i).
- POINT PELEE, NAVAL RESERVE:** Ques. (Mr. *Lister*) 120 (i).
- POLICE VESSELS FOR PROTECTION OF FISHERIES:** in Com. of Sup., 1757 (ii).
- POLITICS AND CATHOLICS:** Ques. (Mr. *Tassé*) 1379 (ii).
- Portage la Prairie and Lake of the Woods Ry. and Navgn. Co.'s incorp. B. No. 55** (Mr. *Watson*). 1°*, 185; 2°*, 205 (i); withdn., 1309 (ii).
- PORT ARTHUR HARBOR:** in Com. of Sup., 1157 (ii).
- TO RED RIVER, C.P.R.: in Com. of Sup., 1450 (ii).
- PORT HASTINGS WHARF, REPAIRS, &c.:** M. for Cor.* (Mr. *Cameron, Inverness*) 60 (i).
- PORT HOOD HARBOR, PROTECTION:** Ms. for Cor.* (Mr. *Cameron, Inverness*) 60; closing of, 787 (i).
- PORTLAND AND ROMAN CEMENT:** conc. in Ways and Means, 772 (i).
- PORT MULGRAVE AND EAST BAY, C.B. MAIL SUBSIDY:** in Com. of Sup., 1371 (ii).
- PORT ROWAN OR PORT ROYAL HARBOR OF REFUGE:** M. for Ret. (Mr. *Jackson*) 65 (i).
- Post Office Act, 1875, Amt. B. No. 77** (Sir *Hector Langevin*). 1°*, 437; 2° and in Com., 519; recom., 711; 3° on a div., 712 (i). (49 *Vic.*, c. 21.)
- POST OFFICE:**
- BUTTERNUT RIDGE, N.B., POSTMASTER: Ques. (Mr. *Burpee*) 1075 (ii).
- CALGARY AND FORT MACLEOD MAIL SERVICE, TENDERS FOR: M. for Ret.* (Mr. *Landerkin*) 35 (i).
- CORINTH, POST OFFICE AT: Ques. (Mr. *Landerkin*) 843; in Com. of Sup., 885 (ii).
- IN COM. OF SUP.: 680 (i), 883, 1547 (ii).
- INTEREST, COMPUTING: in Com. of Sup., 841 (ii).
- LES FONDS, ESTABLISHMENT OF POST OFFICE AT: M. for Cor., &c.* (Mr. *Rinfret*) 802 (i).
- LOTBINIERE MAIL SERVICE: Ques. (Mr. *Rinfret*) 709 (i).
- MOUNT MIDDLETON, N.B., POSTMASTER: Ques. (Mr. *Burpee*) 1075 (ii).
- NEREPIS STATION, N.B., POSTMASTER: Ques. (Mr. *Burpee*) 1075 (ii).
- PICKERING POST OFFICE IRREGULARITIES: M. for copies of Reps. (Mr. *Edgar*) 60 (i).
- POST OFFICE ACT, 1875, Amt. See B. 77.
- POSTMASTER GENERAL'S DEPTL REP: presented (Sir *Hector Langevin*) 58 (i).
- POST OFFICES IN MUSKOKA, &c., ESTABLISHED: M. for Ret. (Mr. *Cook*) 43 (i).
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- WAYS AND MEANS: Res. for Com. (Mr. McLelan) 30; on M. for Com., the BUDGET SPEECH, 393; Reply (Sir Richard Cartwright) 412; prop. Res. in Com., 426; deb. on 1° of Res. (Mr. White, Cardwell) 460; Mr. Pater son, Brant) 470; (Mr. Wood, Westmoreland) 480; (Mr. McMullen) 484; (Mr. McLelan) 486 (i); M. for Com., 1573; Amt. (Mr. Cameron, Huron) timber limits, 1574 (ii).**
- WAYS AND MEANS—Continued.**
- TARIFF CHANGES: (almonds) 748 (i); (baking powder) 749 (i), 1584 (ii); (bolts, nuts, &c.) 1584 (ii); (blueing) 749 (i); (carriage hardware) 1719 (ii); (cement) 772 (i); (cocoanut, desiccated) 1584 (ii); (cologne) 770 (i); (cordage, manila and sisal) 1584 (ii); (cotton) 769 (i); (cotton wire) 1721; (earthenware) 1719 (ii); (fancy goods) 749; (feathers) 749 (i); (felt) 1721 (ii); (fruit, dried) 750; (fruit, green) 750; (gas pipes, iron) 755; (Geneva gin) 769; (gimps) 755; (gloves and mitts) 756; (grease) 780; (haircloth) 756 (i); (handkerchiefs) 1722 (ii); (harness) 756; (iron sand, putty) 780; (laces, braid, &c.) 757; (lead) 757 (i); (logs) 1587, 1725 (ii); (nail plate, iron or steel) 1722; (oil cloth) 1719 (ii); (oleomargarine) 758 (i); (paper hangings) 1587, 1720, (ii); (peaches) 755; (philosophical instruments, globes) 781 (i); (rubber belting) 1719; (scythes) 1721; (stereotypes and electro-types) 1721; (stoves, bolts and nuts) 1721; (straw board) 1719 (ii); (sugar) 773 (i), 1724 (ii); (syrups) 779; (tubing) 770 (i); (union collar cloth paper) 1720 (ii); (whips) 700; (wire) 770; (wire fencing) 772; (writing desks) 749; (yeast cakes) 772 (i).**
- Weights and Measures Act further Amt. B. No. 109 (Mr. Costigan). Res. prop., in Com. and 1°* of B., 747 (i); 2° and in Com., 957; 3°*, 1015 (i). (49 Vic., c. 4.)**
- WEIGHTS AND MEASURES AND GAS: in Com. of Sup., 1544 (ii).**
- WEST INDIES, TRADE RELATIONS WITH: Ques. (Mr. Gault) 785 (i).**
- WESTINGHOUSE BRAKE, AMOUNT PAID FOR APPLYING TO I. C. R.: M. for Ret.* (Mr. Vail) 393 (i).**
- Western Canada Loan and Savings Co. B. No. 112 (M.) from the Sen. (Mr. Beatty). 1°*, 805; 2°*, 856; in Com. and 3°*, 1085 (ii). (49 Vic., c. 105.)**
- WESTERN COUNTIES RY.: Remarks (Mr. Blake and others) on intrdn. of B. 146, 1636 (ii).**
- West Ontario Pacific Ry. Co.'s Act Amt. B. No. 27 (Mr. Macmillan, Middlesex). 1°*, 67; 2°, 240; in Com. and 3°*, 614 (i). (49 Vic., c. 70.)**
- WELLAND CANAL: in Com. of Sup., 1453 (ii).**
- WHARF AT SELKIRK: Ques. (Mr. Ross) 495 (i).**
- WHITE FISH FRY AT FISH HATCHERIES: M. for Ret. (Mr. Gordon) 788 (i).**
- WHITE, HON. THOS.: Returned as Member elect for Cardwell, 1 (i).**
- WHIPS: conc. in Ways and Means, 770 (i).**
- WINDSOR BRANCH RY. SETTLEMENT: Ques. (Mr. Kinney) 1240 (ii).**
- WINDSOR, ONT., HARBOR MASTER AT: Ques. (Mr. Lister) 785**
- Winnipeg and Hudson Bay Ry. and Steamship Co.'s Act Amt. B. No. 119 (Mr. Royal). 1°, 912; 2°, 1085; in Com. and 3°*, 1386 (ii). (49 Vic., c. 73.)**
- Winnipeg and North Pacific Ry. Co.'s incorp. B. No. 71 (Mr. Haggart). 1°*, 426; 2°*, 494 (i); in Com. and 3°*, 1153 (ii). (49 Vic., c. 84.)**
- WINNIPEG DRILL SHED: in Com. of Sup., 1165 (ii).**
- WINTER MAIL SERVICE, P.E.I.: in Com. of Sup., 1375 (ii).**
- WIRE FENCING, &c: conc. in Ways and Means, 772 (i).**

- WIRE FENCING FROM LÉVIS TO RIVIÈRE DU LOUP: Ques. (Mr. Gaudet) 544 (i).
- WIRE, IRON OR STEEL, &C.: conc. in Ways and Means, 770-772 (i).
- WILLIAMSBURG CANAL: in Com. of Sup., 1453 (ii).
- WOOD MOUNTAIN AND QU'APPELLE RY. Co.'s LAND SUBSIDY: prop. Res. (Mr. White, Cardwell) 1552; in Com., 1632 (ii).
- WOOD M. C., EXPLANATION, MR. CARLING: in Com. of Sup., 885 (ii).
- WOODRUFF, J. A., AMOUNTS PAID TO: Ques. (Mr. Somerville, Brant) 68 (i).
- WRECKS AND CASUALTIES: in Com. of Sup., 1374 (ii).
- WRITING DESKS: conc. in Ways and Means, 749 (i).
- WURTELE, HON. J. S. C., APPOINTMENT OF, AS JUDGE: Ques. (Mr. Langeher) 865, 912, 1342 (ii).
- YAMASKA TO RIVER ST. JOHN RY.: prop. Res. (Mr. Pope) 1551; in Com., 1624 (ii).
- Yarmouth Bank B. No. 69 (Mr. Kinney). 1°*, 393; 2°*, 474 (i); in Com. and 3°*, 1085 (ii). (49 Vic., c. 63.)
- Yarmouth Steamship Co.'s incorp. B. No. 91 (Mr. Kinney). 1°*, 599; 2°*, 704 (i); in Com. and 3°*, 1085 (ii). (49 Vic., c. 95.)
- YEAST CAKES, &C.: conc. in Ways and Means, 772 (i).
- YUKON RIVER EXPLORATIONS AND ESTABLISHMENT OF CUSTOM HOUSE: Ques. (Mr. Ross) 266 (i).